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Class B.

CORRESPONDENCE

WITH

SPAIN, PORTUGAL, BRAZIL,

&c. &c.

RELATIVE TO

THE SLAVE TRADE.

1843.

1918

1919

1920

1921

Class B.

CORRESPONDENCE

ON

THE SLAVE TRADE

WITH

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

PARTIES TO TREATIES,

UNDER WHICH

**CAPTURED VESSELS ARE TO BE TRIED BY MIXED
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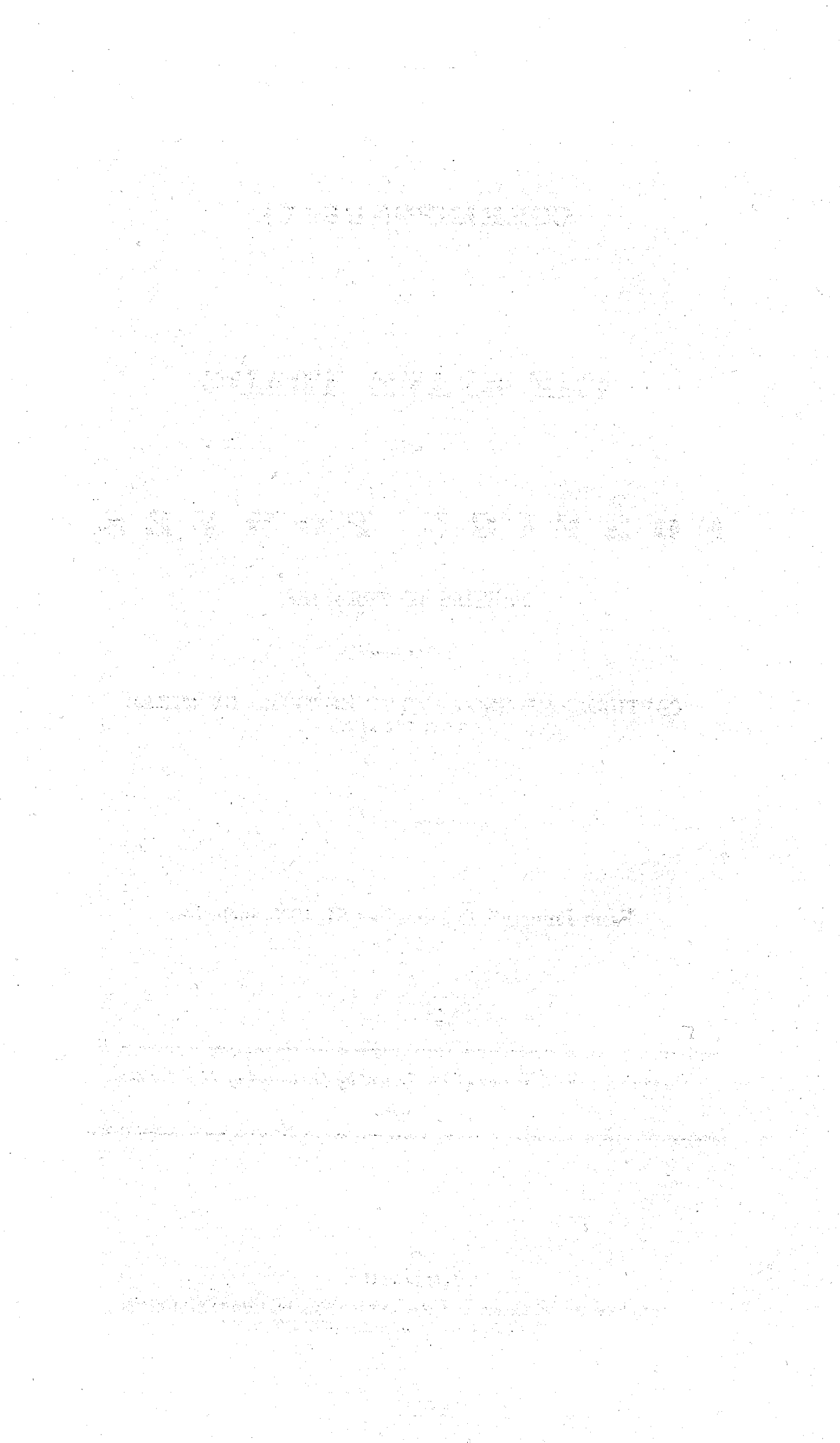
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1844.

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FOR HER MAJESTY'S STATIONERY OFFICE.**

1844.



Class B.—1843.

LIST OF PAPERS.

SPAIN.

No.		Date.	Receipt.	SUBJECT.	Page
		1843.	1843.		
1.	The Earl of Aberdeen to Mr. Aston One Enclosure.	Jan. 17		Bozal negroes given up to their owners in Cuba, under bond	1
2.	The Earl of Aberdeen to Mr. Aston	Jan. 28		Actions against Captain Denman for destroying slave factories at Gallinas	2
3.	Mr. Aston to the Earl of Aberdeen One Enclosure.	March 6	March 15	Bozal negroes given up to their owners in Cuba, under bond	2
4.	Mr. Aston to the Earl of Aberdeen Two Enclosures.	March 6	March 15	Actions against Captain Denman for destroying slave factories at Gallinas	3
5.	Mr. Aston to the Earl of Aberdeen One Enclosure.	March 31	April 9	Note to Spanish Government, urging enactment of penal law against Slave Trade	5
6.	The Earl of Aberdeen to Mr. Aston Two Enclosures.	May 6		Lieut. MacClure appointed Superintendent of liberated Africans at the Havana	6
7.	The Earl of Aberdeen to Mr. Aston Five Enclosures.	June 7		Slave Trade in Cuba. Remonstrance to be made to Spanish Government	8
8.	The Earl of Aberdeen to Mr. Aston One Enclosure.	June 15		Visit of the Spanish brig of war "Nervion" to Sierra Leone	9
9.	The Earl of Aberdeen to Mr. Aston	June 27		Fernando Po	10
10.	Mr. Aston to the Earl of Aberdeen One Enclosure.	June 27	July 4	Negroes landed at Vareda Nueva in Cuba. Reply of Spanish Government	10
11.	The Earl of Aberdeen to Mr. Aston One Enclosure.	July 12		Connivance of Authorities of Cuba in Slave Trade	11
12.	The Earl of Aberdeen to Mr. Aston Two Enclosures.	July 20		To urge the enactment of a penal law against Slave Trade	12
13.	The Earl of Aberdeen to General Sancho	August 5		Copy of Slave Trade papers laid before Parliament, 1843	13
14.	Mr. Jerningham to the Earl of Aberdeen One Enclosure.	Sept. 15	Sept. 25	Note to Spanish Government urging the enactment of the Penal Law	13
15.	The Earl of Aberdeen to Mr. Jerningham One Enclosure.	Oct. 19		Duplicate of Despatch of June 7, to Mr. Aston, and instruction to act upon it	14
16.	Mr. Jerningham to the Earl of Aberdeen One Enclosure.	Nov. 4	Nov. 13	Note to Spanish Government on the preceding	14
17.	The Earl of Aberdeen to Mr. Bulwer One Enclosure.	Dec. 19		Fernando Po	16
18.	The Earl of Aberdeen to Mr. Bulwer Twenty-five Enclosures.	Dec. 31		Increase of Slave Trade in Cuba	17

SPAIN. (*Consular*)—Havana.

		1843.	1843.		
19.	The Earl of Aberdeen to Mr. Crawford One Enclosure.	Feb. 1		Bozal negroes given up to their owners in Cuba, under bond	23
20.	The Earl of Aberdeen to Mr. Crawford Two Enclosures.	Feb. 1		Jamaica negroes held in slavery in Cuba	23
21.	Mr. Crawford to the Earl of Aberdeen Two Enclosures.	Feb. 19	March 21	Bahamas negroes held in slavery in Cuba	25

LIST OF PAPERS.

No.	Date. 1843.	Receipt. 1843.	SUBJECT.	Page
22. Mr. Crawford to the Earl of Aberdeen . . .	Feb. 19	March 21	Plan for the gradual abolition of slavery in Cuba . . .	26
23. Mr. Crawford to the Earl of Aberdeen . . .	Feb. 20	March 21	Slavers fitting out: "Jacinto" and others . . .	27
24. Mr. Crawford to the Earl of Aberdeen Two Enclosures.	Feb. 19	March 21	Refusal of Captain-General to recognise the office of Superintendent of liberated Africans . . .	28
25. Mr. Crawford to the Earl of Aberdeen . . .	March 7	April 3	British subjects dying intestate, being owners of slaves . . .	29
26. The Earl of Aberdeen to Mr. Crawford One Enclosure.	April 13		Alleged negligence of British authorities in Cuba, as to Slave Trade . . .	30
27. Mr. Crawford to the Earl of Aberdeen . . .	March 22	April 21	Jamaica negroes held in slavery in Cuba . . .	30
28. Mr. Crawford to the Earl of Aberdeen . . .	March 22	April 21	Acknowledgment of Despatch of February 1. Bozal negroes given up under bond . . .	31
29. Mr. Crawford to the Earl of Aberdeen . . .	March 22	April 21	Slavers fitting out. "Ultimo" and "Jacinto" . . .	31
30. Mr. Crawford to the Earl of Aberdeen . . .	March 22	April 21	608 slaves landed from the "Volador" . . .	32
31. The Earl of Aberdeen to Mr. Crawford One Enclosure.	April 4		He should decline Administering to the Estates of deceased persons, owners of slaves . . .	32
32. Mr. Crawford to the Earl of Aberdeen . . .	April 5	May 11	Jamaica Negroes held in slavery in Cuba . . .	33
33. Mr. Crawford to the Earl of Aberdeen Two Enclosures.	April 12	May 20	Negroes landed from the "Volador" . . .	33
34. Mr. Crawford to the Earl of Aberdeen . . .	April 18	May 20	State of Cuba . . .	34
35. Mr. Crawford to the Earl of Aberdeen . . .	April 19	May 20	Arrival of Slavers . . .	35
36. The Earl of Aberdeen to Mr. Crawford . . .	May 30		Queries as to Slave Trade and Slavery in Cuba . . .	35
37. Mr. Crawford to the Earl of Aberdeen Two Enclosures.	May 6	June 2	Slaves landed from the "Volador" and "Constancia" . . .	36
38. Mr. Crawford to the Earl of Aberdeen . . .	May 6	June 2	More Importations of Slaves . . .	37
39. Mr. Crawford to the Earl of Aberdeen . . .	May 6	June 2	British subjects, owners of Slaves, dying intestate . . .	38
40. Mr. Crawford to the Earl of Aberdeen . . .	May 7	June 2	Jamaica Negroes held in slavery in Cuba . . .	38
41. The Earl of Aberdeen to Mr. Crawford One Enclosure.	June 15		Copy of Despatch of June 7 to Mr. Aston . . .	39
42. Mr. Crawford to the Earl of Aberdeen Two Enclosures.	May 21	June 19	Reply to Despatch of April 13 . . .	39
43. Mr. Crawford to the Earl of Aberdeen . . .	June 5	July 3	Bahamas Negroes held in slavery in Cuba . . .	41
44. Mr. Crawford to the Earl of Aberdeen . . .	June 17	July 18	British subjects, owners of Slaves, dying intestate . . .	41
45. Mr. Crawford to the Earl of Aberdeen One Enclosure.	June 19	July 18	Slave Trade operations . . .	41
46. Mr. Crawford to the Earl of Aberdeen . . .	June 19	July 18	Negroes employed in British service in Florida during the war with the United States, and now held in slavery in Cuba . . .	42
47. The Earl of Aberdeen to Mr. Crawford Three Enclosures.	July 25		Negroes, natives of Exuma, Bahamas, held in slavery in Cuba . . .	43
48. Mr. Crawford to the Earl of Aberdeen Five Enclosures.	July 10	August 5	Slavers fitting out at Matanzas . . .	46
49. Mr. Crawford to the Earl of Aberdeen . . .	July 10	August 5	American vessels carrying slave cargoes . . .	48
50. The Earl of Aberdeen to Mr. Crawford . . .	Aug. 28		Bahamas negroes held in slavery in Cuba . . .	49
51. The Earl of Aberdeen to Mr. Crawford Two Enclosures.	Aug. 28		Negroes employed in British service in Florida during the war with the United States, and now held in slavery in Cuba . . .	49
52. Mr. Crawford to the Earl of Aberdeen . . .	July 22	Sept. 5	Outfits and extensive preparations for Slave Trade . . .	50
53. Mr. Crawford to the Earl of Aberdeen Five Enclosures.	July 27	Sept. 5	Continued importations of slaves . . .	52
54. Mr. Crawford to the Earl of Aberdeen . . .	July 28	Sept. 5	Murder of newly-imported slaves at Mariel . . .	53
55. Mr. Crawford to the Earl of Aberdeen . . .	July 28	Sept. 5	Acknowledgment of Despatch of May 30 . . .	54

LIST OF PAPERS.

vii

No.		Date.		Receipt.		SUBJECT.	Page
		1843.	1843.	1843.	1843.		
56.	Mr. Crawford to the Earl of Aberdeen	Aug.	2	Sept.	5	Ditto of June 15	54
57.	Mr. Crawford to the Earl of Aberdeen	Aug.	9	Sept.	5	Satisfaction of General Valdes at the terms in which Lord Aberdeen spoke of him	54
58.	Mr. Crawford to the Earl of Aberdeen	Sept.	7	Oct.	6	Negroes, natives of Exuma, Bahamas, held in slavery in Cuba	55
59.	Mr. Crawford to the Earl of Aberdeen	Sept.	21	Nov.	7	700 slaves landed from the "Palmyra," near Matanzas	55
60.	Mr. Crawford to the Earl of Aberdeen One Enclosure.	Oct.	7	Nov.	7	Bahamas negroes held in slavery in Cuba	56
61.	Mr. Crawford to the Earl of Aberdeen	Oct.	7	Nov.	7	Negroes employed in British service in Florida, now held in slavery in Cuba	57
62.	Mr. Crawford to the Earl of Aberdeen	Oct.	9	Nov.	7	Slaves landed from the "Palmyra," near Matanzas	57
63.	Mr. Crawford to the Earl of Aberdeen	Oct.	23	Dec.	8	Report on Slave Trade and Slavery in Cuba and Porto Rico	58
64.	Mr. Crawford to the Earl of Aberdeen Four Enclosures.	Nov.	7	Dec.	8	"Huracan" and "Teresita," slave vessels	64
65.	Mr. Crawford to the Earl of Aberdeen	Nov.	9	Dec.	8	Insurrection of slaves near Matanzas.	65
66.	The Earl of Aberdeen to Mr. Crawford One Enclosure.	Dec.	14			Newly imported slaves given up to their owners under bond	66
67.	The Earl of Aberdeen to Mr. Crawford Circular.	Dec.	31			Instruction under the Act 6 and 7 Victoria, Cap. 98, entitled "An Act for the more effectual suppression of the Slave Trade"	66
68.	The Earl of Aberdeen to Mr. Crawford	Dec.	31			Acknowledgment and approval of his Despatch of Oct. 23	67

SPAIN. (Consular)—St. Jago de Cuba.

	1843.		1843.				
	1843.	1843.	1843.	1843.			
69.	Mr. Clarke to the Earl of Aberdeen	Dec.	3	Jan.	9	"Amaltea," supposed slaver sailed	69
70.	Mr. Clarke to the Earl of Aberdeen	Dec.	3	Jan.	9	"Siete Hermanas" supposed slaver, put back	69
71.	The Earl of Aberdeen to Mr. Clarke One Enclosure.	Feb.	1			Jamaica negroes held in slavery in Cuba	69
72.	Mr. Clarke to the Earl of Aberdeen	Jan.	3	Feb.	8	"Siete Hermanas," supposed slaver, again sailed	70
73.	Mr. Clarke to the Earl of Aberdeen	April	12	May	20	Jamaica negroes held in slavery in Cuba	70
74.	Mr. Clarke to the Earl of Aberdeen Three Enclosures.	April	12	May	20	230 slaves landed from the "Huracan"	71
75.	Mr. Clarke to the Earl of Aberdeen	July	18	Aug.	21	90 slaves landed at Juragua	72
76.	Mr. Clarke to the Earl of Aberdeen One Enclosure.	July	18	Aug.	21	"Huracan" sailed on a slaving voyage	72
77.	Mr. Clarke to the Earl of Aberdeen	Aug.	11	Sept.	21	"Siete Hermanas" slaver, arrived	73
78.	Mr. Clarke to the Earl of Aberdeen Secret.	Aug.	12	Sept.	21	AS to making communications to the Governor of St. Jago, on Slave Trade	73
79.	The Earl of Aberdeen to Mr. Clarke	Oct.	5			Reply to the preceding	74
80.	Mr. Clarke to the Earl of Aberdeen	Sept.	16	Oct.	25	Departure of a slaver, name unknown	74
81.	Mr. Clarke to the Earl of Aberdeen	Oct.	12	Nov.	23	"Teresita," supposed slaver, sailed	75

SPAIN. (Consular)—Teneriffe.

	1843.		1843.				
	1843.	1843.	1843.	1843.			
82.	Mr. Bartlett to the Earl of Aberdeen	July	4	Aug.	24	Arrival of American Commodore	76
83.	Mr. Bartlett to the Earl of Aberdeen	Sept.	6	Oct.	9	Arrival of American frigate, "Macedonian"	76

PORTUGAL.

No.	Date.		Receipt.	SUBJECT.	Page
	1843.	1843.			
84. The Earl of Aberdeen to Lord Howard de Walden	Jan.	17		H.M.S. "Frolic" employed under the Treaty of July 3, 1842	77
85. The Earl of Aberdeen to Lord Howard de Walden	Jan.	18		H.M.S. "Flamer" no longer employed under the Treaty	77
86. The Earl of Aberdeen to Lord Howard de Walden	Jan.	21		H.M.S. "Racer," ditto.	77
87. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	Jan.	23		Good conduct of authorities of Loanda as to Slave Trade	77
88. The Earl of Aberdeen to Lord Howard de Walden	Jan.	26		Appointment of Commissioners and Registrars at the Cape of Good Hope and Jamaica	78
89. The Earl of Aberdeen to Lord Howard de Walden	Feb.	3		H.M.S. "Gorgon" employed under the Treaty	79
90. The Earl of Aberdeen to Lord Howard de Walden	Feb.	4		Laws of the Cape of Good Hope and Jamaica relative to emancipated negroes	79
91. The Earl of Aberdeen to Lord Howard de Walden	Feb.	6		Change in the command of H.M.S. "Iris," employed under the Treaty	80
92. The Earl of Aberdeen to Lord Howard de Walden	Feb.	9		Change in the command of H.M.S. "Pickle," employed under the Treaty	80
93. The Earl of Aberdeen to Lord Howard de Walden	Feb.	10		Change in the command of H.M.S. "Heroine," "Rapid," and "Daphne," employed under the Treaty	80
94. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	Feb.	10		Slave Trade at the Cape Verds	80
95. Lord Howard de Walden to the Earl of Aberdeen	Jan.	31	Feb. 13	British ships employed under the Treaty	81
96. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Jan.	31	Feb. 13	Two Portuguese ships to be employed under the Treaty	81
97. The Earl of Aberdeen to Lord Howard de Walden	Feb.	20		Loss of H.M.S. "Victor," employed under the Treaty	82
98. The Earl of Aberdeen to Lord Howard de Walden	Feb.	23		H.M.S. "Thunderbolt," employed under the Treaty	82
99. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	Feb.	27		Connivance of Cape Verd Authorities in Slave Trade	82
100. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Feb.	16	Feb. 28	Laws of the Cape of Good Hope and Jamaica, relative to Emancipated negroes	83
101. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Feb.	16	Feb. 28	Appointment of British Commissioners announced to Portuguese Government	83
102. Lord Howard de Walden to the Earl of Aberdeen	Mar.	5	Mar. 12	Changes in cruisers employed under the Treaty	84
103. Lord Howard de Walden to the Earl of Aberdeen Two Enclosures.	Mar.	7	Mar. 19	Connivance of Cape Verd Authorities in Slave Trade	84
104. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Mar.	12	Mar. 19	Good conduct of Authorities of Loanda as to Slave Trade	86
105. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Mar.	17	Mar. 27	Laws of the Cape of Good Hope and Jamaica, relative to Emancipated negroes	87
106. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Mar.	17	Mar. 27	Portuguese ship "Tejo," employed under the Treaty	87
107. The Earl of Aberdeen to Lord Howard de Walden	Mar.	31		Disposal of crews of slave-vessels captured under the Treaty	88
108. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	April	1	April 9	Cape Verde Authorities ordered to observe the Treaty	88
109. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	April	11		Case of the "Virtuosa Maria Aldina"	89
110. Baron Moncorvo to the Earl of Aberdeen	April	13	April 15	Case of the "Oriente." Complaint against H.M.S. "Bittern"	90
111. The Earl of Aberdeen to Lord Howard de Walden	April	19		Change of Officer Second in command of H.M.S. "Acorn" employed under the Treaty	92
112. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	April	13	April 23	Disposal of crews of captured Slavers	92
113. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	April	17	April 23	Appointment of Portuguese Commissioners at Loanda and Boa Vista	93

LIST OF PAPERS.

ix

No.	Date.		Receipt.		SUBJECT.	Page
	1843.	1843.	1843.	1843.		
114.	The Earl of Aberdeen to Baron Moncorvo	April 27			Case of the "Oriente"	94
115.	Lord Howard de Walden to the Earl of Aberdeen	April 23	May 1		Suggested Emancipation of slaves in Portuguese East India Possessions	94
116.	The Earl of Aberdeen to Lord Howard de Walden	May 3			H.M.S. "Sappho" employed under the Treaty	95
117.	The Earl of Aberdeen to Lord Howard de Walden	May 5			H.M.S. "Pilot" no longer employed under the Treaty	96
118.	The Earl of Aberdeen to Baron Moncorvo	May 11			Case of the "Oriente"	96
119.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	April 29	May 14		Appointment of Portuguese Commissioners	96
120.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	April 29	May 14		Approval by the Queen of Portugal of the conduct of Captain Cardozo against Slave Trade	97
121.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	May 5	May 14		Two Portuguese ships employed under the Treaty	97
122.	Lord Howard de Walden to the Earl of Aberdeen	May 7	May 14		Misconduct of Portuguese African Authorities as to Slave Trade	98
123.	Lord Howard de Walden to the Earl of Aberdeen	May 11	May 22		Portuguese Colonies in Africa	99
124.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	May 11	May 22		Appointment of Portuguese Commissioners at the Cape and Jamiaca	100
125.	Lord Howard de Walden to the Earl of Aberdeen. One Enclosure.	May 13	May 22		Liberation of John Barnett, a British subject, held in slavery in Bissao	101
126.	The Earl of Aberdeen to Lord Howard de Walden	May 26			H.M.S. "Curaçoa" employed under the Treaty	101
127.	Lord Howard de Walden to the Earl of Aberdeen	May 20	May 28		H.M.S. "Sappho" ditto	101
128.	Lord Howard de Walden to the Earl of Aberdeen	May 20	May 28		The Slave Trader Caetano appointed Lieutenant-Colonel	102
129.	The Earl of Aberdeen to Lord Howard de Walden	June 3			Ditto	102
130.	Baron Moncorvo to the Earl of Aberdeen	May 5	May 5		Baggage of the Portuguese Commissioners at the Cape of Good Hope and Jamaica	103
131.	The Earl of Aberdeen to Baron Moncorvo	June 12			Query as to Portuguese Commissioner at Jamaica	103
132.	The Earl of Aberdeen to Lord Howard de Walden	June 12			H.M.S. "Orestes" and "Sydenham" no longer employed under the Treaty	103
133.	The Earl of Aberdeen to Lord Howard de Walden	June 13			H.M.S. "Rose" employed under the Treaty	103
134.	Baron Moncorvo to the Earl of Aberdeen	June 15	June 16		M. Attavilla, Portuguese Commissioner at Jamaica	104
135.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	June 10	June 18		British ships employed under the Treaty	104
136.	The Earl of Aberdeen to Lord Howard de Walden	June 26			H.M.S. "Avon" employed under the Treaty	104
137.	The Earl of Aberdeen to Lord Howard de Walden	June 26			H.M.S. "Illustrious" no longer employed under the Treaty	105
138.	The Earl of Aberdeen to Lord Howard de Walden	June 26			H.M.S. "Partridge," ditto	105
139.	Lord Howard de Walden to the Earl of Aberdeen Four Enclosures.	June 2	July 25		Bulama	105
140.	The Earl of Aberdeen to Lord Howard de Walden	July 4			H.M.S. "Megæra" no longer employed under the Treaty	108
141.	The Earl of Aberdeen to Lord Howard de Walden	July 4			H.M.S. "Espoir" employed under the Treaty	108
142.	The Earl of Aberdeen to Lord Howard de Walden	July 8			H.M.S. "Waterwich" no longer employed under the Treaty	108
143.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	June 28	July 9		Change in appointment of Commissioner at Jamaica	108
144.	The Earl of Aberdeen to Lord Howard de Walden	July 12			H.M.S. "Spy" employed under the Treaty	109
145.	The Earl of Aberdeen to Lord Howard de Walden	July 12			H.M.S. "Bittern" ditto	109
146.	The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	July 12			Change of Officers Second in Command of Ships employed under the Treaty	109
147.	The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	July 15			Search of Spanish slaver "Urumea," at Sal, by H.M.S. "Heroine"	110
148.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	July 15	July 23		British ships employed under the Treaty	116
149.	The Earl of Aberdeen to Lord Howard de Walden Two Enclosures.	July 29			Bulama	117

CLASS B.

LIST OF PAPERS.

No.	Date. 1843.	Receipt. 1843.	SUBJECT.	Page
150. The Earl of Aberdeen to Lord Howard de Walden	Aug. 2		H.M.S. "Conway" employed under the Treaty . . .	123
151. The Earl of Aberdeen to Lord Howard de Walden	Aug. 2		H.M.S. "Racer" ditto . . .	123
152. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	Aug. 2		Slave Trade at Quillimane . . .	124
153. The Earl of Aberdeen to Lord Howard de Walden	Aug. 11		H.M.S. "Hermes" employed under the Treaty . . .	125
154. The Earl of Aberdeen to Lord Howard de Walden	Aug. 16		British ships no longer employed under the Treaty . . .	125
155. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Aug. 11	Aug. 21	Bulama	125
156. Lord Howard de Walden to the Earl of Aberdeen One Enclosure.	Aug. 20	Aug. 27	Ditto	126
157. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	Aug. 28		Portuguese slaver "Andorinha," suicide of master . . .	127
158. The Earl of Aberdeen to Lord Howard de Walden One Enclosure.	Sept. 8		List of five British ships employed under the Treaty . . .	128
159. Lord Howard de Walden to the Earl of Aberdeen Two Enclosures.	Sept. 1	Sept. 11	Slave Trade in the Mozambique Channel	129
160. The Earl of Aberdeen to Lord Howard de Walden	Sept. 11		Act of Parliament for carrying the Treaty into effect . . .	130
161. The Earl of Aberdeen to Lord Howard de Walden	Sept. 12		Appointment of British Commissioners at Loanda and Boa Vista, and British Arbitrator at Jamaica	131
162. Lord Howard de Walden to the Earl of Aberdeen	Sept. 9	Sept. 18	"Andorinha"	131
163. The Earl of Aberdeen to Lord Howard de Walden	Sept. 22		Disposal of crews of captured slavers	131
164. Lord Howard de Walden to the Earl of Aberdeen One Enclosure	Sept. 16	Sept. 24	Two Portuguese ships employed under the Treaty	132
165. The Earl of Aberdeen to Lord Howard de Walden	Oct. 7		H.M.S. "Cygnet," no longer employed under the Treaty . . .	132
166. The Earl of Aberdeen to Lord Howard de Walden	Oct. 7		H.M.S. "Acorn" ditto	132
167. The Earl of Aberdeen to Lord Howard de Walden	Oct. 9		Coal Depôt at Loanda	133
168. The Earl of Aberdeen to Lord Howard de Walden	Oct. 14		H.M.S. "Fantome," no longer employed under the Treaty . . .	133
169. Lord Howard de Walden to the Earl of Aberdeen Two Enclosures	Oct. 7	Oct. 18	Slave Trade in the Mozambique Channel	133
170. Lord Howard de Walden to the Earl of Aberdeen Four Enclosures	Oct. 11	Oct. 18	British ships employed under the Treaty	135
171. The Earl of Aberdeen to Lord Howard de Walden	Oct. 20		H.M.S. "Avon," no longer employed under the Treaty . . .	136
172. The Earl of Aberdeen to Lord Howard de Walden	Oct. 20		H.M.S. "Hydra," employed under the Treaty	136
173. The Earl of Aberdeen to Lord Howard de Walden	Oct. 23		Rules and Regulations for the Mixed Courts	137
174. Lord Howard de Walden to the Earl of Aberdeen One Enclosure	Oct. 15	Oct. 25	Disposal of crews of captured slavers	137
175. Viscount Canning to Baron Moncorvo	Oct. 27		Query as to names of Portuguese Commissioners at Boa Vista and Loanda	139
176. Baron Moncorvo to Viscount Canning One Enclosure	Oct. 28	Oct. 28	Names of Portuguese Commissioners at Boa Vista and Loanda	139
177. The Earl of Aberdeen to Lord Howard de Walden	Nov. 1		H.M.S. "Tweed," no longer employed under the Treaty . . .	139
178. The Earl of Aberdeen to Lord Howard de Walden	Nov. 3		H.M.S. "Star," employed under the Treaty	140
179. The Earl of Aberdeen to Lord Howard de Walden	Nov. 5		H.M.S. "Eurydice" ditto	140
180. The Earl of Aberdeen to Lord Howard de Walden	Nov. 11		H.M.S. "Volage," no longer employed under the Treaty . . .	140
181. Lord Howard de Walden to the Earl of Aberdeen One Enclosure	Nov. 8	Nov. 15	Rules and Regulations for the Mixed Commissions	140
182. The Earl of Aberdeen to Lord Howard de Walden One Enclosure	Nov. 16		Name of Governor of Quillimane, engaged in Slave Trade	141
183. Lord Howard de Walden to the Earl of Aberdeen One Enclosure	Nov. 14	Nov. 21	Portuguese ports in Africa—project of law for opening them to Foreign Commerce . . .	142
184. Lord Howard de Walden to the Earl of Aberdeen	Nov. 15	Nov. 22	Arrival of H.M.S. "Hydra," with Her Majesty's Commissioners at Loanda . . .	144
185. Lord Howard de Walden to the Earl of Aberdeen Two Enclosures	Nov. 18	Nov. 27	Coal Depôt at Loanda	144

LIST OF PAPERS.

xi

No.		Date.	Receipt.	SUBJECT.	Page
		1843.	1843.		
186.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure	Nov. 19	Nov. 27	Changes in Portuguese ships employed under the Treaty	145
187.	Lord Howard de Walden to the Earl of Aberdeen One Enclosure	Dec. 6	Dec. 11	Proceedings in Cortes relative to Slave Trade	146
188.	The Earl of Aberdeen to Baron Moncorvo	Dec. 14		Case of the "Oriente"	146
189.	The Earl of Aberdeen to Lord Howard de Walden	Dec. 19		H.M.S. "Sealark," employed under the Treaty	148
190.	The Earl of Aberdeen to Lord Howard de Walden	Dec. 29		H.M.S. "Helena" ditto	149

PORTUGAL. (*Consular*)—*Cape Verds.*

		1842.	1843.		
191.	Mr. Rendall to the Earl of Aberdeen	Dec. 14	Jan. 27	Report on Slave Trade at the Cape Verds	151
192.	Mr. Rendall to the Earl of Aberdeen One Enclosure	Dec. 27	Feb. 16	Ditto ditto	153
193.	Mr. Rendall to the Earl of Aberdeen Two Enclosures	Jan. 12	Feb. 16	Search of the Spanish Slaver "Urumea," at Sal, by H.M.S. "Heroine"	155
194.	Mr. Rendall to the Earl of Aberdeen	Feb. 28	April 10	Report on Slave Trade at the Cape Verds	156
195.	The Earl of Aberdeen to Mr. Rendall	May 30		Queries as to Slave Trade and Slavery in the Cape Verds	157
196.	Mr. Rendall to the Earl of Aberdeen Three Enclosures.	April 7	June 12	Bulama	157
197.	Mr. Rendall to the Earl of Aberdeen Five Enclosures.	April 24	June 12	Search of the Spanish slaver "Urumea" at Salo by H.M.S. "Heroine."	159
198.	Mr. Rendall to the Earl of Aberdeen	May 22	June 12	Decrease in Slave Trade	164
199.	Mr. Rendall to the Earl of Aberdeen One Enclosure.	Aug. 14	Sept. 28	Assistance given to Spanish slavers	164
200.	Mr. Rendall to the Earl of Aberdeen One Enclosure.	June 6	Oct. 10	Arrival of Portuguese Commissioner	166

BRAZIL.

		1842.	1843.		
201.	Mr. Hamilton to the Earl of Aberdeen	Nov. 26	Jan. 17	Acknowledgment of Despatches	167
202.	Mr. Hamilton to the Earl of Aberdeen Four Enclosures.	Nov. 26	Jan. 17	Case of the "Amalia"	167
203.	Mr. Hamilton to the Earl of Aberdeen One Enclosure.	Nov. 26	Jan. 17	Amended Convention rejected by Brazilian Government	171
204.	The Earl of Aberdeen to Mr. Hamilton One Enclosure.	Jan. 27		"Castro"	176
205.	Mr. Hamilton to the Earl of Aberdeen Nine Enclosures.	Dec. 22	Feb. 11	Case of the "Leopoldina"	176
206.	Mr. Hamilton to the Earl of Aberdeen Five Enclosures.	Dec. 22	Feb. 11	Accusations made by Brazilian Government against British officers	190
207.	Mr. Hamilton to the Earl of Aberdeen Nine Enclosures.	Dec. 22	Feb. 11	"Maria Carlota" and "Aracaty"	193
208.	Mr. Hamilton to the Earl of Aberdeen Five Enclosures.	Dec. 24	Feb. 11	"Flor de Loanda." Half-yearly Report of the State of the Negroes	203
209.	Mr. Hamilton to the Earl of Aberdeen One Enclosure.	Jan. 15	March 12	Ubatuba affair	208
210.	Mr. Hamilton to the Earl of Aberdeen Two Enclosures.	Jan. 18	March 12	Slaves imported from Monte Video in Brazilian ships of war	210
211.	Mr. Hamilton to the Earl of Aberdeen Three Enclosures.	Jan. 18	March 12	Cases of the "Leopoldina" and "Tejo"	212
212.	Mr. Hamilton to the Earl of Aberdeen Four Enclosures.	Feb. 9	April 12	Question of breaking open Manifests	214
213.	Mr. Hamilton to the Earl of Aberdeen	Feb. 20	April 12	Slaves imported from Monte Video in Brazilian ships of war	218

LIST OF PAPERS.

No.	Date.	Receipt.		SUBJECT.	Page
		1843.	1843.		
214. Mr. Hamilton to the Earl of Aberdeen . . .	Feb. 20	April 12		Deficiency of cruizers . . .	219
215. The Earl of Aberdeen to Mr. Hamilton . . .	May 3			Question of breaking open Manifests . . .	219
216. The Earl of Aberdeen to Mr. Hamilton . . .	May 3			To make a Report on Slave Trade and Slavery . . .	220
217. Mr. Hamilton to the Earl of Aberdeen . . .	March 15	May 7		Acknowledgment of Despatches . . .	221
218. Mr. Ellis to the Earl of Aberdeen . . .	March 29	May 27		State of Slave Trade in Brazil . . .	221
219. Mr. Hamilton to the Earl of Aberdeen . . .	April 12	June 7		Importations of slaves . . .	223
				One Enclosure.	
220. Mr. Hamilton to the Earl of Aberdeen . . .	April 12	June 7		Slaver captured by H.M.S. "Curlew" . . .	225
221. Mr. Hamilton to the Earl of Aberdeen . . .	April 20	June 12		Case of the "Leopoldina" . . .	225
				Six Enclosures.	
222. Mr. Hamilton to the Earl of Aberdeen . . .	April 20	June 12		Case of John Eden . . .	231
				One Enclosure.	
223. The Earl of Aberdeen to Mr. Hamilton . . .	July 5			Remonstrance to Brazilian Government on infractions of Slave Trade Conventions . . .	233
				Three Enclosures.	
224. The Earl of Aberdeen to Mr. Hamilton . . .	July 17			Slaves imported from Monte Video in Brazilian ships of war . . .	240
225. The Earl of Aberdeen to Mr. Hamilton . . .	August 2			Negroes emancipated by the Mixed Court at Rio . . .	241
226. The Earl of Aberdeen to Mr. Hamilton . . .	Aug. 16			Case of John Eden . . .	241
227. Mr. Hamilton to the Earl of Aberdeen . . .	June 22	Aug. 20		Slaves, the property of M. da Luz, forming part of the crew of the "Dous de Fevereiro" . . .	242
				Two Enclosures.	
228. Mr. Hamilton to the Earl of Aberdeen . . .	June 22	Aug. 20		"Dous Amigos," captured by H.M.S. "Curlew" . . .	246
229. The Earl of Aberdeen to Mr. Hamilton . . .	Aug. 28			Negroes emancipated by the Mixed Court—case of Serafina . . .	246
				One Enclosure.	
230. The Earl of Aberdeen to Mr. Hamilton . . .	Sept. 11			Refusal of Brazilian Judge at Sierra Leone to condemn vessels for equipment . . .	247
				Two Enclosures.	
231. The Earl of Aberdeen to Mr. Hamilton . . .	Sept. 12			Farinha exported to Africa manifested as Rum . . .	248
				One Enclosure.	
232. The Earl of Aberdeen to Mr. Hamilton . . .	Sept. 12			"Maria Carlota" and "Aracaty"—Delay in paying Proceeds . . .	248
233. Mr. Hamilton to the Earl of Aberdeen . . .	July 17	Sept. 22		"Flor de Loanda." Half yearly Report of the State of the Negroes . . .	248
				Four Enclosures.	
234. Mr. Hamilton to the Earl of Aberdeen . . .	July 18	Sept. 22		Case of the "Leopoldina" . . .	253
				One Enclosure.	
235. Mr. Hamilton to the Earl of Aberdeen . . .	July 18	Sept. 22		Case of the "Tejo" . . .	256
				One Enclosure.	
236. Mr. Hamilton to the Earl of Aberdeen . . .	July 18	Sept. 22		Question of breaking open Manifests . . .	260
				One Enclosure.	
237. The Earl of Aberdeen to Mr. Hamilton . . .	Oct. 17			Cases of the "Leopoldina" and "Tejo" . . .	262
				One Enclosure.	
238. Mr. Hamilton to the Earl of Aberdeen . . .	Aug. 12	Oct. 25		Refusal of H.M.'s Consul to legalize Papers belonging to the Slave Trader "Fonseca" . . .	263
				Five Enclosures.	
239. Mr. Hamilton to the Earl of Aberdeen . . .	Aug. 12	Oct. 25		Case of the "Tejo" . . .	266
				One Enclosure.	
240. Mr. Hamilton to the Earl of Aberdeen . . .	Aug. 12	Oct. 25		Case of the "Dous Amigos" . . .	268
				Two Enclosures.	
241. Mr. Hamilton to the Earl of Aberdeen . . .	Aug. 12	Oct. 25		Complaint against boats of H.M.S. "Frolic," at Macahé . . .	270
				Four Enclosures.	
242. Mr. Hamilton to the Earl of Aberdeen . . .	Aug. 12	Oct. 25		Emancipated Negress Serafina . . .	278
				Five Enclosures.	
243. Mr. Hamilton to the Earl of Aberdeen . . .	Sept. 16	Nov. 10		Reply to Instruction of May 3 . . .	284
244. Mr. Hamilton to the Earl of Aberdeen . . .	Sept. 16	Nov. 10		Negroes of the "Flor de Loanda" . . .	284
				One Enclosure.	
245. Mr. Hamilton to the Earl of Aberdeen . . .	Sept. 16	Nov. 10		Proceedings of H.M.S. "Frolic" . . .	285
				Three Enclosures.	
246. Mr. Hamilton to the Earl of Aberdeen . . .	Sept. 16	Nov. 10		Slaver "Vencedora" captured by H.M.S. "Frolic" . . .	288
247. Mr. Hamilton to the Earl of Aberdeen . . .	Sept. 16	Nov. 10		Case of the "Dous Amigos" . . .	288
				Four Enclosures.	
248. Mr. Hamilton to the Earl of Aberdeen . . .	Sept. 16	Nov. 10		Question of breaking open Manifests . . .	295
				One Enclosure.	
249. The Earl of Aberdeen to Mr. Hamilton . . .	Nov. 27			Five Negroes of the "Flor de Loanda" sent to the Cape: Approval . . .	298

LIST OF PAPERS.

xiii

No.		Date.		Receipt.		SUBJECT.	Page
		1842.	1843.	1842.	1843.		
250.	M. Lisboa to the Earl of Aberdeen	Nov.	27	Nov.	29	M. de Oliveira Santos appointed Brazilian Arbitrator at Sierra Leone	298
251.	M. Lisboa to the Earl of Aberdeen	Dec.	4	Dec.	4	Case of the "Dous Amigos"—Complaint against Mr. Samo.	298
252.	Mr. Hamilton to the Earl of Aberdeen Four Enclosures.	Oct.	19	Dec.	12	Renewed demand for restoring a slave, part of the crew of a captured slaver	299
253.	Mr. Hamilton to the Earl of Aberdeen One Enclosure.	Oct.	19	Dec.	12	Case of the "Dous Amigos"	304
254.	Mr. Hamilton to the Earl of Aberdeen One Enclosure.	Oct.	19	Dec.	12	Negroes emancipated by the Mixed Court	305
255.	Mr. Hamilton to the Earl of Aberdeen One Enclosure.	Oct.	19	Dec.	12	Expense of maintaining negroes pending adjudication	306
256.	The Earl of Aberdeen to M. Lisboa	Dec.	16			Case of the "Dous Amigos"	307
257.	The Earl of Aberdeen to Mr. Hamilton	Dec.	19			Negroes part of the crew of a captured slaver	307
258.	M. Lisboa to the Earl of Aberdeen	Dec.	19	Dec.	21	Case of the "Dous Amigos"	308

BRAZIL. (Consular)—Rio de Janeiro.

	1842.		1843.		SUBJECT.		
	Date.		Date.				
259.	Mr. Hesketh to the Earl of Aberdeen Two Enclosures.	Oct.	14	Jan.	17	Quarterly Return of Arrivals from and Departures to the Coast	309
260.	The Earl of Aberdeen to Mr. Hesketh	March	8			To make a Report, on Slave Trade and Slavery	311
261.	Mr. Hesketh to the Earl of Aberdeen Two Enclosures.	Jan.	3	Mar.	13	Quarterly Return of Arrivals from and Departures to the Coast	311
262.	The Earl of Aberdeen to Mr. Hesketh	May	30			Queries as to Slave Trade and Slavery in the Province of Rio de Janeiro	313
263.	Mr. Hesketh to the Earl of Aberdeen	April	28	July	20	Quarterly Return of Arrivals from and Departures to the Coast	313
264.	Mr. Hesketh to the Earl of Aberdeen	May	23	July	24	Acknowledgment of Despatch	315
265.	Mr. Hesketh to the Earl of Aberdeen	June	23	Sept.	22	Reasons for making a Joint Report with H.M. Commissioners on Slave Trade and Slavery	315
266.	Mr. Hesketh to the Earl of Aberdeen Two Enclosures.	July	3	Sept.	22	Quarterly Return of Arrivals from and Departures to the Coast	315
267.	Mr. Hesketh to the Earl of Aberdeen	July	18	Sept.	22	Announces transmission of Joint Report	318
268.	Mr. Hesketh to the Earl of Aberdeen	Aug.	2			Reply to Queries on Slave Trade and Slavery in the Province of Rio de Janeiro	318
269.	Mr. Hesketh to the Earl of Aberdeen Two Enclosures.	Oct.	4	Dec.	12	Quarterly Return of Arrivals from and Departures to the Coast	319

BRAZIL. (Consular)—Bahia.

	1842.		1843.		SUBJECT.		
	Date.		Date.				
270.	The Earl of Aberdeen to Mr. Porter	March	8			To make a Report on Slave Trade and Slavery	321
271.	Mr. Porter to the Earl of Aberdeen	Dec.	31	May	23	Acknowledges Despatch of Nov. 10, 1842, "Marabout"	321
272.	The Earl of Aberdeen to Mr. Porter	May	30			Queries on State of Slave Trade and Slavery in the Province of Bahia	321
273.	Mr. Porter to the Earl of Aberdeen Two Enclosures.	Mar.	31	June	12	Quarterly Return of Arrivals from and Departures to the Coast	321
274.	Mr. Porter to the Earl of Aberdeen	Mar.	31	June	12	Increase of Slave Trade. Want of Cruisers	322
275.	Mr. Porter to the Earl of Aberdeen Six Enclosures.	May	2	June	12	"Marabout"	322

LIST OF PAPERS.

No.	Date.	Receipt.		SUBJECT.	Page
		1843.	1843.		
276. Mr. Porter to the Earl of Aberdeen One Enclosure.	May 2	June 12	Ditto	. . . . .	328
277. Mr. Porter to Mr. Bidwell Extract.	May 3	June 20	Ditto	. . . . .	329
278. Mr. Porter to the Earl of Aberdeen	May 30	July 24	American vessels engaged in Slave Trade	. . . . .	329
279. Mr. Porter to the Earl of Aberdeen	June 30	Aug. 21	Farinha exported to Africa in puncheons manifested as Rum	. . . . .	330
280. Mr. Porter to the Earl of Aberdeen Two Enclosures.	June 30	Aug. 21	Quarterly Return of Arrivals from and Departures to the Coast	. . . . .	330
281. Mr. Porter to the Earl of Aberdeen Five Enclosures.	July 30	Oct. 9	Report on Slave Trade and Slavery in the Province of Bahia	. . . . .	332
282. Mr. Porter to the Earl of Aberdeen	Aug. 25	Oct. 9	Increase of Slave Trade. Cargo of slaves landed from the "Leda"	. . . . .	341
283. Mr. Porter to the Earl of Aberdeen One Enclosure.	Aug. 31	Oct. 28	Answer to Queries as to Slavery and Slave Trade in the Pro- vince of Bahia	. . . . .	314

BRAZIL. (*Consular*)—*Maranhã*.

	1843.		1843.		Page
	1843.	1843.			
284. The Earl of Aberdeen to Mr. Corbett	March 8			To make a Report on Slave Trade and Slavery in the Pro- vince of Maranhã	345
285. The Earl of Aberdeen to Mr. Corbett	May 30			Queries as to the state of Slavery and Slave Trade in the Province of Maranhã	345
286. Mr. Corbett to the Earl of Aberdeen	July 24	Sept. 22		Acknowledges Despatch of March 8	345

BRAZIL. (*Consular*)—*Parã*.

	1842.		1843.			Page
	1842.	1842.	1843.	1843.		
287. The Earl of Aberdeen to Mr. Ryan	Feb. 11				On Administering to the Estates of deceased persons owners of Slaves	347
288. The Earl of Aberdeen to Mr. Ryan	March 8				To make a Report on Slave Trade and Slavery in the Pro- vince of Parã	347
289. Mr. Ryan to the Earl of Aberdeen	Dec. 31	Mar. 16			No vessel fitted out for Slave Trade during the quarter	347
290. The Earl of Aberdeen to Mr. Ryan	May 30				Queries as to state of Slave Trade and Slavery in the Pro- vince of Parã	348
291. Mr. Ryan to the Earl of Aberdeen	June 15	Aug. 14			On administering to the Estates of Deceased Persons, owners of slaves	348
292. Mr. Ryan to the Earl of Aberdeen	July 1	Aug. 30			Quarterly Report on Slave Trade	348
293. The Earl of Aberdeen to Mr. Ryan	Oct. 9				On administering to the Estates of deceased persons, owners of slaves	348
294. Mr. Ryan to the Earl of Aberdeen	Oct. 1	Nov. 23			No Slave Trade during the quarter	349

BRAZIL. (*Consular*)—*Paraíba*.

	1843		1843.			Page
	1843.	1843.	1843.	1843.		
295. The Earl of Aberdeen to Mr. Newcomen	March 8				To make a Report on Slave Trade and Slavery in the Pro- vince of Paraíba	351
296. The Earl of Aberdeen to Mr. Newcomen	May 30				Queries as to state of Slave Trade and Slavery in the Pro- vince of Paraíba	351
297. Mr. Newcomen to the Earl of Aberdeen	June 26	Aug. 14			Acknowledges Despatch of March 8	351
298. Mr. Newcomen to the Earl of Aberdeen	July 24	Sept. 21			Report on Slavery and Slave Trade in the Province of Paraíba	351
299. Mr. Newcomen to the Earl of Aberdeen	Oct. 26	Dec. 31			Reply to Queries on ditto	354

BRAZIL. (*Consular*)—*Pernambuco*.

No.	Date.		Receipt.	SUBJECT.	Page
	1842.	1843.			
300.	Mr. Cowper to the Earl of Aberdeen	Dec. 31	March 1	Quarterly Report on Slave Trade	357
301.	The Earl of Aberdeen to Mr. Cowper	Mar. 8		To make a Report on Slave Trade and Slavery in the Province of Pernambuco	358
302.	The Earl of Aberdeen to Mr. Cowper	May 30		Query as to state of Slave Trade and Slavery in the Province of Pernambuco	358
303.	Mr Cowper to the Earl of Aberdeen	May 8	June 12	On administering to the Estates of Deceased Persons, owners of slaves	358
304.	Mr. Cowper to the Earl of Aberdeen	May 8	June 12	Case of the slaver "Temerario"	359
305.	The Earl of Aberdeen to Mr. Cowper	June 20		On administering to the Estates of Deceased Persons, owners of slaves	360
306.	Mr. Cowper to the Earl of Aberdeen Two Enclosures.	June 30	Aug. 21	Quarterly Return of Arrivals from and Departures to the Coast	360
307.	Mr. Cowper to the Earl of Aberdeen Three Enclosures.	Aug. 4	Oct. 9	Report on Slave Trade and Slavery in the Province of Pernambuco	363
308.	Mr. Cowper to the Earl of Aberdeen	Aug. 4	Oct. 9.	Answer to Queries as to Slave Trade and Slavery in the Province of Pernambuco	382
309.	Mr. Cowper to the Earl of Aberdeen Two Enclosures.	Sept. 30	Nov. 10	Attack on an Officer and men of H.M.S. "Growler"	385

NETHERLANDS.

No.	Date.		Receipt.	SUBJECT.	Page
	1843.	1843.			
310.	Sir Edward Disbrowe to the Earl of Aberdeen Three Enclosures.	Jan. 23	Jan. 26	Negroes Emancipated by the Mixed Court at Surinam. Barbadoes negroes held in slavery in Surinam	393
311.	Sir Edward Disbrowe to the Earl of Aberdeen One Enclosure.	Jan. 24	Jan. 26	Alleged intention of the free negroes of Surinam to emigrate to British Guiana	395
312.	Sir Edward Disbrowe to the Earl of Aberdeen Two Enclosures.	Feb. 17	Feb. 20	Barbadoes negroes held in slavery in Surinam. Free negroes of Surinam	396
313.	The Earl of Aberdeen to Sir Edward Disbrowe Two Enclosures.	April 5		Negroes Emancipated by the Mixed Court at Surinam	396
314.	Sir Edward Disbrowe to the Earl of Aberdeen	April 14	April 16	Ditto ditto	397
315.	The Earl of Aberdeen to Sir Edward Disbrowe	April 27		Ditto ditto	398
316.	The Earl of Aberdeen to Sir Edward Disbrowe One Enclosure.	April 27		Cruel treatment of slaves in Surinam	398
317.	Sir A. Malet to the Earl of Aberdeen One Enclosure.	May 12	May 14	Ditto	398
318.	The Earl of Aberdeen to Sir Edward Disbrowe	May 30		Queries as to state of Slave Trade and Slavery in the Dutch Colonies	399
319.	Sir Edward Disbrowe to the Earl of Aberdeen One Enclosure.	June 2	June 4	Cruel treatment of slaves in Surinam	399
320.	The Earl of Aberdeen to Sir E. Disbrowe One Enclosure.	June 24		Negroes emancipated by the Mixed Court at Surinam	400
321.	Sir E. Disbrowe to the Earl of Aberdeen	Aug. 29	Aug. 31	Ditto	401
322.	The Earl of Aberdeen to Sir E. Disbrowe Two Enclosures.	Sept. 14		Ditto	401
323.	Sir E. Disbrowe to the Earl of Aberdeen One Enclosure.	Sept. 29	Oct. 1	Ditto	402
324.	Sir E. Disbrowe to the Earl of Aberdeen One Enclosure.	Oct. 31	Nov. 2	Ditto	402
325.	The Earl of Aberdeen to Sir E. Disbrowe Four Enclosures.	Nov. 10		Ditto	406
326.	Sir E. Disbrowe to the Earl of Aberdeen	Nov. 14	Nov. 16	Ditto	407
327.	The Earl of Aberdeen to Sir E. Disbrowe One Enclosure.	Nov. 30		Ditto	407

LIST OF PAPERS.

No.	Date.	Receipt.		SUBJECT.	Page
		1843.	1843.		
328. Sir E. Disbrowe to the Earl of Aberdeen One Enclosure.	Dec. 1	Dec. 8		Alleged intention of the free negroes of Surinam to emigrate to British Guiana	407
329. Sir E. Disbrowe to the Earl of Aberdeen One Enclosure.	Dec. 5	Dec. 8		Barbadoes negroes held in slavery in Surinam	408
330. Sir E. Disbrowe to the Earl of Aberdeen One Enclosure.	Dec. 5	Dec. 8		Negroes emancipated by the Mixed Court at Surinam	409
331. The Earl of Aberdeen to Sir E. Disbrowe Four Enclosures.	Dec. 20			Slaves imported into Surinam subsequently to the Treaty of 1818	409
332. The Earl of Aberdeen to Sir E. Disbrowe Three Enclosures.	Dec. 31			Negroes of the "Légère"	410

SWEDEN.

	1843.		1843.		
	Date.		Date.		
333. Sir T. Cartwright to the Earl of Aberdeen One Enclosure.	Oct. 31		Nov. 13		Visit of Members of the Anti-Slavery Society to Stockholm
334. Sir T. Cartwright to the Earl of Aberdeen One Enclosure.	Oct. 31		Nov. 13		Regulations for improving the condition of the slaves at St. Bartholomew's
335. The Earl of Aberdeen to Sir T. Cartwright One Enclosure.	Dec. 4				M. Gaspari

ARGENTINE CONFEDERATION.

	1842.		1843.		
	Date.		Date.		
336. Mr. Mandeville to the Earl of Aberdeen One Enclosure.	Nov. 26		Feb. 11		Establishment of Mixed Courts
337. The Earl of Aberdeen to Mr. Mandeville One Enclosure.	June 20				List of British ships employed under the Treaty
338. The Earl of Aberdeen to Mr. Mandeville	July 4				H.M.S. "Espoir" employed under the Treaty
339. The Earl of Aberdeen to Mr. Mandeville	July 27				H.M.S. "Racer" Ditto
340. The Earl of Aberdeen to Mr. Mandeville	August 2				H.M.S. "Conway," Ditto
341. The Earl of Aberdeen to Mr. Mandeville	Aug. 11				H.M.S. "Hermes," Ditto
342. The Earl of Aberdeen to Mr. Mandeville One Enclosure.	Sept. 8				List of seven British ships employed under the Treaty
343. Mr. Mandeville to the Earl of Aberdeen One Enclosure.	July 18		Oct. 9		Establishment of Mixed Courts under the Treaty
344. The Earl of Aberdeen to Mr. Mandeville	Oct. 20				H.M.S. "Avon," no longer employed under the Treaty
345. The Earl of Aberdeen to Mr. Mandeville	Oct. 20				H.M.S. "Hydra" employed under the Treaty
346. The Earl of Aberdeen to Mr. Mandeville	Nov. 1				H.M.S. "Tweed" no longer employed under the Treaty
347. The Earl of Aberdeen to Mr. Mandeville	Nov. 5				H.M.S. "Star" and "Eurydice" employed under the Treaty
348. The Earl of Aberdeen to Mr. Mandeville	Nov. 11				H.M.S. "Volage" no longer employed under the Treaty
349. Mr. Mandeville to the Earl of Aberdeen	Sept. 8		Dec. 12		Ships employed under the Treaty
350. The Earl of Aberdeen to Mr. Mandeville	Dec. 19				H.M.S. "Sealark" employed under the Treaty
351. The Earl of Aberdeen to Mr. Mandeville	Dec. 29				H.M.S. "Helena" Ditto

ARGENTINE CONFEDERATION. (Consular.)

	1843.		1843.		
	Date.		Date.		
352. The Earl of Aberdeen to Mr. Griffiths	May 30				Queries as to state of Slave Trade and Slavery in the Argentine Confederation
353. Mr. Griffiths to the Earl of Aberdeen	Aug. 4		Nov. 10		Acknowledgement of the preceding

BOLIVIA.

No.	Date.	Receipt.	SUBJECT.	Page
354. Mr. Masterton to Mr. Bidwell	Oct. 17	March 14	Delivery of H.M.'s Ratification of the Slave Trade Treaty	427
	1843.			
355. The Earl of Aberdeen to Mr. Masterton	May 30		Queries on the State of Slave Trade and Slavery in Bolivia	427
356. The Earl of Aberdeen to Mr. Masterton	Aug. 23		Establishment of Mixed Courts	427
	One Enclosure.			
357. Mr. Masterton to Mr. Bidwell	Mar. 31	Sept. 14	Relative to the Promulgation of Law declaring Slave Trade Piracy	428
	Three Enclosures.			
358. Mr. Masterton to Mr. Bidwell	April 2	Sept. 14	Ditto ditto	430
	One Enclosure.			
359. The Earl Aberdeen to Mr. Masterton	Sept. 29		List of British ships employed under the Treaty	431
	One Enclosure.			
360. Mr. Masterton to Mr. Bidwell	May 15	Nov. 1	Acknowledgment of Despatch of October 17, 1842	432
361. Mr. Masterton to Mr. Bidwell	May 24	Nov. 1	Establishment of Mixed Courts	432
	Three Enclosures.			
362. The Earl of Aberdeen to Mr. Masterton	Nov. 5		H.M.S. "Eurydice" and "Star" employed under the Treaty	434
363. The Earl of Aberdeen to Mr. Masterton	Nov. 27		Establishment of Mixed Courts	434
364. Mr. Masterton to Mr. Bidwell	June 10	Nov. 28	Ditto	435
365. The Earl of Aberdeen to Mr. Masterton	Dec. 19		H.M.S. "Sealark," employed under the Treaty	436
366. The Earl of Aberdeen to Mr. Masterton	Dec. 29		H.M.S. "Helena," ditto	436

CHILE.

	Date.	Receipt.	SUBJECT.	Page
367. Colonel Walpole to the Earl of Aberdeen	Oct. 20	Mar. 11	Ratification of the Treaty	437
368. Colonel Walpole to the Earl of Aberdeen	Oct. 21	Mar. 11	Penal Law against Slave Trade	437
	Two Enclosures.			
369. Colonel Walpole to the Earl of Aberdeen	Nov. 15	Mar. 11	Negotiation of Separate Article as to the limits of the Right of Search	439
	Seven Enclosures.			
	1843.			
370. The Earl of Aberdeen to Colonel Walpole	May 30		Queries of State of Slave Trade and Slavery in Chile	446
371. The Earl of Aberdeen to Colonel Walpole	Sept. 12		Establishment of Mixed Courts	447
372. The Earl of Aberdeen to Colonel Walpole	Nov. 1		List of British ships employed under the Treaty	447
	One Enclosure.			
373. The Earl of Aberdeen to Colonel Walpole	Nov. 5		H.M.S. "Eurydice" and "Star" employed under the Treaty	448
374. The Earl of Aberdeen to Colonel Walpole	Dec. 19		H.M.S. "Sealark" employed under the Treaty	448
375. The Earl of Aberdeen to Colonel Walpole	Dec. 29		H.M.S. "Helena" ditto	449

URUGUAY.

	Date.	Receipt.	SUBJECT.	Page
376. Mr. Dale to the Earl of Aberdeen	Nov. 17	Feb. 13	Acknowledgment of Despatch	451
377. Mr. Dale to the Earl of Aberdeen	Dec. 16	Mar. 13	Abolition of Slavery in the Republic of the Uruguay	451
	Two Enclosures.			
378. Mr. Dale to the Earl of Aberdeen	Dec. 19	Mar. 13	Slaves embarked for Brazil in Brazilian ships of war	453
	One Enclosure.			
	1843.			
379. Mr. Dale to the Earl of Aberdeen	Jan. 20	April 13	Abolition of Slavery in the Republic	451
	Four Enclosures.			
380. Mr. Mandeville to the Earl of Aberdeen	Jan. 13	April 14	Establishment of Mixed Courts under the Treaty with the Uruguay	456
	One Enclosure.			
381. Mr. Mandeville to the Earl of Aberdeen	Jan. 30	May 7	Ditto ditto	457
	One Enclosure.			
382. The Earl of Aberdeen to Mr. Turner	May 30		Queries as to the state of Slave Trade and Slavery in the Republic of Uruguay	458
383. The Earl of Aberdeen to Mr Dale	July 24		Slaves carried from Monte Video to Brazil in Brazilian ships of war	459
	One Enclosure.			

LIST OF PAPERS.

No.	Date.	Receipt.	SUBJECT.	Page
384. The Earl of Aberdeen to Mr. Turner	Aug. 2		Establishment of Mixed Courts	459
			Enclosures.	
385. The Earl of Aberdeen to Mr. Dale	Sept. 29		List of H.M. ships employed under the Treaty	460
			One Enclosure.	
386. The Earl of Aberdeen to Mr. Dale	Oct. 20		H.M. ship "Hydra" employed under the Treaty	461
387. The Earl of Aberdeen to Mr. Dale	Nov. 5		H.M.S. "Eurydice" and "Star," employed under the Treaty	461
388. The Earl of Aberdeen to Mr. Dale	Dec. 19		H.M.S. "Sealark," Ditto	461
389. The Earl of Aberdeen to Mr. Dale	Dec. 29		H.M.S. "Helena," Ditto	461

Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS.

SPAIN.

No. 1.

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, January 17, 1843.

I HEREWITH transmit to you a copy of a Despatch which I have received from Mr. Crawford, Her Majesty's Consul-General at the Havana, reporting that in the case of a body of negroes supposed to have been recently landed from Africa, in Cuba, the Captain-General permitted the person claiming them, to obtain possession of them as slaves under a bond that he should afterwards produce evidence that they had been imported into the island previous to the year 1820. The consequence of this proceeding will be, that, not only will the negroes in question be immediately subjected to treatment as slaves, before the right of the persons claiming to be their masters has been established; but time and opportunity will be given for the production of an equal number of ladinos, or negroes long held in slavery, in their place, whilst the newly imported negroes may be secretly removed into the interior of the island, and their condition as slaves confirmed for life.

Such a practice, if tolerated, would give the means of evading the stipulations of the Treaty for the Suppression of Slave Trade, in every instance, excepting in that of capture at sea.

Her Majesty's Government do not doubt but that the Regent will be ready to vindicate the honour and good faith of Spain on this point, by giving strict orders to the Captain-General of Cuba, not to permit a recurrence of proceedings similar to that recorded in the accompanying Despatch.

You will accordingly urge the Spanish Government to issue orders that in future cases a rigid enquiry shall at once be made into the truth of a charge that negroes are newly imported into Cuba; and, that, if the charge be proved, the negroes shall be set at liberty, and the persons concerned in the illegal importation duly punished, according to the laws of Spain.

Arthur Aston, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 1.

Mr. Crawford to the Earl of Aberdeen, dated December 7, 1842.

(See Class B. 1842. No. 80, page 158.)

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, January 28, 1843.

ACTIONS have been commenced in the Courts of law, in this country, against Captain the Honourable Joseph Denman, R.N., for the destruction of certain slave factories on the western coast of Africa; and on a recent consultation of the law officers employed to consider the defence to be made to these actions, it was deemed expedient to procure the opinion of some eminent Spanish lawyer, on the following question, viz.:

“Whether, considering that by the Treaty made between Great Britain and Spain, on the 28th June, 1835, the Slave Trade was declared, on the part of Spain, to be thenceforward totally and finally abolished in all parts of the world; any suit can be maintained before any tribunal of Spain, for compensation on account of any injury done in Africa to the property of persons engaged in carrying on the Slave Trade there, contrary to or in breach of the Treaty, and subsequent to the date of it; such property being used by them for the purpose of carrying on that trade.”

I have, in consequence, to instruct you to submit this question to some eminent Spanish lawyer, and to obtain his opinion thereupon, with all convenient despatch, for the information of Her Majesty's Government.

I am, &c.

Arthur Aston, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 3.

*Mr. Aston to the Earl of Aberdeen.**Madrid, March 6, 1843.**(Received March 15.)*

MY LORD,

I HAVE the honour to enclose a copy of a note, which, in obedience to the instructions contained in your Lordship's Despatch, of the 17th January last, I have addressed to Count Almodovar, communicating to his Excellency the circumstances under which it appears that permission was granted by the Captain-General of Cuba, for the importation into that Island of a body of negroes recently landed from Africa, and requesting that strict orders might be given to this functionary not to allow a recurrence of similar proceedings.

I have, &c.

(Signed)

ARTHUR ASTON.

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

Enclosure in No. 3.

Mr. Aston to Count Almodovar.

SIR,

Madrid, February 21, 1843.

HER Majesty's Government have received information from the Havana that, in the case of a body of more than 250 negroes, supposed to have been landed from Africa at Vareda Nueva, in December last, the Captain-General permitted the person claiming them to obtain possession of them as slaves, under a bond that he should afterwards produce evidence that they had been imported into Cuba previously to the year 1820.

It appears to Her Majesty's Government that the consequence of this proceeding will be, that not only will the negroes in question be subjected to treatment as slaves, before the right of the persons claiming to be their masters has been established; but that time and opportunity will be given for the production of an equal number of ladinos, or negroes long held in slavery, in their place, whilst the newly imported negroes may be secretly removed into the interior of the island, and their condition as slaves confirmed for life.

Such a practice, if tolerated, would evidently afford the means of evading

the stipulations of the Treaty for the Suppression of Slave Trade in every instance excepting capture at sea.

Her Majesty's Government do not doubt but that His Highness the Regent will be ready to vindicate the honour and good faith of Spain in this point, by giving strict orders to the Captain-General of Cuba not to permit a recurrence of proceedings similar to that under consideration.

I have consequently been instructed to urge the Government of Her Catholic Majesty to issue orders that, in future cases, a rigid inquiry shall at once be made into the truth of a charge of negroes being newly imported into Cuba; and that, if the charge be proved, such negroes shall be set at liberty, and the persons concerned in the illegal importation duly punished, according to the laws of Spain.

I avail, &c.

(Signed) ARTHUR ASTON.

His Excellency Count Almodovar,
&c. &c. &c.

No. 4.

Mr. Aston to the Earl of Aberdeen.

Madrid, March 6, 1843.

(Received March 15.)

MY LORD,

REFERRING to your Lordship's Despatch of the 28th January, instructing me to procure the opinion of some eminent Spanish lawyer upon a question growing out of the actions commenced in England against Captain the Honourable Joseph Denman, Royal Navy, for the destruction of certain slave factories on the Western Coast of Africa, I have the honour to inclose the opinions thereon of two eminent lawyers of Madrid, Señor Monreal, and Señor Pena y Aguayo, with translations of the same, both of which state that no suit of the kind instituted against Captain Denman can be maintained before any tribunal of Spain.

I have, &c.

(Signed) ARTHUR ASTON.

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

First Enclosure in No. 4.

(Translation.)

Madrid, March 2, 1843.

DON José Maria Monreal, Knight of the Royal and distinguished Spanish Order of Charles III., late Solicitor-General of Her Majesty's Royal Household and Patrimony, late President of the Royal Academy of Jurisprudence of Madrid, Member of several Literary Bodies, &c. &c.

Having been consulted by the British Envoy Extraordinary and Minister Plenipotentiary at Madrid, with regard to the interpretation and application of the Treaty of 28th June, 1835, for the Abolition of the Slave Trade, in the affair of the Hon. Captain Joseph Denman, of the Royal British Navy, I proceed to state my opinion.

It appears that the above-mentioned Captain destroyed certain Spanish factories, established on the Western Coast of Africa, which were employed in the Slave Trade, considering himself authorised to do so by the 1st Article of the Treaty of June 28, 1835, in which that traffic is declared anew to be totally and finally abolished in all parts of the world.

That 1st Article is not sole nor absolute, but is modified and explained by the subsequent Articles of the Treaty, which it is necessary not to lose sight of, in order to understand the 1st. In this Article the general principle of the abolition of the traffic in slaves is established, leaving to the subsequent ones the explanation of the mode of carrying this object into effect, without injury to the contracting parties in the execution.

Accordingly, in the 2nd Article, Her Catholic Majesty bound herself to promulgate in all her dominions, two months after the ratification of the Treaty, a penal law, inflicting a severe punishment on all her subjects who should, under

any pretext whatsoever, take any part whatever in the traffic in slaves. If this law had been passed, it would probably have comprised the cases in which, not only at sea but on land, Spaniards could be declared to be slavetraders; in the same law punishments would have been assigned against the contraveners, according to the circumstances, and in due proportion to the crime, and the limits would have been detailed in it of the powers of the captors by sea or land. But the law promised in Article 2nd, not having been promulgated, and an essential part of the stipulation having remained void and incomplete, I can only give my opinion by conjectural reasoning deduced from the Treaty, and the Annexes A. B., or the Instructions for the Vessels of the Royal Navies of England and Spain, and the Regulations for the Mixed Courts of Justice.

Both in the Treaty and in the Annexes, whenever seizures of contraband in slaves are mentioned, it is on the supposition of their being made in vessels and at sea, without the factories or establishments on land being even once mentioned. For this reason these stipulations cannot have exact application to the case now under question; but from analogy it ought to be inferred that the rules established for the seas, should also serve for land. And in such a case the commanders of cruising vessels not having powers further than to search and detain the contraband vessels, and convey them to the place where the Mixed Court is established, and not having authority to destroy or sink these vessels; for the same reason, neither ought the commanders to have power to destroy the factories on land, being only enabled to close them, and make a report to the nearest Mixed Court, that it should decide whether they ought or ought not to be destroyed.

Applying these principles to the case in question, it appears to me that the Hon. Captain Denman was not authorised, by the Treaty and its Annexes, to destroy the factories on the Western Coast of Africa, but only to have closed them, and reported the same to the Mixed Court of Sierra Leone, which is the nearest, in order that it should decide if those factories were prohibited or not, and if they ought to be demolished.

With regard to whether the Spaniards, who suffered injury can maintain a suit before any tribunal of Spain, for compensation on account of any injury done in Africa, my opinion is that they cannot.

According to the Treaty and its Annexes, the demand for damages and injury caused by the cruisers, in the detention of vessels suspected of Slave Trade, ought to be made before the Mixed Courts, to whom jurisdiction is given to take exclusive cognisance of such matters, and regulations for the indemnification. The tribunals of Spain, consequently, do not possess jurisdiction to decide with regard to the compensation. Besides, they never could have it against a foreign subject prosecuted judicially by a personal action, which must always be tried in the natural tribunal of the accused, which is that of his domicile; without further exception than when the foreign subject resides accidentally in Spain; in which case he may be accused in the Spanish tribunal for foreigners (which is exercised by the Captains-General) for the transgression of Spanish laws, to which he is amenable whilst he resides in the country.

And, finally, if, as is stated in the consultation, the Spaniards injured have brought actions against the Honourable Captain Denman in the tribunals of England, this would prevent their presenting themselves judicially before the Spanish tribunals: for in our laws it is provided and declared, that two actions in two distinct tribunals cannot be maintained by one same person, in the same matter, for the same act, and against the same person, thus dividing the unity of the cause; but that the matter must necessarily be tried in one of the two; in the first which began to take cognisance.

With these observations I consider that the wishes of the law officers of the Crown will be satisfied, with regard to the short question which has been put to me; but if more data, or greater explanation of our laws should be required, I shall give greater latitude to this my opinion, examining all previous Treaties with different powers which bear relation either to the slave question or the jurisdiction of Spanish tribunals over foreign subjects, or *vice versa*, and quoting and copying the part of our civil law which may support my opinion. All which I do not now perform, on account of the urgency with which my opinion has been required, and because I do not conceive it to be absolutely necessary.

(Signed) LICT. JOSE M. MONREAL.

Second Enclosure in No. 4.

(Translation.)

*Opinion.**Madrid, February 22, 1843.*

IN conformity with the 7th Article of the Treaty of 28th June, 1835, it appertains to the Mixed Courts of Justice to take cognisance of all matters regarding infractions of the Treaty; and consequently the ordinary tribunals of Spain are prohibited from the cognisance of these matters, and of their incidencies, in which latter class are included the actions for indemnifications of damages caused by excess in the execution of the Treaty, according to Article 7th of the Regulation. Hence it is to be inferred, that the actions mentioned in the above consultation ought to be commenced before the Mixed Court of Justice established in the dominions of her Catholic Majesty, should they be against any Spanish captain; and it would be after the plaintiff had obtained a sentence in his favour, that he would be entitled to prosecute him before the tribunals of War and Marine in the Peninsula or in the Colonies, (according to the place of the captain's residence,) for the execution and fulfilment of the said sentence; but if before obtaining it in the Mixed Court of Justice, the plaintiff should present his action for damages to the ordinary tribunals, it could not be admitted by them, on account of its being a matter belonging to the exclusive cognisance of the said Mixed Court of Justice, which would undoubtedly not condemn the captain without seeing proofs of his having clearly and wilfully infringed the Treaty, in which case the Mixed Court of Justice would impose a penalty on him according to the 9th Article of the same, and declare the plaintiff entitled to be indemnified by the Government for the injury occasioned to him, according to the spirit and letter of the Regulation of June 28, 1835.

(Signed)

L^{DO}. D. JOSE DE LA PENA,
Y Aguayo.

No. 5.

*Mr. Aston to the Earl of Aberdeen.**Madrid, March 31, 1843.**(Received April 9.)*

MY LORD,

HAVING upon enquiry ascertained that no law had been enacted or promulgated for the punishment of Spanish subjects engaged in the traffic in slaves, conformably to the stipulations contained in the Second Article of the Treaty of 1835, I have, in pursuance of the Instructions conveyed to me in your Lordship's Despatch, of the 31st of December last, addressed a note to Count Almodovar upon the subject, a copy of which I have the honour to enclose.

I have, &c.

(Signed)

ARTHUR ASTON.

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

Enclosure in No. 5.

Mr. Aston to Count Almodovar.

SIR,

Madrid, March 21, 1843.

YOUR Excellency is aware that, by the 2nd Article of the Treaty for the Abolition of Slave Trade, concluded between Great Britain and Spain on the 30th June, 1835, it was stipulated on the part of Spain that, within two months after the exchange of the ratifications of that Treaty, there should be "promulgated throughout the dominions of her Catholic Majesty a penal law, inflicting a severe punishment on all those Her Catholic Majesty's subjects who shall, under any pretext whatsoever, take any part whatever in the traffic in slaves."

With reference to the pressing applications which have been made, from time to time, by this Legation to your Excellency's predecessors, for the fulfilment of the Treaty upon the point in question, I have the honour to inform your Excel-

lency that I have been instructed to enquire from the Government of her Catholic Majesty whether any such penal law has yet been promulgated.

In the event of this having been done, I have the honour to request that I may be furnished with a copy of the law, for the information of Her Majesty's Government; and, should the Treaty not yet have been fulfilled in this respect, I am directed to represent to the Government of Her Catholic Majesty how much the honour and good faith of Spain are concerned therein, and to urge them to give the necessary directions for the promulgation of such a law throughout her Catholic Majesty's dominions without further delay.

I have the honour to state, in conclusion, that it appears from the archives of this Legation, that a law upon the subject under consideration was on the point of being submitted to the Cortes in the summer or autumn of 1839, the presentation of which may naturally have been prevented by the important events which then occurred in this country.

I avail, &c.

(Signed) ARTHUR ASTON.

His Excellency Count Almodovar,
&c. &c. &c.

No. 6.

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, May 6, 1843.

I TRANSMIT herewith to you copies of two communications received at this Office, one from the Colonial Department, and the other from Her Majesty's Consul-General in Cuba, stating that the Captain-General has, for the present, declined to take cognisance of the appointment of Lieutenant M'Clure as Superintendent of Liberated Africans at the Havana.

It appears probable to Her Majesty's Government that this demur on the part of the Captain-General, may have arisen from a want of formality in announcing Mr M'Clure's appointment.

To obviate this objection, if such should exist, you will communicate formally to the Spanish Government, that Her Majesty has been pleased to appoint Lieutenant M'Clure, Royal Navy, at present commanding Her Majesty's ship "Romney," to be Superintendent of Africans liberated under the Treaty concluded on the 28th June, 1835, between Great Britain and Spain, for the Abolition of the Slave Trade; and you will request the Spanish Minister to give directions to the Captain-General, to afford to Lieutenant M'Clure all the assistance in his Excellency's power, to enable Mr. M'Clure to execute his duties.

You will remind the Spanish Government, that on the appointment of Dr. Madden to the same situation in 1835, a similar request was made, and that orders were given to the Captain-General of Cuba accordingly.

In the case of Mr. Turnbull, who succeeded Dr. Madden, it appears, that his appointment as Superintendent, was not announced to the Spanish authorities, probably because Mr. Turnbull received at the same time an appointment to the more important office of British Consul.

Nevertheless, as it is desirable for the satisfactory execution of the duties of Superintendent, that such officer should have the countenance of the Spanish Government, I have to instruct you to make the above-mentioned communication to Count Almodovar without delay.

I am, &c.

(Signed) ABERDEEN.

Arthur Aston, Esq.
&c. &c.

First Enclosure in No. 6.

Mr. Stephen to Viscount Canning.

MY LORD,

Colonial Office, March 28, 1843.

I AM directed by Lord Stanley to transmit to your Lordship, copy of a letter, dated the 13th ultimo, from Mr. M'Clure, the Lieutenant commanding

Her Majesty's ship "Romney," enclosing one from Mr. Crawford, Her Majesty's Consul-General in Cuba, on the subject of an interview and subsequent communication with the Captain-General of Cuba, relative to the appointment conferred upon Mr. M'Clure as Superintendent of Liberated Africans; and I am to request that in laying these papers before the Earl of Aberdeen, your Lordship will enquire whether Lord Aberdeen considers that any notice should be taken of the Captain-General's communication to the Consul-General respecting the Commission of Superintendent of Liberated Africans.

I have, &c.

(Signed) JAMES STEPHEN.

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

First Sub-Enclosure in Enclosure 1 in No. 6.

Mr. M'Clure to Lord Stanley.

Her Majesty's Ship "Romney,"
Havana, February 13, 1843.

MY LORD,

I HAVE the honour to lay before your Lordship the substance of an interview and subsequent communication with his Excellency the Captain-General of this island, relative to the appointment graciously conferred upon me by Her Majesty as Superintendent of Liberated Africans.

In company with Her Majesty's Consul-General, I waited upon his Excellency to present my Commission, upon taking which he requested that that document might be left with him; an unusual condescension, I am informed, as my predecessors have invariably received it back, unopened and unlooked at.

On the following day I received a communication from Mr. Crawford, Her Majesty's Consul-General, inclosing my Commission, and a copy of a letter addressed to him by his Excellency the Captain-General relating to the Superintendency, a duplicate of which I beg to enclose for your Lordship's information.

I have, &c.

(Signed)

ROBERT M'CLURE,
Lieutenant Commanding.

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

Second Sub-Enclosure in Enclosure 1 in No. 6.

Mr. Crawford to Lieutenant M'Clure.

SIR,

Havana, February 11, 1843.

I HAVE the honour of enclosing herewith your Commission, which was yesterday returned to me by his Excellency the Captain-General, accompanied with a letter, of which I also now enclose a copy, by which you will observe that his Excellency says, (alluding to the office which Her Majesty has been pleased to confer upon you,) "that the existence of such a functionary, not being provided for in the Treaty of 1835, and there being no dispositions (orders) from the Supreme Government of Spain to this Government for its being recognised, but rather, on the contrary, indicates that the office had not been admitted; he, his Excellency, had nothing to do nor resolve relative to such document."

I am, &c.

(Signed)

J. T. CRAWFORD,
Consul-General in Cuba.

Lieutenant M'Clure,
&c. &c.

Second Enclosure in No. 6.

Mr. Crawford to the Earl of Aberdeen, February 19, 1843.

(See No. 24, page 28.)

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, June 7, 1843.

I HEREWITH transmit to you, for your information, copies of Despatches recently received from Her Majesty's Commissioners and Consul-General in Cuba, relating to the execution of the Treaty of June 1835, between Great Britain and Spain for the Abolition of Slave Trade.

I have to instruct you to draw the serious attention of the Government of Spain to the facts stated in these communications.

You will remind the Spanish Minister that from the time when the Treaty was concluded, up to a very recent period, Her Majesty's Government have, from time to time, had occasion to remonstrate strongly against the conduct of Her Catholic Majesty's Government, in neglecting to carry into effect the declared objects of that compact, "to abolish, on the part of Spain, the inhuman traffic in slaves effectually, totally and finally throughout the world."

The Government of Spain have been called upon more than once to pass that penal law which, by the second Article of the Treaty, they were bound to promulgate within the period of two months from the exchange of the Ratifications; but the call has been made in vain.

They have been repeatedly urged to give orders to the Governor of Cuba to carry the Treaty into effect in that island; and promises have repeatedly been made that such orders should be given: indeed there is every reason to believe that they were given; and, in Cuba, it has been professed that enquiries have been made into every case of suspected Slave Trade. But the Government at Madrid is well aware that the orders proved practically a dead letter; that the enquiries made were mere forms; and that the importations of slaves from Africa were continued monthly by thousands into the island.

At the same time Her Majesty's Government joyfully acknowledge that these flagrant outrages upon humanity and good faith have not been altogether unchecked.

From the time when General Valdes entered upon his Government, the proceedings of the authorities in Cuba assumed a different aspect.

Upon his Excellency's arrival in the island, he called together the persons known to be interested in Slave Trade, and, avowing that he knew of the connivance of preceding Governors in the unhallowed traffic, declared that, under the order of his Sovereign, he was determined to carry the Treaty into effect.

It is with the most sincere satisfaction that Her Majesty's Government record their conviction that General Valdes has done his utmost to fulfil that determination.

Under his most honourable and efficient administration, Slave Trade, from that time up to a very recent period, gradually decreased in Cuba; so much so that, from the experience of the last two years, it might have been expected that in a short time it would have ceased throughout that island.

But I regret to add that information which Her Majesty's Government has recently received leads them at present to a far different conclusion.

It appears that the local authorities are again wilfully shutting their eyes to the importations of slaves from Africa; the cases of vessels arriving on the coast laden with slaves are more frequent; the landing of them in the island is more open; and the enquiries by the subordinate authorities into infractions of the Treaty are becoming again illusory.

Her Majesty's Consul-General in Cuba, in a recent communication, of which a copy is enclosed herewith, observes, "It is impossible, unless there be protection to such operations of Slave Trade, that they can be carried on to such extent and with such public notoriety."

These violations of the Treaty afford but too much ground to a prevalent report, that the baneful influence of Slave Traders has once more found a place in the Councils of Spain; and that intimations, of a character too authoritative to be withstood, have been conveyed to the highest quarter in Cuba, to the effect that too rigid an observance of the declared object of the Treaty is not the course which is most likely to be approved at Madrid; in fact, that the Supreme Government lends itself to these violations of the good faith of the Sovereign of Spain.

It is with pain and disappointment that Her Majesty's Government find themselves compelled to attach any importance to such a rumour. But as, unfortunately, the facts upon which it is grounded admit of no dispute, they do not hesitate for a moment to call upon the Spanish Government to make manifest to the world that their views have been misrepresented, and that the authorities of Cuba are not only authorised, but that they will be compelled by the Supreme Government; to discharge with sincerity and zeal their share of the obligations by which the Sovereign whom they serve is honourably bound.

With this view, therefore, you will urge the Spanish Government to give their effectual and cordial support to the measures of General Valdes for redeeming the good faith of Spain.

You will call for the promulgation, without further delay, of the penal law which this country has a right to claim in fulfilment of the Second Article of the Treaty of 1835; and you will press the Government to send positive orders to Cuba to carry that law into instant and faithful execution.

I am unwilling to believe that the Government of Spain will be slow to answer this appeal, or that it will be necessary that you should address yourself to any other feelings on their part than those of humanity and honour.

Yet, if Her Majesty's Government admit (as with perfect truth they may) that no act of the Government of Spain would so effectually win for that country the good wishes and sympathy of the British people, and strengthen the friendly relations between the two Crowns, as an honest and efficient co-operation towards the sacred object to which both are pledged; they must at the same time observe that if the Spanish Government shall persist in evading all the just demands of Great Britain upon this head, and if, in defiance of Treaties, cargo upon cargo of human beings is to be landed upon the shores of Cuba, without an attempt on the part of the Officers of the Crown to rescue them from their misery or to punish their oppressors, Spain would look in vain to this country for any sympathy in the efforts which she may some day be called upon to put forth for the preservation of that island to the Spanish Crown.

I am, &c.

Arthur Aston, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosures in No. 7.

1. *Mr. Crawford to the Earl of Aberdeen, March 22, 1843, see No. 30, p. 32.*
2. " " " *April 12, 1843, see No. 33, p. 33.*
3. " " " *May 6, 1843, see No. 37, p. 36.*
4. " " " *May 6, 1843, see No. 38, p. 37.*
5. *Havana Commissioners to the Earl of Aberdeen, April 26, 1843.*

(See Class A, No. 109, page 119.)

No. 8.

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, June 15, 1843.

I TRANSMIT to you herewith a copy of a Despatch, and of its Enclosures, from Her Majesty's Commissioners at Sierra Leone, by which it appears that an application had been made to them by the Commander of Her Catholic Majesty's brig "*Nervion*," for a Return of Slave Vessels condemned in the Mixed British and Spanish Court of Commission, and of the net produce of the sales thereof.

From the enclosed correspondence it appears that Her Majesty's Commissioners not having received any Instructions to that effect, did not feel themselves authorised to furnish to the Commander of Her Catholic Majesty's ship the information he required.

I have to desire that you will communicate the substance of this correspondence to the Spanish Government, and at the same acquaint them that the accounts in question are at present in course of examination in this country.

CLASS B.

When the examination shall have been concluded, Her Majesty's Government will apprise the Spanish Government of the fact, and will be ready to proceed at once to a settlement of the accounts from the date at which they were last settled up to the latest period for which they can be made up.

I am, &c.

Arthur Aston, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 8.

Sierra Leone Commissioners to the Earl of Aberdeen, February 13, 1843.

(See Class A., No. 67, page 80.)

No. 9.

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, June 27, 1843.

HER Majesty's Government have received information that the Commander of a Spanish ship of war, the "*Nervion*," which has recently visited the Island of Fernando Po, has declared it to be the intention of the Spanish Government to assume the administration of the island, and establish a settlement upon it.

Her Majesty's Government having acknowledged the right of Spain to the sovereignty of Fernando Po, have no objection to offer to the measures which it is said the Spanish Government are about to take.

The object which Her Majesty's Government had in view in offering to purchase from the Spanish Crown the Sovereignty of Fernando Po, was the more effectual suppression of the Slave Trade; for which object they were of opinion that the possession of that island would afford great facilities. And if now the Spanish Government are about to form an establishment there, Her Majesty's Government feel that they are justified in requiring that this great and humane purpose should be kept steadily in view; and that in accordance with the spirit of the Treaty by which the two Crowns are bound, the Spanish Government shall not permit the baneful evil of Slave Trade to spring up in Fernando Po; but, on the contrary, use every means which their position in the island will afford them to put down any tendency to Slave Trade in its vicinity.

You will address a note to this effect to the Government of Her Catholic Majesty, and you will in that note specially require that any Spanish authorities who may be established in the island may be joined to give that protection to the persons and property of the English missionaries and settlers which, in virtue of ancient friendly Treaties, it is the duty of Her Majesty's Government to claim for them as subjects of the British Crown.

I am, &c.

(Signed) ABERDEEN.

Arthur Aston, Esq.
&c. &c.

No. 10.

Mr. Aston to the Earl of Aberdeen.

Madrid, June 27, 1843.

(Received July 4.)

MY LORD,

WITH reference to my Despatch of the 6th of March last, upon the subject of the importation into the island of Cuba of 250 African negroes, I have the honour to transmit herewith a copy and translation of a note which I received from M. de Frias, explanatory of the circumstances which took place upon that occasion.

I have, &c.

(Signed) ARTHUR ASTON.

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

Enclosure in No. 10.

(Translation.)

SIR,

Madrid, May 10, 1843.

WHEN your note of the 21st February last, relative to the detention, by the Subaltern Judge of the District of Vereda Nueva, of 200 negroes, suspected of having been landed from Africa, was received, the Captain-General of Cuba had already reported to Her Majesty's Government this occurrence, and also transmitted copy of the judicial investigation instituted into the case, for its decision conformably to justice.

Her Majesty's Government being anxious to elucidate this matter still further, and to proceed with every security in the adoption of their decision, have besides consulted the Indian Department of the Supreme Tribunal of Justice.

From the proceedings adopted at the Havana, and fully proved, it appears—

1st. That the negroes detained were not 250, but only 200.
2nd. That they were not Bozal negroes, landed from Africa, but Ladinos, or those living in the island, and that they were being transferred from the coffee plantation of Don José Antonio Diaz Bustamante to those of their owners; and lastly, that the substitution indicated by you of Ladino, for Bozal negroes, neither took place, nor would such a fraudulent deceit have been permitted by the Captain-General.

The Captain-General, accordingly, ordered them to be given up to their respective owners; and Her Britannic Majesty's Government and yourself, who not long ago expressed great satisfaction at the conduct of the same General in the fulfilment of existing Treaties, will render due justice to the proceedings and decision of an authority who, in cases where Bozal negroes had been seized, has directed their emancipation conformably to the laws, and ordered, without any consideration, the genuine fulfilment of their provisions.

On these grounds Her Majesty's Government trust that, being convinced of the truth of what really took place in the affair of Vereda Nueva, you will make the same known to Her Britannic Majesty's Government, and likewise the good faith with which the Spanish authorities fulfil the stipulations of the Slave Trade Treaties.

With this object instructions have been sent to the Captain-General of Cuba, that in all cases which may occur, similar or analogous to that of Vereda Nueva, the strictest investigation shall be instituted, in order to ascertain, with all exactness, the legal or illegal procedency of the negroes; and that in every instance the law and the provisions of existing Treaties be fulfilled.

I am, &c.

Signed) JOAQUIM DE FRIAS.

The British Minister Plenipotentiary,
&c. &c. &c.

No. 11.

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, July 12, 1843.

WITH reference to my Despatch of the 7th ultimo, respecting the present state of Slave Trade in the Island of Cuba, and the connivance of the authorities of that island in the prohibited traffic; I herewith transmit to you, for communication to the Spanish Government, an extract from a further Despatch from Her Majesty's Consul-General at the Havana upon the subject in question.

I am, &c.

Arthur Aston, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 11.

Extract from Consul-General Crawford's Despatch to the Earl of Aberdeen, dated May 21, 1843.

ON the 6th instant, when reporting several flagrant cases of Slave Trade, I stated to your Lordship that unless there was protection afforded to

such operations, they could not be carried on to so great an extent, or with such notoriety. I will now add that Governor —, of —, is well known to have shut his eyes to very large operations of this detestable traffic, and he is strongly suspected of having taken large gratifications both in money and slaves for his own estates upon several occasions. Most assuredly the last cargo from the "*Segunda Palmyra*" could not have been landed without his connivance at —.

It is lamentable, however, to see such denouncements produce no beneficial result, and calls for reform in the administration of the affairs of this island by removal of such of the officers as are suspected of protecting slavers; and surely the facts as to the outfitting of the "*Jacinto*" are such as to leave no doubt as to the connivance of the captain of the port and the naval officers. It is quite notorious the protection afforded by Governor — to the slavers at —; Governor — to the guilty parties interested in the victims lately landed from the "*Huracan*," near St. Jago de Cuba; and the Spanish authorities at Trinidad de Cuba with respect to the cases reported recently of a brig and felucca at that port.

No. 12.

The Earl of Aberdeen to Mr. Aston.

SIR,

Foreign Office, July 20, 1843.

I TRANSMIT to you herewith a copy of a Despatch from Her Majesty's Commissioners at the Havana, enclosing copies of a correspondence with the Captain-General of Cuba on the subject of the landing of Bozal negroes on the Island of Cuba.

You will perceive that Her Majesty's Commissioners having requested the Captain-General to institute a strict inquiry concerning a body of negroes said to have been recently landed at Matanzas, and to direct that an estate on which it was supposed they would be found should be searched, his Excellency stated his opinion that the stipulations of the Treaty of 1835 between Great Britain and Spain for the Abolition of Slave Trade require that proceedings should be taken only in case of prizes made at sea; and that his Excellency added that he cannot and will not again lend himself "to the prosecution of introductions already effected into estates on account of that being beyond the Treaty."

Her Majesty's Commissioners, however, it appears, very properly contended that by Articles 1 and 2 of the Treaty of 1835, the Spanish Government is bound to use its efforts on land as well as on sea, for the purpose of preventing any of its subjects from being in any way concerned in the trade in slaves.

I have to desire that you will communicate this correspondence to the Spanish Government, and in the note with which you will transmit it you will remind them that by the 1st Article of the Treaty of 1835, Her Catholic Majesty declared, on the part of Spain, the Slave Trade to be thenceforward totally and finally abolished in all parts of the world; and, by Article 2 of the same Treaty, engaged to take the most effectual measures for preventing her subjects from being concerned, and her flag from being used in carrying on, in any way, the trade in slaves, and *especially* to promulgate throughout Her dominions a penal law, inflicting a severe punishment on all those of Her subjects who should, under any pretext whatsoever, take any part whatsoever in the traffic in slaves.

You will add that Her Majesty's Government have a right to expect that Spain will fulfil her engagements on those points; and you will at the same time press the demand which by my Despatch of the 7th ultimo you were instructed to make that the law in question shall now be promulgated; and you will urge that orders shall be given to the Spanish authorities that upon receiving reasonable proof that a cargo of slaves is in the act of being, or has already been, illegally imported, they shall put the law in force against the offending parties.

I transmit to you a copy of a Despatch which I have recently received from Her Majesty's Commissioners at the Havana, containing suggestions upon this point.

I have, &c.

Arthur Aston, Esq.
&c. &c.

(Signed) ABERDEEN.

the most effectual measures for preventing her subjects from being concerned and her flag from being used, in carrying on in any way the trade in slaves; and especially to promulgate throughout her dominions a penal law, inflicting a severe punishment on all those of her subjects who should, under any pretext whatsoever, take any part whatsoever in the traffic in slaves.

I am instructed to add, that Her Majesty's Government have a right to expect that Spain will fulfil her engagements on these points, and to press the demand, already made more than once to Her Catholic Majesty's Government, that the penal law in question shall now be promulgated.

I am further directed to urge, that orders shall be given to the Spanish authorities, that upon receiving reasonable proof that a cargo of slaves is in the act of being, or has already been, illegally imported, they shall put the law in force against the offending parties.

I avail, &c.

(Signed)

G. S. S. JERNINGHAM.

His Excellency Don Joaquin de Frias,
&c. &c. &c.

No. 15.

The Earl of Aberdeen to Mr. Jerningham.

SIR,

Foreign Office, October 19, 1843.

I HAVE received your Despatch dated the 15th ultimo, enclosing a copy of a note which, in accordance with the Instructions contained in my Despatch of the 20th July last, to Mr. Aston, you had addressed to M. Frias, respecting the importation of slaves into Cuba.

By my Despatch of the 7th June last, I furnished Mr. Aston with papers showing the continued infraction in Cuba, of the Treaty of 1835; and I instructed him to make a strong remonstrance to the Spanish Government thereupon. But I have not received, either from Mr. Aston or from yourself any Report of the manner in which that instruction has been fulfilled, nor indeed any acknowledgment of that Despatch.

I now transmit to you a Duplicate thereof, to provide for the case of the original not having reached Her Majesty's Legation; and I have to instruct you to lose no time in presenting a note to the Spanish Minister for Foreign Affairs, in accordance with the Instructions therein contained, unless that step shall have been already taken either by Mr. Aston or by yourself.

I am, &c.

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

(Signed) ABERDEEN.

Enclosure in No. 15.

The Earl of Aberdeen to Mr. Aston, dated June 7, 1843.

(See No. 7, page 8.)

No. 16.

Mr. Jerningham to the Earl of Aberdeen.

MY LORD,

Madrid, November 4, 1843.

(Received November 13.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 19 ult., marked "Slave Trade," enclosing a Duplicate of your Lordship's of the 7th June last to Mr. Aston, and I herewith transmit a copy of the note which I have addressed to Senor Frias, in execution of the Instruction contained in the latter, accommodating it to the delay of presentation.

On referring to the Archives, I have found the original Despatch, upon which Mr. Aston probably did not act on account of the insurrectionary state of the country, and of the jeopardy of the Government, when it arrived.

I have, &c.

(Signed)

G. S. S. JERNINGHAM.

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

Enclosure in No. 16.

*Mr. Jerningham to Senor Frias.**Madrid, November 2, 1843.*

SIR,

I HAVE the honour to inform your Excellency that I have been instructed to draw the serious attention of Her Catholic Majesty's Government to the unsatisfactory execution in the island of Cuba of the Treaty of 1835, between Great Britain and Spain, for the Abolition of Slave Trade, as proved by various communications received from Her Majesty's Commissioners and Consul-General at the Havana in the course of the present year.

I am directed to remind your Excellency, that, from the time when the Treaty was concluded, up to a recent period, Her Majesty's Government have from time to time had occasion to remonstrate strongly against the conduct of Her Catholic Majesty's Government, in neglecting to carry into effect the declared objects of that compact, "to abolish, on the part of Spain, the inhuman traffic in slaves, effectually, totally, and finally throughout the world."

The Government of Spain have been called upon more than once to pass that penal law, which, by the 2nd Article of the Treaty, they were bound to promulgate within the period of two months from the exchange of the Ratification. But the call has been made in vain.

Her Catholic Majesty's Government have been repeatedly urged to give orders to the Governor of Cuba to carry the Treaty into effect in that island; and promises have repeatedly been made that such orders should be given. Indeed, there is every reason to believe that they were given; and in Cuba it has been professed that enquiries have been made into every case of suspected Slave Trade. But Her Catholic Majesty's Government must be well aware that those orders proved practically a dead letter; that the enquiries made were mere forms; and that the importations of slaves from Africa were continued monthly by thousands into the island.

At the same time, Her Majesty's Government joyfully acknowledge that these flagrant outrages upon humanity and good faith have not been altogether unchecked.

From the time when the late Captain-General entered upon his Government, the proceedings of the authorities in Cuba assumed a different aspect.

General Valdes, upon his arrival in the island, called together the persons known to be interested in Slave Trade; and, avowing that he was aware of the connivance of preceding Governors in the unhallowed traffic, declared that, under the order of his sovereign, he was determined to carry the Treaty into effect.

It is with the most sincere satisfaction that Her Majesty's Government record their conviction that General Valdes did his utmost to fulfil that determination.

Under his most honourable and efficient administration, Slave Trade, from that time up to a recent period, gradually decreased in Cuba; so much so, that from the experience of the last two years, it might have been expected that in a short time it would have ceased throughout that island.

But Her Majesty's Government regret to have to add, that information received in the summer of this year led them to a far different conclusion.

It appears from the said information that the local authorities were again wilfully shutting their eyes to the importations of slaves from Africa; that the cases of vessels arriving on the coast, laden with slaves, were more frequent; that the landing of them in the island was more open; and that the enquiries by the subordinate authorities into infractions of the Treaty were becoming again illusory.

Her Majesty's Consul-General in Cuba has observed to Her Majesty's Government: "It is impossible, unless there be protection to such operations of Slave Trade, that they can be carried on to such extent, and with such public notoriety."

These violations of the Treaty afforded but too much ground to a prevalent report, that the baneful influence of the Slave Traders had once more found a place in the Councils of Spain; and that intimations, of a character too authoritative to be withstood, had been conveyed to the highest quarter in Cuba, to the effect, that too rigid an observance of the declared object of the Treaty was not the course most likely to be approved at Madrid; or, in fact,

that the Supreme Government was lending itself to those violations of the good faith of the Sovereign of Spain.

It was with pain and disappointment that Her Majesty's Government found themselves compelled to attach any importance to such a rumour. But as, unfortunately, the facts upon which it was grounded admitted of no dispute, they felt no hesitation to call upon the Spanish Government to make manifest to the world that their views had been misrepresented; and that the authorities of Cuba were not only authorised, but they would be compelled, by the Supreme Government, to discharge with sincerity and zeal their share of the obligations by which the Sovereign whom they served was in honour bound.

But the condition of Spain at the period in question induced the adjournment of such a representation.

Acting upon that view at present, Her Majesty's Government have directed me to urge the Government of Her Catholic Majesty to give their effective and cordial support to such measures as formed the policy, ennobled the character, and dignified the mission of General Valdes, for redeeming the good faith of Spain.

I am instructed to call for the promulgation, without further delay, of the penal law, which England has a right to claim, in fulfilment of the 2nd Article of the Treaty of 1835; and I am directed to press Her Catholic Majesty's Government to send positive orders to Cuba for the carrying that law into instant and faithful execution.

Her Majesty's Government are unwilling to believe that the Government of Spain will be slow to answer to this appeal, or that it can be necessary to interest any other feelings, on their part, than those of humanity and honour. Yet, if Her Majesty's Government admit (as with perfect truth they may) that no act of the Government of Spain would so effectually win for her the good wishes and sympathy of the British people, and strengthen the friendly relations between the two Crowns, as an honest and efficient co-operation towards the sacred object to which both are pledged; they must at the same time observe, that if Her Catholic Majesty's Government shall persist in evading all the just demands of Great Britain upon this head, and if, in defiance of Treaties, cargo upon cargo of human beings is to be landed upon the shores of Cuba, without an attempt on the part of the Officers of the Crown to rescue them from their misery, or to punish their oppressors, Spain would look in vain to England for any sympathy in the efforts which she may one day be called upon to put forth, for the preservation of that island to the Spanish Crown.

I avail, &c.

(Signed)

G. S. S. JERNINGHAM.

His Excellency Don Joaquin de Frias,
&c. &c. &c.

No. 17.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, December 19, 1843.

I HAVE as yet received no acknowledgment of a Despatch which I addressed on the 27th of June to Her Majesty's Minister at Madrid, on the subject of the British Missionaries established in the island of Fernando Po.

I transmit therefore to you herewith, a duplicate of that Despatch, and I have to desire that in case the Instruction contained in it should not yet have been carried into effect, you will immediately present to the Spanish Government a note in the sense of that Instruction, and that you will press for an assurance that the object desired by Her Majesty's Government shall be complied with.

You will not fail to make me acquainted, without delay, with the result of your application to the Spanish Government.

I am, &c.

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

(Signed) ABERDEEN.

Enclosure in No. 17.

The Earl of Aberdeen to Mr. Aston, June 27, 1843.

(See No. 9, page 10).

No. 18.

The Earl of Aberdeen to Mr. Bulwer.

Foreign Office, December 31, 1843.

SIR,

I HAVE to desire that you will take the earliest opportunity to call the attention of the Spanish Government, by a formal note, to the state of Slave Trade and Slavery in the island of Cuba.

By the preamble to the Treaty concluded in 1817 between Great Britain and Spain, Spain bound herself to Great Britain to "adopt, in concert with her, efficacious means for bringing about the abolition of the Slave Trade, and" for "effectually suppressing illicit traffic in slaves, on the part of Spanish subjects." And Spain further engaged by the Treaty itself, that from the date of the exchange of the Ratifications of the Treaty, it should not be lawful for Spanish subjects to carry on the Slave Trade on any part of the coast of Africa, north of the Equator, and that from the 30th day of May, 1820, the Slave Trade should be abolished throughout the entire dominions of Spain; so that after that date, "it should" not be lawful for any of the subjects of the Crown of "Spain to purchase slaves, or to carry on the Slave Trade, on any part of the coast of Africa, upon any pretext, or in any manner whatever."

The cruisers of each nation were empowered to seize vessels with slaves, if found at sea, under the flag of the other nation. Tribunals, composed of individuals of each country, were to try such vessels, and the slaves taken in them were to be emancipated by those tribunals, and to be delivered over to the Government in whose territories the case was tried; and in the regulations for the guidance of the tribunals, it was specially declared and pointed out to their attention, that each Government bound itself to guarantee the liberty of such portion of the individuals as should be respectively consigned to it.

In consideration of the stipulations of that Treaty, Great Britain engaged to give to Spain the sum of £400,000 sterling, in full compensation for all losses sustained by Spanish subjects on account of vessels captured previously to the Treaty, and also for the losses which, in the words of the Treaty, were described as "a necessary consequence of the abolition of the Slave Traffic."

The Treaty was so far fulfilled that cruisers were appointed to act under it; Commissioners were established to try the cases; vessels were taken, tried, and condemned; and the slaves received from the tribunal a sentence of emancipation.

Regulations also were drawn up and agreed upon, providing for a temporary apprenticeship by which the negroes emancipated might be prepared for final and entire freedom.

Great Britain paid the money required from her, and has from the first laboured sedulously in fulfilment of the obligations of the Treaty.

But how has Spain fulfilled her share of the engagement? For an answer to this question it will be sufficient to look to the island of Cuba.

In 1821 the number of slaves in Cuba was estimated at 265,000. A census of the population was taken in 1827, which gave the number of slaves in Cuba to be 286,942. Another census was taken in 1841, when the return of slaves then existing was given at 496,495, thus making an increase, even by the official census of 210,000, in those last 14 years. But that census is known to have been incorrect; and it is believed that the real number was purposely concealed, and at this moment, according to the most intelligent inhabitants, the number of slaves in Cuba is not less than between 8 and 900,000. Her Majesty's Government regret to say that this unnatural and alarming increase in the slave population is but too easily accounted for. An almost avowed connivance at the trade on the part of the local authorities, aided as it has been by the evasions and delays of the Government at Madrid, whenever the conduct of their subordinate officers has been denounced to them, and the strict fulfilment of the Treaty demanded, affords a ready solution of it.

Vessels have arrived and cargoes of slaves have been landed in the face of day, and in the immediate neighbourhood of the capital itself; the facts have been de-

CLASS B.

nounced by the British functionaries to the Captain-General; the name of the vessel, the number of the slaves, the very spot in which they were confined, has been made known to him; and the result has been, that the Captain-General, after going through the form of an investigation, has declared the alleged facts to be unfounded, whilst it has been notorious in Havana that he has received from the slavedealers a price for each slave that has been landed.

Nor has the conduct of the authorities been less culpable in respect to the negroes who have been emancipated by the Mixed Court. Repeatedly, at the conclusion of their apprenticeship, have these unfortunate persons been sold for a new term of slavery, to the profit of those whose solemn duty it was to secure to them complete and permanent freedom.

The British Government remonstrated. Promises were lavishly made; and at length the forcible representations of Her Majesty's Government produced, on the 2nd Jan., 1826, a royal order, enjoining the authorities in Cuba to carry the Treaty into faithful execution, without the delay and evasion arising from their custom of referring to Madrid upon every remonstrance or complaint addressed to them. But even this order was neglected in Cuba, and the infractions of the Treaty still continued.

Subsequently, in 1835, a Treaty was concluded, more stringent than that of 1817, empowering British cruisers to seize vessels under the Spanish flag when equipped for the Slave Trade; and it was stipulated, that two months after the exchange of the Ratifications, the Spanish Government should promulgate a penal law, affixing a severe punishment upon all Spanish subjects concerned in the Slave Trade.

Still the traffic was actively carried on, and though the importation of slaves was less, those who reached the shores of Cuba were suffered to be made slaves, the Governor, as before, receiving his bribe for each individual negro consigned to illegal captivity.

So that in January, 1841, Her Majesty's Commissioners wrote home that they could "not too strongly express their conviction that from the Officers of the Spanish Government they can look for no assistance whatever in suppressing the Slave Trade, and that Great Britain must trust to her own acts alone for effecting that object."

At last a short respite occurred in this long-continued practice of bad faith and injustice, so unworthy of any Government claiming a title to the respect of nations.

In the spring of 1841, General Valdes arrived as Captain-General at Havana. With a promptness and good faith worthy of his high position, he assembled the slavetraders, and told them that, consistently with honour and with justice, he could not connive, as he confessed he found his predecessors had done, in the disgraceful Trade in Slaves. He gave them six months to complete the undertakings which, trusting in a continuance of the favour they had experienced from his predecessors, they had entered into before he came to the Government; and he declared that after those six months no infraction of the Treaty should be allowed to pass unpunished.

The effect of this honest declaration was instantaneous. The number of vessels sailing from the Havana for Africa, which in 1840 had amounted to 56, decreased in 1841 to 31; in 1842 they were only 3. The number of arrivals which in 1840 were 41, were in 1841 only 27, and in 1842 only 9. Of course the importation of slaves diminished accordingly.

The number introduced into the island in 1840 was not less than 14,470; in 1841 it was 11,850; and in 1842 it was reduced to 310. But it was not long before the slavedealers in Cuba made strenuous efforts at Madrid to procure either the recall of this honourable Officer, or the issue of such orders as would force him to permit, as heretofore, the evasions of the Treaty.

They partially succeeded at the time, and shortly afterwards a new Administration was formed in the mother country, and General Valdes was finally recalled, carrying with him from the island the regrets and good wishes of all who were capable of appreciating the probity and disinterestedness of his character.

In this last year, 1843, the importations of slaves have again taken place as formerly in Cuba.

No attempt has been made to check them on the part of the present Spanish authorities. It is in vain that the British functionaries announce them to the

Governor, and the same disgraceful system of evasion, and fraud, and bribery, and bad faith, appears once more in action.

I furnish you with the particulars of these transactions, contained in Despatches from Her Majesty's Commissioners and Her Majesty's Consul-General, in Cuba.

You will see it stated that the slave-traders in Cuba are carrying on undertakings in that disgraceful traffic, with a confidence in impunity, and a corresponding activity, greater than had been evinced by them for many years past, and that the Captain-General has even refused to receive any more communications from Her Majesty's Consul-General, upon the subject.

You will also see that such has been the extent of the illegal importations in Cuba, that it is computed that if the slaves imported since 1820 were emancipated according to the intent and spirit both of the Treaty in 1817, and of that of 1835, not one-sixth of all the negroes or coloured population would remain in bondage; and that whilst the number of these unhappy beings has been rapidly and constantly increasing, the treatment to which they are exposed, on the part of their masters, has become more and more reckless and inhuman.

Although not absolutely denied religious or moral instruction, none whatever is offered to them. The civil laws are, as far as their protection is concerned, almost a dead letter; and when General Valdes, during his enlightened but too short administration, endeavoured, by the force of new regulations for their treatment, to obtain an amelioration of their wretched condition, he was compelled almost immediately to issue a circular, diminishing in a great measure the effect of these very regulations.

Other facts might be cited to show that the Government at Madrid were little inclined to follow up the first steps taken by General Valdes, towards a just and honourable discharge of their engagements.

From a note addressed by General Sancho to this Office, on the 15th of July, 1842, (at which time General Valdes was Governor of Cuba,) it appeared that five years was the utmost time considered by the Spanish Government as necessary for effecting the complete freedom of those negroes who, in spite of their emancipation by sentence of the Mixed Commission, had, through the negligence and cupidity of the Spanish authorities, never yet had the blessing of full liberty conferred upon them.

Against this prolonged continuance of slavery, for those in respect to whose right to immediate freedom not the slightest doubt existed, Her Majesty's Government then remonstrated, and it does seem that at the time these remonstrances were of some avail.

The real liberation of the emancipated negroes commenced in January, 1842. There were then supposed to be about 7000 of this class in Cuba.

By the accompanying abstract from the Reports of Her Majesty's Commissioners, you will see that in the course of that year 920 adult individuals, or about one-eighth of the whole number, besides 295 children, their offspring, received complete liberty. But the number of emancipated negroes restored to freedom within a similar period, has since gradually lessened.

In the first four months of 1843, 141 adults and 19 children, and the next four months only 103 adults, with 29 children, were liberated; in September last there were only 20 adults, with three children; and in October last, only 12 adults, with 10 children, who received this long promised boon.

I have now to desire that you will state to the Government of Spain, that it is with real sorrow that Her Majesty's Government find themselves to confess that it would be culpable on their part were they to continue to act as if any just reliance could be placed upon the fidelity of Spain to the engagements. In 1841, the draft of a Convention was transmitted to Madrid, by which it was proposed to institute, by the aid of British functionaries, an examination into the titles by which the slave population of Cuba is held in servitude.

Encouraged by the novel appearance of good faith on the part of the Government of Cuba, as it was then administered, Her Majesty's Government admitted the weight of certain objections raised against that proposal by the Government at Madrid, and forbore for the time to press it.

The honourable administration of General Valdes, has unfortunately been cut short; and Her Majesty's Government have already had sufficient proof

that the appointment of his successor has brought with it a return to the disgraceful practices described in the former part of this Despatch. Great Britain, then, must trust to her own resources, and to those alone, for the suppression of the Slave Trade carried on by vessels under the Spanish flag; and she is prepared to do so. But she is also entitled, by a solemn engagement of the Spanish Crown, to require that those who equip and navigate those vessels, as well as the receivers of their cargoes, shall be criminals by the law of Spain, and that they shall be punished as such. More than eight years have passed since the Crown of Spain took her engagement upon itself, and it is still unredeemed.

You will therefore demand from the Spanish Government, that they forthwith comply with the obligations of the Second Article of the Treaty of 1835, by the promulgation of a penal law against all slavetraders, subjects of Her Catholic Majesty. You will also require that the Captain-General of Cuba may be called upon to explain the conduct which, in his note to Mr. Consul-General Crawford, of the 28th of October, he has declared it to be his intention to adopt in his intercourse with that Officer; and that he may be enjoined to pay due attention to such communications, bearing upon the infraction of Treaties between Great Britain and Spain, as may be addressed to him by the authorised agents of Her Majesty. Finally, you will require that orders may be sent from Madrid, directing General O'Donnell to follow up the measures of repression begun by his predecessor, and to carry them out efficaciously, to the redemption, in some degree, of the good faith of Spain, and to the satisfaction of the just demands of Great Britain.

I have, &c.

H. Lytton Bulwer, Esq.
&c. &c.

(Signed) ABERDEEN.

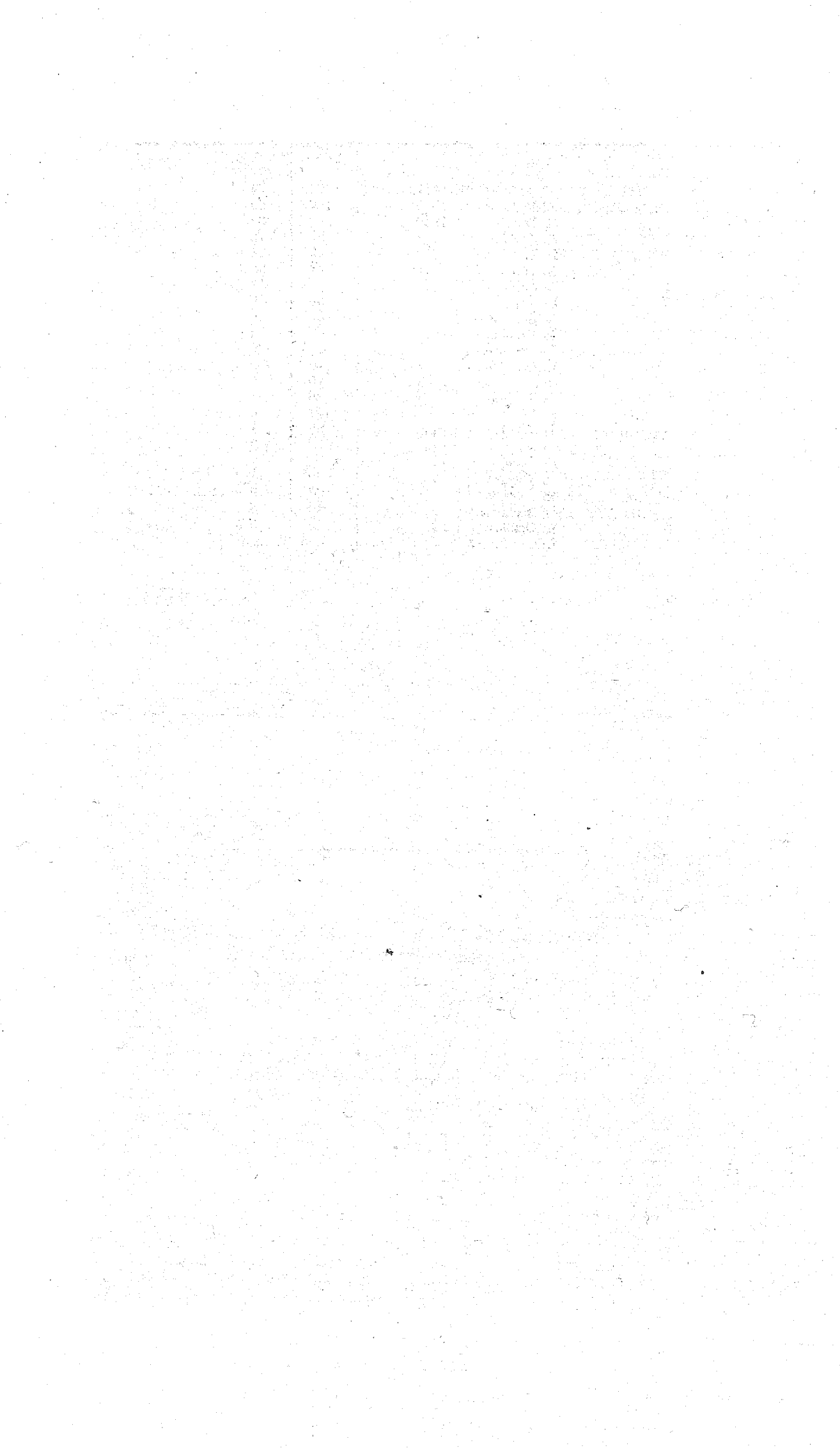
Enclosures in No. 18.

1.	<i>Mr. Crawford to the Earl of Aberdeen,</i>	June 19, 1843.
2.	" "	July 10, "
3.	" "	July 10, "
4.	" "	July 22, "
5.	" "	July 27, "
6.	" "	Aug. 2, "
7.	" "	Aug. 9, "
8.	" "	Sept. 21, "
9.	" "	Oct. 9, "
10.	" "	Oct. 23, "
11.	" "	Nov. 7, "
	(See Nos. 45, 48, 49, 52, 53, 56, 57, 59, 62, 63, and 64.)	
12.	<i>Mr. Clarke to the Earl of Aberdeen,</i>	July 18, "
13.	" "	July 18, "
14.	" "	Aug. 11, "
15.	" "	Sept. 16, "
16.	" "	Oct. 12, "
	(See Nos. 75, 76, 77, 80, and 81.)	
17.	<i>Havana Commissioners to the Earl of Aberdeen,</i>	June 28, "
18.	" "	June 29, "
19.	" "	Aug. 8, "
20.	" "	Aug. 21, "
21.	" "	Oct. 7, "
22.	" "	Oct. 20, "
23.	" "	Nov. 8, "
	(See Class A, No. 119, page 130, No. 120, page 132, No. 127, page 139, No. 128, page 142, No. 134, page 148, No. 136, page 150, and No. 139, page 154.)	
24.	<i>Mr. Kennedy to the Earl of Aberdeen,</i>	Oct. 7, "
	(See Class A, No. 135, page 148.)	

Twenty-fifth Enclosure in No. 18.

TABLE showing the Number of EMANCIPADOS who have had their CERTIFICATES of FREEDOM delivered to them.

Date.	Adults.	Children.
Between January 1, and January 22, 1842 . . .	85	24
Between January 22, and February 28, 1842 . . .	136	66
In March, 1842 . . .	102	33
In April, " . . .	129	48
In May, " . . .	59	22
In June, " . . .	152	36
In July, " . . .	76	17
In August, " . . .	58	9
In September, " . . .	39	14
In October, " . . .	47	14
In November, " . . .	21	8
In December, " . . .	16	4
In January, 1843 . . .	29	9
In February, " . . .	36	5
In March, " . . .	47	4
In April, " . . .	29	1
In May, " . . .	32	2
In June, " . . .	31	7
In July, " . . .	20	11
In August, " . . .	20	9
In September, " . . .	20	3
In October, " . . .	12	10
In November, " . . .	No	Return.



SPAIN. (*Consular*)—Havana.

No. 19.

The Earl of Aberdeen. to Mr. Crawford.

SIR,

Foreign Office, February 1, 1843

I HAVE received your Despatch of the 7th December, 1842, on the subject of the negroes said to have been newly imported into Cuba, and given up to the person claiming them, on a bond to produce hereafter evidence of their having been imported previously to 1820.

I herewith transmit to you a copy of a Despatch which I have addressed to Her Majesty's Envoy at Madrid, instructing him to remonstrate with the Spanish Government on this course adopted by the Captain-General, and to urge the Government to give orders to prevent the recurrence of a similar proceeding in future.

I have to desire that you will support the object of this remonstrance by every proper means.

You will lose no time in urging that, without further delay, such steps shall be taken as may make it certain that the negroes in question shall be honestly dealt with.

And I have to desire that, in future cases of an infraction of the engagements of Spain with Great Britain, for the entire abolition of Slave Trade, you will not content yourself with sending home an account of it, but you will at once make to the Spanish local authorities such remonstrances as the case shall appear to warrant, with a view to ensure the accomplishment of the ends of justice, which, in the present instance, run great risk of being defeated by delay.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 19.

The Earl of Aberdeen to Mr. Aston, January 17, 1843.

(See No. 1.)

No. 20.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, February 1, 1843.

I HEREWITH transmit to you a copy of a letter, and of its Enclosures, received at this department from the Colonial Office, containing a copy of a deposition made on oath by the negro "Wellington," recently released from slavery in Cuba, to the effect, that shortly after his own deportation from Jamaica to Cuba, three other negro boys named "Saulman," "William," and "Charles," belonging to the parish of St. James' in Jamaica, were taken to the Island of Cuba, sold there as slaves, and sent to a coffee plantation in the neighbourhood of Santiago de Cuba, where he believes they still are.

I herewith transmit to you a copy of an Instruction which I have this day addressed to Her Majesty's Consul at St. Jago de Cuba, directing him to lose no time in obtaining information as to the truth of the statement made by "Wellington," and to acquaint you with the result.

I have now to desire that you will give every assistance in your power to Her Majesty's Consul at St. Jago, in this service; and if it shall appear that the negroes in question are still held in slavery in Cuba, you will formally demand from the Captain-General that they shall be restored to freedom, and placed at your disposal, in order to their being sent back to Jamaica.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

First Enclosure in No. 20.

Mr. Stephen to Viscount Canning.

MY LORD,

Downing Street, January 10, 1843.

I AM directed by Lord Stanley, to transmit to your Lordship, for the information of the Earl Aberdeen, the copy of a Despatch from the Governor of Jamaica, inclosing the copy of a Deposition on Oath, by the negro "Wellington," who has lately been released from slavery in Cuba, respecting certain other Jamaica negroes whom he states to be now detained in slavery in that island.

I have, &c.

Viscount Canning,
&c. &c.

(Signed) JAMES STEPHEN.

First Sub-Enclosure in Enclosure 1 in No. 20.

*Lord Elgin to Lord Stanley.**King's House, Jamaica, December 1, 1842.*

MY LORD,

I HAVE the honour to enclose copy of a Deposition on Oath by the negro "Wellington," who has, after a lengthened detention in slavery in Cuba, been restored to his own country, respecting three other boys who were deported, according to his statement, from Jamaica, at about the same time as he was, and sold into slavery in Cuba, in which condition they still remain, together with copy of a letter which I have addressed to Mr. Crawford, Her Majesty's Consul-General at the Havana, on the subject.

I have, &c.

(Signed)

ELGIN AND KINCARDINE.

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

Second Sub-Enclosure in Enclosure 1 in No. 20.

*Lord Elgin to Mr. Crawford.**King's House, Jamaica, December 1, 1842.*

SIR,

I HAVE the honour to transmit herewith, copy of a Deposition on Oath, by the negro "Wellington," who has lately returned to this island, after having been detained for some years in slavery in Cuba, respecting those other three boys who were, as he alleges, taken to Cuba from this island, and sold into slavery, under circumstances similar to those in which he was deported. And I have to request that you will advise me as to the course which you think most likely to lead to their restoration to freedom and their own country.

I have, &c.

(Signed)

ELGIN AND KINCARDINE.

Jos. T. Crawford, Esq.
&c. &c.

Third Sub-Enclosure in Enclosure 1 in No. 20.

JAMAICA, KINGSTON.

EXAMINATION of Wellington, otherwise called George Wellington Crawford, taken before me, John Edwards, Esquire, one of the Commissioners appointed under and by virtue of Her Majesty's Letters Patent, bearing date the 26th day of May, 1838.

Examinant states, That about a month after he was taken over to Cuba by Captain James, as stated in his examination taken this day, three other boys, named Saulman, a black boy belonging to Latinue Estate; William, a Mulatto boy, belonging to Ironshore Estate; and Charles, a black boy, belonging to Tryall Estate, all in the parish of Saint James, in this island, were severally taken over to Cuba by the said Captain James, and landed at the place at which Examinant was landed, and delivered into the possession of the same bald-headed old man, who took them to his house, where Examinant was, where they remained about another month; after which, Examinant, with these three boys,

were taken to the city of Saint Jago, by the son of the old man, and a Spanish brown woman. That they remained at Saint Jago about two weeks, in the possession of a Spaniard, whose name Examinant does not know. That this Spaniard bought the three boys before-named, and sent them into the interior to a coffee mountain, about five miles from St. Jago, belonging to him, where Examinant believes they still are. Examinant was sent in company with them only, and afterwards returned to his master Jonquin Cattilos Mountain. That the boys stated to Examinant that Hannah James had stolen them. That Examinant saw Saulman in the town of Saint Jago about five months ago, since Examinant was found by William Mitchell.

(Signed) GEORGE WELLINGTON CRAWFORD,
His X mark.

Sworn before me this 7th day of November, 1842, the same having been read over and explained to the Examinant.

(Signed) JOHN EDWARDS,
Public Treasurer of Jamaica.

Second Enclosure in No. 20.

The Earl of Aberdeen to Mr. Clarke, February 1, 1843.

(See No. 71, page 69.)

No. 21.

Mr. Crawford to the Earl of Aberdeen.

Havana, February 19, 1843.

(Received March 21.)

MY LORD,

I BEG leave to enclose herewith copy of a letter which I addressed to the Captain-General on the 11th ultimo, and his Excellency's reply of the 21st, relative to Daniel Kelsall, a free negro, one of a great number more who were many years ago deported from the Bahamas, and retained in slavery upon this island. Since his Excellency's communication, I have not heard further from him upon the subject of Kelsall, but I am induced to think that very great caution will be observed as to his case, it being precisely similar to those who were illegally taken from the Bahamas about the same time, and who, with their progeny, amount to several thousands, toiling in slavery as they have been so long and so many years.

I venture to suggest to your Lordship that the vastness of this question and the interests which it involves, as well as the opposition and difficulties which will ever be opposed to claims for the liberation of such unfortunates as this Kelsall, and the rest in parallel circumstances, renders it impossible to deal with it here; and therefore your Lordship will consider of the necessity or expediency of so momentous a matter being made the subject of special negotiation with the mother country, and positive orders being sent here to carry the arrangement which may be come to, into immediate effect. I am thoroughly impressed with the conviction that here we can effect nothing, however just our pretensions, because where the liberation from slavery of so many labourers is involved, the whole power and influence, and, I may add, the wealth of the proprietors of the island generally, will be employed to sway the authorities, and of these I very much doubt that even the best disposed would venture to decide for liberty, unless supported by the opinion of the Supreme Government of Spain, favourable to just pretensions and proofs, such as can be adduced, and are in a great state of forwardness at the Bahamas.

I have good authority for saying that there are many estates in this island where the English language alone is spoken amongst the slaves, thus clearly showing their origin; and I have no doubt that if made subject of negotiation, every one of those unfortunates would be rescued from bondage, wherein they are now illegally suffering.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

&c.

&c.

&c.

CLASS B.

First Enclosure in No. 21.

Mr. Crawford to the Captain-General.

MOST EXCELLENT SIR,

Havana, January 11, 1843.

I HAVE the honour of presenting to your Excellency a Despatch from the Lieutenant-Governor of the Bahamas, transmitting the free papers of a man called Daniel Kelsall, who is now upon the estate of Dñ. Henrique Ward, near to Gibara, called "La Caridad de Gibara," where he was lately seen by Mr. Turnbull, as appears by the document dated 16th November, also herewith enclosed.

It appears that said Daniel Kelsall was deported from the Bahamas by the late Captain Ising—was by him sold to the late Dr. Pattison, and is actually upon the estate of "La Caridad de Gibara."

I have, therefore, to request that your Excellency will be pleased to order that the said individual, Daniel Kelsall, be relieved from the state of slavery in which he is illegally held in this island, and being placed at my disposition, I shall provide him a passage to Nassau by the first opportunity.

I have, &c.

(Signed) JOS. T. CRAWFORD,
*Consul-General in Cuba.**His Excellency the Captain-General,*
&c. &c. &c.

Second Enclosure in No. 21.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, January 21, 1843.

HAVING consulted the First Assessor of the Government, before whom I placed the official documents which your Honour sent me, soliciting that the negro, Daniel Kelsall, be freed and placed at your disposition; in reply, I have to state to your Honour, that when the various processes which I have directed the Governor of St. Jago de Cuba to follow out, are concluded and reported, so as to enable me rightly to decide respecting him, I shall acquaint you thereof.

God guard you many years.

(Signed) GERONIMO VALDES.

The English Consul-General,
&c. &c.

No. 22.

*Mr. Crawford to the Earl of Aberdeen.**Havana, February 19, 1843.**(Received March 21.)*

MY LORD,

SINCE my residence in this island, I have given the subject of emancipation deep consideration, and I have endeavoured to form an opinion of the feelings of the population, which has resulted in my conviction of the true ideas of the mass of proprietors, adverse to any great and philanthropic measure which would affect their individual interests; whilst those who are not imbued with other than sordid feelings and the continuation of slavery, do not hesitate to advocate the necessity of Slave Trade as a means of preserving the colonies dependent on the mother country; fostering, to a certain extent, the germs of discontent among the negroes, at the same time keeping them in a state of brute ignorance, because, as such men say, it is necessary to keep a balance of power by new importations from Africa, and the slaves, in a certain degree, disposed against the Creoles, so that, in the event of insurrection, they could be made available against their masters in aid of the Government of Spain, which, if intelligence was spread by instruction amongst them, would not be the case; therefore, the safety of this island to Spain depends upon the keeping up of numbers amongst the slave population, which, on account of the great waste of life, because of hard labour, can only be done by fresh and continuous importations.

But, my Lord, there are many proprietors who, could they see a prospect of

being reimbursed by compensation for the property in slaves, by which they subsist, and which has descended to them as their only patrimony, would most willingly combine for gradual emancipation.

Could this be brought about, by a decree from the Regent, the effect would be beyond all imagination beneficial; this to be induced constitutionally, or after the previous agitation of the question in the Cortes, would be a matter, perhaps, of difficulty, but more likely its discussion would lead to a reference to this island and Puerto Rico, which would frustrate the design altogether; therefore the absolute decree of the Regent would be the means, could it be promulgated, to the following effect:—

1st, That the Government should levy a contribution upon the slave owners of four reals of half a dollar monthly, for each male and female over fourteen years of age.

2nd, That the sum of 100,000 dollars annually be set apart from the general revenues of Cuba, and, with the contribution expressed in Article 1, be deposited for the redemption of slaves in these islands.

3rd, That a register be formed of all these slaves in the islands, notifying the owners, that for each which they fail to present with his or her age, as nearly as the same can be ascertained, such owner shall suffer a fine of 50 dollars.

4th, That this register shall be revised yearly, and completed in the month of August; and all slaves not therein specified, shall be declared the property of the Government, and freed immediately.

5th, These lists or registers shall be delivered to the magistrates or captains of districts, and by them transmitted to the governors of provinces, previous to the end of November in each year.

6th, That the produce of this tax, and the 100,000 dollars set apart by the Government, shall be applied annually to the redemption of the slaves registered.

7th, That, in attention to the circumstances, and the Catholic faith professed by proprietors and their slaves, the first to be emancipated should be those of certain names most prevalent, such as "José de Jesus," amongst the males, and "Maria," of the females; those of similar combination to follow, and afterwards the mass, alphabetically.

8th, That the publication of the lists be made annually upon Christmas day, the 25th December, and the liberty so given to the slaves be styled by "The Grace of Her Majesty the Queen of Spain."

9th, That the value of the slaves to be so emancipated, shall be settled by the arbitration of Commissioners, whose fiat shall determine the amount of compensation which shall be paid to the owner in the act of manumitting the slaves.

10th, The documents of freedom shall be signed by the Captains-General, and by the Governors of the Provinces where the manumission takes place, or by such Commissioner or Commissioners as may be delegated by Her Majesty of Spain.

In most respectfully placing this project before your Lordship, I beg to add, that I am in some degree indebted for the idea to one gentleman of Havana, a Spaniard, the proprietor of upwards of 300 slaves, and very wealthy in other respects.

If the registry only could be adopted, I need not point out to your Lordship, that, if properly enforced, it would be a most effectual check upon the traffic; and I regret to be obliged to state, that means are still devised to evade the vigilance of the Spanish authorities, in fitting out slavers, who take in their appointments clandestinely at the outports.

I have, &c.

(Signed) JOS. T. CRAWFORD,
The Right Hon. the Earl of Aberdeen, K.T. Consul-General in Cuba.
 &c. &c. &c.

No. 23.

Mr. Crawford to the Earl of Aberdeen.

Havana, February 20, 1843.

(Received March 21.)

MY LORD,

HER Majesty's Commissioners having called the attention of this Government towards vessels preparing for the coast of Africa for the purposes of

Slave Trade, and especially pointing out the brigantine "*Jacinto*," that vesse was hauled out of the tier, and placed in the man of war anchorage, under the surveillance apparently of the marine authorities, where she remained some three weeks.

It would seem, however, that means had been devised to evade the vigilance of these authorities, or what is very currently reported, may be the fact, they have connived at what has taken place.

Said brigantine put to sea on the 7th instant, and her sailing has never been published in the newspapers of this place, as is customary.

The "*Jacinto*" is a very fast-sailing brigantine, with a main topsail; painted black, coppered to the bends, has long and heavy spars, masts scraped, and black yards and mastheads—she has several other names (or aliases), and is the property of Dñ Pedro Forcade—fitted out at great expense, and has a crew of about 30 men, being a vessel of 200 tons, or a little over.

I have since ascertained that two large launches were employed for two nights previous to the "*Jacinto's*" sailing, carrying stores and cargo to her from the wharf of Regla, on the opposite side of this harbour, clandestinely. That she went from hence to Bahia-Honda, where she completed her equipment, and to which place a large lighter conveyed from Regla the remainder of her outfit, the same evening the brigantine sailed from this port.

In placing this information before your Lordship, I lament to be obliged to state, that although there is not the slightest doubt of the circumstances I have detailed, it would be impossible to bring proof against the parties whose duty it was to have prevented, instead of conniving, at these criminal acts; and the success of such evasions will embolden adventurers to engage anew in this nefarious traffic; the more so, as, for a long time, not one of our cruisers has been heard of or seen about this island, so that if the slaver escapes our vigilance on the African coast, there is little to apprehend from the cruisers in this quarter. Not a capture has been made for nearly two years; and I regret to say that many cargoes have been landed with impunity, besides those which have been captured by the Spaniards during that period. Formerly the efforts of our cruisers were most meritorious; I believe they would be no less so now, but I am led to think that the urgency of the other services of the station do not leave the Commander-in-Chief a sufficient number of cruising vessels.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

&c.

&c.

&c.

No. 24.

Mr. Crawford to the Earl of Aberdeen.

Havana, February 19, 1843.

(Received March 21.)

MY LORD,

ON the 9th instant I introduced Lieutenant M'Clure, commanding Her Majesty's ship, "*Romney*," to his Excellency the Captain-General, upon his appointment as Her Majesty's Superintendent of Liberated Africans; when he presented his Commission, which his Excellency retained until the next day, when it was returned to me accompanied by a note. Copy and translation of which I have now the honour of transmitting herewith, by which, it appears, that his Excellency does not recognise the office of Superintendent of Liberated Africans.

I have, &c.

(Signed)

JOS. T. CRAWFORD.

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

Consul-General in Cuba.

&c.

&c.

&c.

First Enclosure in No. 24.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, February 10, 1843.

I RETURN to your honour the Commission which, personally, you were pleased to put into my hands yesterday, belonging to the Lieutenant of the British Royal Navy, R. I. Le Mesurier M'Clure, commanding the line of battle ship, "Romney," appointing him Superintendent of Liberated Africans in this island, in the place of Mr. David Turnbull; and I cannot do less than state that the existence of such functionary not being provided for in the Treaty of 1835, and this Government not having any order (disposition) of the Supreme Government of Spain, recognising such office, but rather on the contrary, indications that it had not been admitted; I have nothing to do nor resolve relative to the said document.

God guard your honour many years.

(Signed)

GERONIMO VALDES.

Her Britannic Majesty's Consul-General,
&c. &c. &c.

Second Enclosure in No. 24.

Mr. Crawford to the Captain-General

MOST EXCELLENT SIR,

Havana, February 11, 1843.

I HAVE the honour of acknowledging the receipt of your Excellency's note of yesterday's date, returning Lieutenant M'Clure's appointment, by Her Majesty the Queen of Great Britain, as Superintendent of Liberated Africans in this island, and I have this day transmitted to Mr. M'Clure a copy of your Excellency's letter accompanying his Commission.

I have, &c.

(Signed)

JOS. T. CRAWFORD,
Consul-General in Cuba.

His Excellency the Captain-General,
&c. &c. &c.

No. 25.

*Mr. Crawford to the Earl of Aberdeen.**Havana, March 7, 1843.**(Received April 3.)*

MY LORD,

HAVING been informed that Doctor Robert Patrick Butler, a subject of Her Majesty, died at Staten Island, New York, last August, intestate, and left some little property in this island, where he resided periodically; I instituted enquiries, and find that said Butler died possessed of three slaves, "Hypolito" and "Martin," who are at Sugua la Grande; and "Canuto," who is serving an American woman, in this city, as calecero or gigboy. I have not ventured to give any directions respecting these slaves, considering that, although, according to the laws here such property could be held by Dr. Butler, I ought not to order in a matter of so great importance without your Lordship's instructions.

The deceased's relatives are living at 9, Portland Place, Clifton, and are, I understand, people of respectability.

It is very probable that many cases similar to the one which I have now the honour of reporting to your Lordship, exist here, and may from time to time come under my notice; I therefore very respectfully request that full instructions may be sent for my guidance.

I have, &c.

(Signed)

JOS. T. CRAWFORD,
Consul-General in Cuba.

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

No. 26.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, April 13, 1843.

I HEREWITH transmit to you a copy of a letter, and of its enclosure, on the subject of Slave Trade in Cuba, which has been received at this Office from the Secretary to the British and Foreign Anti-Slavery Society.

And I have to desire that you will enquire into the truth of the statements therein made; and that you will report to me thereupon, for the information of Her Majesty's Government.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 26.

Mr. Scoble to the Earl of Aberdeen.

(See Enclosure in No. 104, Class A, page 112.)

No. 27.

*Mr. Crawford to the Earl of Aberdeen.**Havana, March 22, 1843.**(Received April 21.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch (No. 2) of the 1st February last, and Enclosures, relative to the three boys, "Saulman," "William," and "Charles," reported as having been kidnapped and carried from Jamaica, now in slavery upon a coffee plantation near to Santiago de Cuba.

In consequence of this information which I received in December last, from the Earl of Elgin, by Her Majesty's ship "Spartan," on the 16th of that month I requested Mr. Consul Clarke to endeavour to discover these unfortunates, and to demand their liberation, for the purpose of their being immediately sent back to Jamaica, desiring him to communicate upon the subject with Lord Elgin, and to report to me should any difficulties be opposed to the restoration of the boys to freedom and their own country.

Mr. Clarke, after using all means of enquiry, found it impossible to discover the estate where they are said to be; and the declaration in this respect, as well as in personal description, is so defective, that it is almost impossible to find or identify the boys. He therefore suggested that Wellington should be sent for to furnish the necessary information; but as I conceive there would not be any difficulty about the matter, could we only discover the place and identify the boys themselves, I wrote to his Excellency the Governor of Jamaica, on the 24th January, for farther information; and I have now the honour of transmitting a copy of that letter, the result of which I await with anxiety, in the hope of receiving a clue to the discovery of the lads, because, if unsuccessful in this way, I must obtain leave for Wellington to return to Santiago de Cuba.

In the meantime, I beg to assure your Lordship that this important matter occupies my unremitting attention.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

Enclosure in No. 27.

Mr. Crawford to the Earl of Elgin and Kincardine.

MY LORD,

Havana, January 24, 1843.

HER Majesty's Consul at Santiago de Cuba reports that he finds difficulty in being able to discover (from the declarations of the boy Wellington) the

estate where the three others, William, Saulman, and Charles, are still held in slavery. I have the honour of enclosing to your Lordship a copy of his Despatch, No. 2, of the 10th instant, and of my reply to it of this date. The situation of this island makes his Excellency the Captain-General be averse to permitting free coloured persons to come in; and although I have little doubt leave could be obtained for the return of Wellington, it would be better, if possible, to avoid so much trouble and expense.

I would therefore propose that he be examined as to the direction from Santiago in which the estate lays whereon William, Saulman, and Charles are, according to his knowledge? The name of that estate? The owner's name? and, if he does not know that, he may know the name of the manager or overseer. Also, where do the people of the estate call at, when in the city? Can he name any person or persons in Santiago de Cuba or its neighbourhood who knows or could identify the said boys? as well as such other questions as may suggest themselves during his examination, which would lead to the discovery of these unfortunates, and help us to their redemption from slavery.

Should your Lordship be pleased to order Wellington's depositions to be taken to the points above mentioned, I request that his examination may be forwarded to Mr. Clarke as soon as conveniently possible.

I have, &c.

(Signed) **JOS. T. CRAWFORD,**
Consul-General in Cuba.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

No. 28.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, March 22, 1843.

(Received April 21.)

I HAVE the honour of acknowledging the receipt of your Lordship's Despatch of the 1st ultimo, enclosing a copy of that to Her Majesty's Envoy at Madrid, which was occasioned by the proceedings reported in my Despatch of 7th* December last, relative to the negroes said to have been newly imported into this island, and given up on bond to the person claiming them.

I shall immediately make a proper remonstrance upon the subject to the Captain-General; and in all similar or other cases, using a discreet judgment, besides reporting to your Lordship, I shall at once address myself to the Spanish local authorities, according to circumstances, as the case may appear to warrant, with a view to ensure the accomplishment of the ends of justice.

I have, &c.

(Signed) **JOS. T. CRAWFORD,**
Consul-General in Cuba.

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

No. 29.

Mr. Crawford to the Earl of Aberdeen.

Havana, March 22, 1843.

(Received April 21.)

(Extract.)

HER Majesty's Commissioners having communicated to me the result of the information given against a vessel under Spanish colours which lately fitted out and sailed from this port, called the "*Ultimo*," supposed to be intended for the coast of Africa and the Slave Trade; and the firm of Prom and Butler, the former a Dane, and the latter, as I understand, a British subject, being mentioned in the Captain of the Port's Report relative to said vessel;

Messrs. Prom and Butler disclaim any interest in said vessel, of which they

* See Class B. 1842, No. 80, page 158.

state themselves to have been the consignees only, the owner being a Mr. Jose Rodrigues; they deny all knowledge of her being to be employed in Slave Trade, and that she was *bonâ fide* chartered to convey passengers from Lanzarotte, one of the Canary islands, to Monte Video.

The vessel having gone to sea, according to the Captain of the Port's information, previous to his having received the Captain-General's order for the investigation, the state of the "*Ultimo*" cannot now be ascertained.

Neither this vessel nor the "*Jacinta*," reported in my No. 3 of this year, were ever put into the list of sailings published in the "*Diario*" official paper; and I much fear that the "*Informés*," or Reports made by the Captain of the Port to his Excellency the Captain-General, are, in their nature the result of arrangements made between the interested parties and the subordinate officers to deceive his Excellency, and cover the guilty purposes complained of; a protection which can only be destroyed by the removal of such officers, and the substitution of others whose principles are well ascertained to be firmly rooted against the traffic.

It will doubtless appear incredible to your Lordship, that such acts are committed under the very eyes of the Captain-General, and so perfectly made to appear groundless the constant informations laid against them, unless it is attributed to the cause I have just stated.

My information as to the "*Jacinta*" is undoubted; it came from a person who witnessed what I have reported of the taking on board her equipments in this harbour, and the sending of the remainder after her.

No. 30.

Mr. Crawford to the Earl of Aberdeen.

Havana, March 22, 1843.

(Received April 21.)

MY LORD,

INFORMATION has reached me that a large cargo (reported 608) negroes from the Coast were landed about ten days ago, some distance to the westward of this port, from the brig "*Volador*;" but I regret to say that although rumour has been so circumstantial as to the number of these victims, and the name of the vessel, I have not been able to ascertain the point of disembarkation, or the name of the master, nor any further particulars, except that the expedition belongs to the celebrated Dñ Pedro Blanco, who is residing in the United States of America.

Having communicated this information to Commander Darley of Her Majesty's sloop "*Electra*," just arrived from Tampico for supplies, on his way to Jamaica, he informs me, that from fires which he observed flashed from various points along the coast to leeward, when on his way up here, he thinks that some others are expected, and will use the greatest vigilance on his way along the island; he sails to-morrow morning.

I expect Vice-Admiral Sir Charles Adam here shortly, when I shall take occasion to draw his attention to the want of cruisers for some time past, owing no doubt to the other pressing attentions of the station.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

&c. &c. &c.

No. 31.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, May 4, 1843.

I HAVE received your Despatch of the 7th ultimo, requesting instructions for your guidance in respect to slaves, the property of deceased British subjects who have died intestate.

I accordingly transmit to you, for your information and guidance, a copy of a Despatch which, by my directions, was addressed under circumstances of a nearly similar nature to Her Majesty's Consul at St. Jago de Cuba; and from which you will learn, that you should decline to administer to the estates of deceased persons in cases in which slaves may form any part of the property of the deceased.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 31.

Mr. Bidwell to Mr. Clarke.

SIR,

Foreign Office, March 12, 1842.

WITH reference to that part of your Despatch of the 26th October last, in which you state that the account of the administration of the effects of the late Mr. Samuel Coltman was delayed, because there still remained three slaves to be sold, which formed part of the property; I am directed by the Earl of Aberdeen to state to you, that although it does not appear there has been any thing illegal in your conduct, in reference to the disposal of the three slaves by the executors of the late Mr. Coltman, nevertheless, his Lordship is of opinion that you should not in future mix yourself up in any manner in the purchase of slaves.

I am, &c.

Charles Clarke, Esq.
&c. &c.

(Signed) JOHN BIDWELL.

No. 32.

Mr. Crawford to the Earl of Aberdeen.

*Havana, April 5, 1843.
(Received May 11.)*

MY LORD,

WITH reference to the information respecting the deported boys, "Charles," "William" and "Saulman," which I had the honour of communicating to your Lordship in my Despatch of the 22nd ultimo, I have now to report, that having received the Earl of Elgin's Despatch of the 25th ultimo, transmitting the Attorney-General's examination of the boy Wellington, it appears that he can by evidence give no clue to the discovery of the other three; and in consequence I have had an interview with his Excellency the Captain-General, and have arranged that Wellington shall be allowed to return to Santiago de Cuba, in order to the discovery of the others; for although he seems to know the coffee estate where they are, he cannot describe its situation with sufficient accuracy to mark its position, and he does not know its name; besides, without his presence it would not be easy to identify the objects of our solicitude so as to obtain their restoration to liberty and their native land.

I have, &c.

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

JOS. T. CRAWFORD,
Consul-General in Cuba.

No. 33.

Mr. Crawford to the Earl of Aberdeen.

*Havana, April 12, 1843.
(Received May 20.)*

MY LORD,

INFORMATION having reached me, that a number of Bozal negroes had been brought into town, and supposing them to have been part of those landed from the "*Volador*," which I had the honour of reporting to your Lordship, in
CLASS B.

my Despatch of the 27th ultimo; I lost no time in despatching a communication to his Excellency, the Captain-General, a copy of which and of his reply, I have now the honour of transmitting herewith; but I have never been able to ascertain whether the Bozales were taken or not.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

First Enclosure in No. 33.

(Translation.) *Mr. Crawford to the Captain-General.*

MOST EXCELLENT SIR, *Havana, March 25, 1843.*

At this moment, now 2 p.m., I have received information that 30 or more Bozal negroes, the night before last, a little after sunset, entered an inclosure in this city, outside the walls, which forms the corner of the street S^{nt}. Rafael with the Galeneo road, and, according to my informant's evidence, they are now in the upper part of the wooden building at that place.

In hastening to do myself the honour of placing this information in the knowledge of your Excellency, for the necessary purposes, I have no doubt that these unfortunates are part of a large number who, it is said, were landed, a few days ago from a brig slaver, the vessel or the expedition the property of Dn Pedro Blanco, called the "*Volador*," the master of which is known by the name or appellation of "Tizon" (or the Firebranch).

God preserve your Excellency many years.

(Signed) JOS. T. CRAWFORD.

His Excellency the Captain-General,
&c. &c. &c.

Second Enclosure in No. 33.

(Translation.) *The Captain-General to Mr. Crawford.*

Havana, March 26, 1843.

I HAVE received your official letter of yesterday's date, denouncing the existence of some negroes, to the amount of 30, said to be Bozales, and that they are believed to be in a house outside the walls of this city; with the other matters referred to in the information of your informant, transmitted to me, and of which, in reply to your Honour, I have to acquaint you that I am fully apprized.

God preserve your Honour many years.

(Signed) GERONIMO VALDES.

Her Britannic Majesty's Consul-General,
&c. &c. &c.

No. 34.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, April 18, 1843.
(Received May 20.)

ON the 26th ultimo, at two points close to each other, Bemba and Cimarones, in the district of Matanzas, upon five estates contiguously situated, insurrection broke out amongst the negroes.

They were all of the Lucomie nation, and are famed for being the most hardy of the Africans, warlike in their own country, and the most hard working here.

They set fire to the works upon three of these estates, did some damage to the railroad between Lucaro and Matanzas, but were quickly gone against by

the mounted peasantry and the troops from Matanzas; 400 men also were sent from this by a Government steamer, so that the insurrection was speedily put down.

The negroes are said to have caused the death of five whites. They had some fifty or sixty shot, and that nation has the custom of self destruction when in despair or disappointment; so that with those killed or shot down, and those who destroyed themselves, I am credibly informed, more than half the 950 engaged in the outbreak have perished, chiefly by their own hands, the woods being filled with hanging victims.

According to official accounts, which have been published, it appears that of the negroes captured, seven have been shot through the back, and forty-five men and two women have been flogged.

Rumours are in circulation of two other attempts at insurrection, one near Gúines, the other near Cardenas, but it is said they did not get to be of very serious moment

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

No. 35.

Mr. Crawford to the Earl of Aberdeen.

Havana, April 19, 1843.
(Received May 20.)

MY LORD,

MR. CONSUL CLARKE acquaints me, of date 5th instant, that a cargo of 230 negroes had been landed from on board the Spanish feluceca "*Huracan*," at Guayanamo, a place to windward of Santiago de Cuba, the vessel herself having, on the 9th, come into the latter port, and entered, in ballast, from Montevideo. Mr. Clarke had addressed Governor Tello upon the subject; but, although these unfortunate negroes were exposed publicly for sale at a country house only a league and a half from the city, no steps appear to have been taken to rescue them.

I have communicated to Vice-Admiral Sir Charles Adam this intelligence, and also information, which I consider well founded, of another debarkation from the coast of Africa, at Trinidad de Cuba; and two more on the north side of this island—one to windward and the other to leeward of this port—since those of the "*Volador*;" but the names of the vessels I have not been able to learn.

I have also informed Sir Charles of a piratical pilot-boat schooner, which, about ten days ago, brought a brig, supposed to be English or America, into a place called "*Canal de Cuatro reales*," on the south side, near Mansanillo, and there burnt her, no further particulars being known.

Upon acquainting the Spanish Admiral, I found that he was already apprised of these facts, and he says that he has two cruisers on that station.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

No. 36.

The Earl of Aberdeen to Mr. Crawford.

Foreign Office, May 30, 1843.

Queries respecting Slave Trade and Slavery in Cuba and Porto Rico.

(See Class A. No. 212, page 301.)

No. 37.

*Mr. Crawford to the Earl of Aberdeen.**Havana, May 6, 1842.**(Received June 3.)*

MY LORD,

I HAVE the honour of transmitting herewith copies and translations of the correspondence which I have had with his Excellency the Captain-General, in the prosecution of the informations previously lodged and referred to in my Despatch of the 12th ult., respecting the negroes landed from the "*Volador*," alias "*Constancia*," under which name that celebrated slaver has, it appears, made this last voyage to the coast of Africa. I regret, however, that as yet no good result has been communicated, either as to the capture of the vessel, the detecting of the master and crew, or the liberation of the unfortunate negroes.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

First Enclosure in No. 37.

Mr. Crawford to the Captain-General.

MOST EXCELLENT SIR,

Havana, April 28, 1843.

I BEG leave to place before your Excellency a slip from the New Orleans paper, "*The Tropic*," of the 22nd inst., relative to a slave vessel under Spanish colours, which was boarded on the 20th February last off the southern coast of this island. This brigantine is without doubt the "*Voladora*," which landed her cargo of negroes soon after the date she was fallen in with by the American sloop of war "*Vincennes*," as mentioned in the newspaper above alluded to, although navigating with her papers under the name of the "*Constancia*." I would respectfully request your Excellency's notice to the statement of three Custom-house officers being on board when she was overhauled by Lieutenant Mitchell, of the "*Vincennes*," and indulge the hope that the description of the vessel, and the name she sailed under when engaged in this guilty traffic, under the command of Captain Juan Antonio Savala, thus obtained, may lead to her detection, and to the apprehension and punishment of all the parties concerned in the transaction, as well as to the liberation of the 500 and odd unhappy Africans who were on board.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**His Excellency the Captain-General,*

&c.

&c.

&c.

Sub-Enclosure in First Enclosure-slip in No. 37.

*From "Tropic," New Orleans Paper, of April 22, 1843.**United States Sloop of War "Vincennes,"**Off the River Guama, February 20, 1843.*

At two o'clock the "*Vincennes*" came up with, and boarded, upon clearing Point Custas, the object of our chase, a taunt-rigged brigantine. We found *three Spanish Custom-house officers on board*, who claimed the vessel as under their colours. The Captain was then ordered to produce his papers, which, after a careful examination, were found to be correct, viz., a Spanish register, sea letter, and an authentic list of her crew and armament. Lieut. Mitchell having satisfied himself that the brigantine could not be seized, informed the Captain that he was free to pursue his course. The hatches were now removed (by the officers of the vessel), and we saw the lower decks filled with negroes, miserably stowed, and closely crowded together, but they seemed healthy, well fed, and quite clean. The brig is a fine vessel, taunt and neatly rigged; her present name "*La Constancia*," built in New York in 1835-6, sent out, and sold under that of "*La Voladora*;" after four or five cruises she took the name of "*La Scorpio*," and this voyage assumed that of "*La Con-*

stancia;" is 242 tons; her Captain, *Juan Antonio Tavala*; crew, 44; with a long twelve-pounder, muskets, blunderbusses, and cutlasses; 28 days from the Portuguese island of *Sñ Tomé*; had originally 550 negroes, 34 had died, and two jumped overboard!

Second Enclosure in No. 37.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, April 30, 1843.

ACCORDING to the opinion of the first Assessor of the Government, to whom I passed your Honour's communication, accompanying an extract from the New Orleans paper, called the "*Tropic*," relative to a slaver, under Spanish colours, which was boarded on the 20th February, off the south coast of this island, with the other matters therein expressed. In answer, I have to say, that I am proceeding already on the matter referred to in your aforesaid communication, and in consequence of a previous one from the British Commissioners, whose duty it is to promote and agitate this class of affairs, and to whom I shall communicate the result.

God guard your Honour many years.

(Signed)

GERONIMO VALDES.

Her British Majesty's Consul-General,

&c.

&c.

&c.

No. 38.

Mr. Crawford to the Earl of Aberdeen.

Havana, May 6, 1843.

(Received June 2.)

MY LORD,

It is with the utmost regret that I have to report several more violations of the Treaties by the importation of negroes at various places on this island by vessels under the Spanish flag. Besides those which I did myself the honour of reporting to your Lordship in my Despatch of the 19th ultimo, the "*Voladora*" alias "*Constancia*," the "*Huracan*" at Santiago de Cuba, or its neighbourhood reported by Mr. Consul Clarke, &c., I learn from Mr. Leaycraft of Jamaica, who came across from Trinidad and Cienfuegos that two cargoes, those of a brig and a felucca were very recently seen at or near to Trinidad de Cuba; their names he could not furnish. The "*Segunda Palmyra*," has landed her cargo in the district of Matanzas (said to have been) 800 and upwards; and I have very strong suspicions of two more which have come into this port, the "*Invincible*" and the "*Descubierta*," reporting from Montevideo in ballast, both consigned to the house of "*Sama*," famed for being the outfitters of all the slavers at Casa Blanca.

It is impossible, unless there be protection to such operations, that they can be carried on to such extent and with such public notoriety.

I lost not a moment in placing all the above information in the knowledge of Her Majesty's Commissioners, who acted upon it *instantly*, by making a strong representation to the Captain-General. His Excellency's reply to my letter about the "*Voladora*," induced me to that medium of communication, as he seemed to infer that it was more especially their duty to address him upon such matters.

I understand that they have been answered to the effect that active measures have been instituted to discover and bring the offenders to punishment; but, so far as I have yet heard, without effect. Doubtless by this time all those miserable victims are scattered over the island with false and antedated certificates of baptism, and so covered as to baffle pursuit.

Unless good faith is practised by Spain, which is to be shown by strengthening the authority of General Valdes and confirming such regulations and decrees as he proposes to issue for the thorough suppression of the traffic, and the punishment of all who engage in it, there is little hope of its being put down. I much fear that it is too true that the money and influence employed

in Spain by the slavers has produced secret orders to the authorities, "haerse la vista gorda," to wink at these importations; and as this is known to be the case, it has not only emboldened the offenders already engaged in Slave Trade, but has given impulse to new outfits, induced by the enormous prospect of gain. The house of Zulueta and Co. are said to have cleared upwards of 130,000\$ by their interest in the adventure of the "*Segunda Palmyra*," at Mantanzas, where the Governor is notoriously protecting the traffic.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General at Cuba.

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

No. 39.

Mr. Crawford to the Earl of Aberdeen.

Havana, May 6, 1843.

(*Received June 2.*)

MY LORD,

"CANUTO," a negro boy, belonging to the intestate affairs of the late Dr. Butler, whose circumstances, along with two other slaves "Hipoleso" and "Maritin," I reported to your Lordship in my Despatch of the 7th March last, presented himself at this Office three days ago, his shirt saturated with blood all over his back from wounds, the effect of a severe flogging he had received from the husband of an American woman, Mrs. Cutbush, where he was deposited awaiting your Lordship's instructions.

I instantly had him removed, his wounds dressed and have given him asylum in my house until I am honoured with your Lordship's commands.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

No. 40.

Mr. Crawford to the Earl of Aberdeen.

Havana, May 7, 1843.

(*Received June 2.*)

MY LORD,

I HASTEN to acquaint your Lordship that late last evening I received his Excellency the Captain-General's permission for the return of "Wellington" from Jamaica to Cuba, coupled with the condition that he is to come direct to this port, notice of his arrival to be given to his Excellency previous to his being landed; he is to make a new declaration, to be compared with his declaration made in Kingston, and the former process (espediente) under which he was released and returned to Jamaica. Also, that proofs be produced that "Charles," "William," and "Saulman," were free by birth, or by manumission of the island, or Her Majesty's Government, when they were brought to the island of Cuba; otherwise, his Excellency, supposing that "Wellington" is able to identify them, cannot accede to my wishes he; "Wellington," being only a single witness, and not being a party interested, can only support their declarations, or that of others in their name.

I shall lose no time in transmitting this permission to the Earl of Elgin to cause "Wellington" to be sent on here as soon as practicably convenient.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General at Cuba.

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

No. 41.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, June 15, 1843.

WITH reference to your Despatches marked "Slave Trade" of this year's series, respecting the present state of Slave Trade in the island of Cuba, I herewith transmit to you, for your information, a copy of a Despatch which I have addressed to Her Majesty's Envoy at Madrid on the subject in question.

You are at liberty to read that Despatch to the Governor-General of Cuba, if you should judge it expedient so to do.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 41.

The Earl of Aberdeen to Mr. Aston, dated June 7, 1843.

(See No. 7, page 8.)

No. 42.

*Mr. Crawford to the Earl of Aberdeen.**Havana, May 21, 1843.**(Received June 19.)*

MY LORD,

I HAVE the honour of acknowledging the receipt of your Lordship's Despatch of the 13th ultimo, and its Enclosures, on the subject of Slave Trade in this island, which had been received from the Secretary of the British and Foreign Anti-Slavery Society.

The statements therein made, as respects the "*Roldan*," are precisely what came to my knowledge at the time, and were instantly complained of by Her Majesty's Commissioners to the Captain-General, in consequence of my letter to them of the 8th February, of which I have the honour to transmit a copy herewith, by which your Lordship will see that the sailing of the "*Jacinta*" was also noticed without delay.

In my Despatch of the 20th February, I detailed all the circumstances which are noticed by the Correspondent of the Anti-Slavery Society.

On the 21st, I wrote "Her Majesty's Commissioners about the clearance of the "*Roldan*," under the name of "*Ultimo*," a copy of which I have now also the honour of transmitting.

The Captain-General ordered the Captain of the port to report upon the case of the "*Roldan*," Portuguese, alias "*Ultimo*," Spanish brig, and I duly communicated to your Lordship the fruitless result of that investigation in my No. 6. of the 22nd of March last, wherein I endeavoured to point out how the good intentions of his Excellency are continually baffled by the subaltern officers; and I also mentioned, as regarded the "*Jacinta*," my being positive as to the correctness of the information which I had received, but that I could not, with safety to the individual, bring forward my informant.

On the 6th instant, when reporting several flagrant cases of Slave Trade, I stated to your Lordship, that unless there was protection afforded to such operations, they could not be carried on to so great an extent, or with such notoriety. I will now add, that Governor — of — is well known to have shut his eyes to very large operations of this detestable traffic; and he is strongly suspected of having taken large gratifications both in money and slaves for his own estates upon several occasions: most assuredly the last cargo from the "*Segunda Palmyra*" could not have been landed without his connivance at Matanzas.

Your Lordship will not fail to observe that I anticipated the facts he has set forth in his letter of the 8th of March, by urgent representation of each at the time of their occurrence, or as soon afterwards as they came to my knowledge; and I am sure that Her Majesty's Commissioners did not lose a moment in making the representations necessary to the Captain-General.

It is lamentable, however, to see such denouncements produce no beneficial result, and calls for reform in the administration of the affairs of this island, by removal of such of the officers as are suspected of protecting slavers; and surely the facts as to the outfitting of the "*Jacinta*," are such as to leave no doubt as to the connivance of the Captain of the Port and the naval officers. It is quite notorious the protection afforded by Governor — to the slavers at —; Governor — to the guilty parties interested in the victims landed lately from the "*Huracan*," near Santiago de Cuba; and the Spanish authorities at Trinidad de Cuba with respect to the cases reported recently of a brig and felucca at that port.

It would also be very beneficial could the Spanish Government be induced to issue orders for the certain punishment of all persons aiding or conniving in the landing and concealment of Bozal negroes. Decreeing also a premium for each of these unfortunate human beings they may be able to detect, which premium should be made good to the Government revenues, by recovery of a similar or a higher rate to be imposed upon the guilty authors of this detestable traffic, by way of fine, in addition to such other punishment as the laws of Spain may inflict upon all and every one concerned.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

First Enclosure in No. 42.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, February 8, 1843.

It is currently reported, that a slaver, called the "*Roldan*," lately entered this port, after landing some 300 negroes near the Chereo, where she took on board a small quantity of tasajo, and reported here as coming from Montevideo with jerked beef. This vessel hauled off from the wharf a few days ago, and is now, as it is said, fitting out at Casa Blanca to proceed to Matanzas, and thence to the Coast for another cargo of negroes. Her last trip, subject of this letter, was performed whilst she had the negroes on board, under the Portuguese flag; but she entered here under Spanish colours, showing that she must have had two sets of papers. I understand she is owned at Matanzas, and that if the boy of Grumeté now on board, named Alfonso, is suddenly laid hold of and interrogated, his examination will lead to the discovery of the whole particulars of the vessel's last voyage.

At the same time, I consider it my duty to acquaint you, that the brigantine "*Jacinto*" (with how many aliases I don't know) belonging to Dñ Pedro Forcade, sailed from this port yesterday evening, neither her clearance nor departure having appeared in the *Diario*, and, doubtless, she has gone to some port in the neighbourhood, to complete her equipment for the Coast.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Her Majesty's Commissioners,
&c. &c. &c.

Second Enclosure in No. 42.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, February 21, 1843.

THE "*Roldan*," subject of my letter to you of the 8th instant, cleared yesterday for the Canary Islands, under Spanish colours, and the new name of the "*Ultimo*," her cargo, 1M. cigars.

I have no doubt she goes, as I have been informed, to Matanzas, where she will, no doubt, complete her equipments for the Coast.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Her Majesty's Commissioners,
&c. &c. &c.

No. 43.

*Mr. Crawford to the Earl of Aberdeen.**Havana, June 5, 1843.**(Received July 3.)*

MY LORD,

Not having received any farther communication from his Excellency the Captain-General, relative to Daniel Kelsall, since the 21st of January last, to which I adverted in my Despatch of the 19th of February, addressed to your Lordship, I wrote again to General Valdes on the 23rd ultimo, reminding him of that poor man's case; and I have now the honour of acquainting your Lordship, that his Excellency has again directed the Governor of Santiago de Cuba to expedite the proceedings which he was ordered to institute so many months ago.

The great delay which has taken place goes to strengthen the opinion expressed to your Lordship, upon which I ventured the suggestion contained in my Despatch of the 19th February of this year, as regards the whole of the negroes who were brought into this island from the Bahamas, a matter of vast and urgent importance, which, I fear, the authorities of this island will not venture to dispose of without the most positive instructions from the Supreme Government of Her Catholic Majesty.

Under this impression, Daniel Kelsall being one of the unfortunates brought from our islands, I am apprehensive that much more delay will take place, even if means are not devised to defeat our efforts to obtain his freedom and restoration to the Bahamas.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 44.

*Mr. Crawford to the Earl of Aberdeen.**Havana, June 17, 1843.**(Received July 18.)*

(Extract.)

I HAVE the honour of acknowledging the receipt of your Lordship's Despatch of the 4th May, enclosing copy of a letter of 12th March, 1842, addressed by Mr. Bidwell to Mr. Consul Clarke, relative to the administering to the estates of British subjects dying intestate, when slaves form part of the property of the deceased; and I learn that it will be advisable I should decline to administer to the estates of deceased persons in such cases.

Having received an intimation from the family of the late Dr. Butler who reside at 9, Portland-place, Clifton, near Bristol, to the effect that they have appointed Mr. Thomson of Sagua la Grande, attorney for the estate, I have given up the administration to him, and he will take upon himself the disposal of the three slaves which belonged to the deceased.

Mrs. Maria Gallagher, a coloured woman, native of Nassau, died here lately, having made a will in favour of her daughter, residing in England; amongst other property, she has left two slaves, a woman and a young man, who will no doubt be disposed of by the executor, a Spaniard, baker in this city.

No. 45.

*Mr. Crawford to the Earl of Aberdeen.**Havana, June 19, 1843.**(Received July 18.)*

MY LORD,

I BEG leave to transmit herewith copy of a letter which I addressed a few days ago to Her Majesty's Commissioners, acquainting them that a brig and a schooner were fitted out for Slave Trade, and ready to sail from Ma-
CLASS B.

tanzas, both having previously and recently landed Bozal negroes on this island; the latter under the eyes of the authorities at the port above-mentioned where those carrying on the traffic appear to do so with impunity. As soon as I learn the result of the denouncement of these vessels, I shall not fail to report the same to your Lordship.

I regret to state that another cargo from the Coast has been landed near Trinidad de Cuba; the name of the vessel or the number of victims I have not been able to ascertain; but 150 belong to Don Pedro Forcade.

I have also received information, upon which I can rely, that three or more latine-rigged feluccas have been fitted out at Barcelona, in Cataluña for slavers, and are now looked for on the coast of this island, which information I have communicated to Vice-Admiral Sir Charles Adam.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

Enclosure in No. 45.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, June 14, 1843.

I BEG leave to acquaint you, that there are two vessels now at Matanzas fitted out and about to sail for the purpose of Slave Trade.

First, A large brig, known by the name of the "*Palmyra*," the same also known as "*Segunda Palmyra*," which about two months ago landed upwards of 800 Bozal negroes in this island.

Respecting her, I am able to furnish the following particulars, lest her existence, even with the name of the "*Palmyra*," should be denied under the old excuse, slave vessels having so many aliases, that they seldom enter and clear under the same name; so this brig, now fitted and ready for sea at Matanzas, entered that port 16th of April last, and reported "Spanish brig, '*Alares*,' Captain J. Eguiguiza from Maracaibo, in ballast to the Captain;" she is known to belong to Messrs. Zulueta and Co. of this city, and is under the direction of their agents at Matanzas, Lopez and Rivas; *has a great quantity of water on board, which she was three or four days taking in, and bent sails yesterday.*

Second, A schooner. Her new or present name I have not been able to ascertain, but she entered at Matanzas, 24th ultimo, as the "Spanish schooner '*Venganza*,' Captain J. Morrè from Puerto Cabello, in ballast and to the Captain;" after having been seen in the harbour of Matanzas two days before she come to anchor, and is known to have landed her cargo of slaves up the Canima River, in number, upwards of 200. This vessel is under the direction at Matanzas of Dñ Jose Baér. It is evident, from the nature of these details, that had there been any vigilance on the part of the authorities at Matanzas, both these vessels must have been detected, and all the parties concerned brought to conviction and punishment; their having been suffered to do such acts as are imputed to them in the manner described, which is true beyond a doubt, implies connivance and a protection in that district, under which the Treaties have been so often violated with impunity.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

Her Majesty's Commissioners,
&c. &c. &c.

No. 46.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, June 12, 1843.

SOME time during the last war with the United States of America, one of our expeditions occupied a place on the coast of Florida, called "Prospect Bluffs."

Our forces employed a number of the population in the construction of forts, as well as having enlisted many of the coloured inhabitants who served as soldiers during the occupation.

At the time we evacuated the Prospect Bluffs, free papers were given to the soldiers and their families who had served in our ranks; which free papers are said to have been signed by the senior officers of our expedition, whose names were, "White, Woodbine, and Nichols." These particulars have been furnished by Mary Ashley, the widow of a soldier of that name enlisted, during the occupation on her own behalf, and on behalf of her children now grown up, and consisting of a son and several daughters, as well as on behalf of Susan Christopher, who also received her free papers in the manner above described, but which free papers these poor people have lost, as may well be supposed, under the circumstances which I am about to state to your Lordship.

According to Mary Ashley's statement, the British forces evacuated the Prospect Bluffs, the defences were blown up, and upon the occupation of that post by the Americans, all those who had been in the British service were obliged to remove.

These people went to San Augustin in Florida, from whence they were embarked to this island and sold into slavery, how and by whom they are unable to describe intelligibly; but the fact of their being kept in that miserable situation, is proof that they were so taken away and placed.

I am under the persuasion that a reward must have been preserved of the free papers issued upon the occasion referred to; that precise information must exist as to our occupation of the Prospect Bluffs, where, besides the names already mentioned, Mary Ashley recollects those of Captains (as she calls them), at any rate they were officers, "Smith and Prince."

I would therefore beg leave most respectfully to interest your Lordship in behalf of these people, so that if the register of their free papers can be got at, their freedom and restoration may be demanded and secured.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

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

&c.

&c.

&c.

No. 47.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, July 25, 1843.

I HEREWITH transmit to you a copy of a letter, and of its Enclosures, received at this department from the Colonial Office, on the subject of negroes said to have been illegally removed about 20 years ago from the British island of Exuma, near Barbadoes, into Cuba, where they are now supposed to be held in slavery.

I have to desire that you will make inquiry into the truth of the statement contained in the accompanying papers, and that you will report to me the result thereof, for the information of Her Majesty's Government.

I am, &c.

J. T. Crawford, Esq.

&c. &c.

(Signed)

ABERDEEN.

Enclosure in No. 47.

Mr. Stephen to Viscount Canning.

MY LORD,

Downing Street, July 14, 1843.

I AM directed by Lord Stanley to transmit to you, for the consideration of the Earl of Aberdeen, the accompanying copy of a Despatch from Sir Francis Cockburn, with its Enclosures, relative to the abduction from Exuma into Cuba of 12 slaves by a Mr. Gathorne.

This transaction appears, from the annexed depositions, to have occurred about 20 years ago; and having reference to the opinion of the Queen's Advo-

cate-General enclosed in Mr. Fox Strangway's letter to this department of the 7th September, 1838, Lord Stanley apprehends that Her Majesty's Government is not entitled to demand the unconditional restitution of these negroes by the Spanish Government. I am, however, to request that you will move the Earl of Aberdeen to cause inquiries to be made into the subject, with a view to the restoration to freedom, if practicable, of such of the said slaves, or their descendants, as may still be found in Cuba.

I have, &c.

Viscount Canning,
&c. &c.

(Signed) JAMES STEPHEN.

First Sub-Enclosure in Enclosure in No. 47.

Sir F. Cockburn to Lord Stanley.

MY LORD,

Government House, Barbadoes, June 6, 1843.

LIEUTENANT-GOVERNOR NESBIT having received a communication from Mr. Turnbull, in which it was stated that there were grounds for believing that a Mr. Gathorne had some years ago wilfully and wrongfully conveyed a number of his slaves away from Exuma, an island of this colony, and landed them in Cuba, Mr. Nesbitt lost no time in directing Mr. Cartwright, a stipendiary magistrate, to make every possible inquiry on the subject, and to forward the result without delay.

By the accompanying document, No. 1, received a few days ago from Mr. Cartwright, it appears the suspicions of Mr. Turnbull were but too well founded. By document No. 2, your Lordship will perceive that I have had communication with the Attorney-General of the colony on the subject of Mr. Gathorne's criminal conduct. Whether he is still alive, I have not as yet been able to ascertain; but under any circumstances, it would seem, from the Attorney-General's opinion, the only certain means of furnishing and doing away, as far as is now possible, with the effect of his improper conduct, would be by obtaining, through the Spanish Government, an authority for the restoration of such of the said slaves or their descendants as may still be found in Cuba. I shall avail myself of the first opportunity of sending a copy of this letter and its enclosures from the Attorney-General, for the information of Mr. Crawford, Her Majesty's Consul at the Havana, that he may either act thereon at once, or obtain such further information as may facilitate his so doing when further instructed by Her Majesty's Government.

I have, &c.

The Lord Stanley,
&c. &c.

(Signed) FRAN. COCKBURN.

P.S. No time should be lost in endeavouring to obtain all further information, and more particularly from the men-drivers Minns and Towerhill Darville, mentioned by Mr. Cartwright as residing at Long Island, and present when the abduction of the slaves was perpetrated.

(Signed) F. C.

Second Sub-Enclosure in Enclosure in No. 47.

Mr. Cartwright to Mr. Nesbit.

SIR,

Exuma, May 2, 1843.

IN answer to your request, that I should obtain information relative to the abduction of twelve slaves from this island by Mr. William Gathorne, I beg leave to state that—

I found out, as directed, a man named "Pollidore," living at the west end of the island, who declares that he did not know Mr. Gathorne's people, having lived in another part of the island, and says that a man named "Pollidore," who formerly was a slave of Mr. Gathorne's, died at the west end sometime in December last, which I find is correct, and presume this must have been the individual pointed out by Mr. Turnbull, and whose death occurred before I received your communication on this subject, which I only got in the beginning of this year, on my way from this district, by which it was out of my power to procure information before.

I have since, by making active enquiries, found out a man named "Adam Curtis," whose statement bearing on this point, and given in a very intelligent manner, I beg leave to subjoin, as well as the statement of one "John Barr," who is also acquainted with the affair, having had a relation carried off with them who is mentioned by Adam Curtis, and, with the child, will make up the number twelve, reported by Mr. Turnbull. Should any further information on this subject be required, it will be more fully obtained from Driver Minns, alluded to, or Towerhill Darville, now of Long Island, who was in the vessel.

I have, &c.

Mr. Nesbit,
&c. &c.

(Signed)

HENRY E. CARTWRIGHT,
Stipendiary Justice.

Third Sub-Enclosure in Enclosure in No. 47.

Declarations of Adam Curtis and John Barr.

PERSONALLY appeared before me, H. E. Cartwright, a Stipendiary Justice of the Peace, this 2nd May, 1843, Adam Curtis, who, being duly sworn, maketh the following statement relative to the abduction of slaves from Barratana Exuma by Mr. Gathorne, viz.

That at the time of Mr. Gathorne's taking away his slaves, he (deponent) was serving in the capacity of a domestic to Mr. Curtis, of Stocken Island, Exuma, but was at Pudding Point Cut, Barratana, on board a small vessel belonging to his master on the evening when Mr. Gathorne took off his slaves; that he recollects and could identify the following individuals, whom he frequently saw at Barratana.

Murphy.	Neptune.
Hatty (his wife).	Mary (2nd).
Jukey.	Polly.
May.	Fanny.
July.	Moses.

All of whom were shipped by Mr. Gathorne on board the schooner "*Chosen Favourite*," in which they left Exuma, but cannot recollect any other persons who assisted in the abduction, except Mr. Gathorne and his son, William Gathorne.

(Signed) ADAM ~~✕~~ CURTIS,
Mark.

Personally appeared before me, H. E. Cartwright, a Stipendiary Justice of the Peace, this 3rd day of May, 1843, John Barr, who being duly sworn, stateth as follows, relative to the abduction of Mr. Gathorne's slaves, viz.

That, about twenty years ago, he happened to be at Barratana, on his way from Nassau to Townhead Exuma, where he saw Mr. Gathorne's vessel, the "*Chosen Favourite*," being prepared for a voyage to take away his slaves. The only free person he knows implicated in this abduction was Driver Minns, the pilot, now resident in Nassau; that he could not positively swear to the identity of the negroes, with the exception of his relative Nanny and child, Murphy Stout, and two female children, whose names he forgets.

(Signed) JOHN ~~✕~~ BARR,
Mark.

The preceding statements of John Barr and Adam Curtis were made before me by them voluntarily, on the respective dates mentioned. The same being, as far as I am able to judge, fully understood by them.

(Signed) HENRY E. CARTWRIGHT,
Stipendiary Justice.

Fourth Sub-Enclosure in Enclosure in No. 47.

June 5, 1843.

MEMORANDUM on Mr. Stipendiary Justice Cartwright's Letter and Enclosure of 2nd May, 1843, relative to an alleged abduction of slaves from the island of Exuma, by a certain William Gathorne.

The Act of Parliament, 5 Geo. IV., cap. 113, which came into operation on the 1st January, 1825, and which declared the dealing in slaves on the high

seas to be piracy, repealed all former Acts relating to the Slave Trade, except in so far as they may have been acted upon prior to that date. To authorize therefore, criminal proceedings to be now instituted against any of the parties implicated in the case in question, it must be clearly shown that the abduction took place after the 1st January, 1825; and the informations submitted to me are not precise as to dates, it does not appear to me that criminal proceedings can now be maintained. This circumstance will not, however, I think, interfere with the just claim of the persons so abducted to their freedom. For even if they were removed prior to the 1st January, 1825, yet they must have been removed in contravention of the then existing law, 46 Geo. III., cap. 52, under which such removal worked a forfeiture to the Crown; and as the effect of all such forfeitures was freedom to the slaves forfeited, it appears to me that the moment the parties at Exuma were embarked for the purpose of such illegal removal, the forfeiture was complete, and their right to freedom instantly vested, and cannot be barred by any subsequent repeal of the then existing law.

(Signed) G. C. ANDERSON,
Attorney-General.

No. 48.

Mr. Crawford to the Earl of Aberdeen.

Havana, July 10, 1843.

(Received August 5.)

MY LORD,

IN my Despatch of the 19th ultimo, I had the honour of reporting to your Lordship the circumstances denounced to the Captain-General, through Her Majesty's Commissioners, respecting the brig "*Palmyra*," and schooner "*Venganza*," slavers at Matanzas.

I have now to transmit the copy of a letter from the Commissioners, enclosing his Excellency the Captain-General's reply, denying the whole statement, and concluding with a complaint on the part of the Governor-General, Garcia Ona, against the British authorities, for giving credence to such informations, which are prejudicial to the character of the functionaries of the district of Matanzas.

Your Lordship will readily believe that this termination of so well-founded an information does not surprise me; indeed, I have become so accustomed to the practice of denying the most positive facts, when shown up against Slave Trade, that it would be astonishing were any of these authorities (after the Captain-General) to act honestly in such matters.

In this instance I happened to take pains to possess myself of written information, which but seldom can be obtained, and I now beg leave to transmit the original notes for your Lordship's more complete satisfaction. The writer is partner in a highly respectable British establishment at Matanzas, and his correctness can in every way be trusted.

A more infamous transaction than the present has not been practised by General Garcia Ona since the landing of the negroes reported in my Despatch of the 10th August* last year, although his protection has been successfully extended to the landing of several other cargoes of these miserable victims within the limits of his Government.

And that your Lordship may be satisfied of the extraordinary enormity of this man's criminality, I have the evidence of Mr. William Wylie, who has just departed for England, at your Lordship's disposition.

Mr. Wylie has been for some years managing an estate near to Matanzas, from whence he came to this city for embarkation on the 25th ultimo, and when he passed near the Canima river, he saw the very Bozal negroes alluded to, publicly offering for sale, in number, as he was informed, and believes, upwards of 800! Mr. Wylie is a person of much experience in this island, and has expressed to me his opinion, that if the slaves imported since 1820, were emancipated according to the Treaty, not one-sixth of all the negroes or coloured population would remain in bondage.

I have, &c.

(Signed) JOS. T. CRAWFORD.

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

Consul-General in Cuba.

&c.

&c.

&c.

* See Class B, 1842, No. 62, page 148.

First Enclosure in No. 48.

*Her Majesty's Commissioners to Mr. Crawford.**Havana, June 29, 1843.*

SIR,

HAVING repeated to the Captain-General, on the 14th instant, the denunciation we received from you in your letter of that date, respecting the fitting out of two vessels at Matanzas, for Slave Trade, named the "*Segunda Palmyra*" and the "*Venganza*," we have received from his Excellency a reply of yesterday's date of which we hereby enclose you a copy.

From this you will observe that the Governor of Matanzas reports that upon strict examination of the vessels having been made, no indications appeared of their being intended for such a traffic, which possibly may be true, and yet the fact remains indubitable of their destination.

The arrival of these two vessels we denounced to his Excellency, naming the "*Segunda Palmyra*" on the 21st April last, as we reported to Her Majesty's Government on the 26th April.

We have, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

J. T. Crawford, Esq.

&c.

&c.

(Translation.)

Second Enclosure in No. 48.

*The Captain-General to Her Majesty's Commissioners.**Havana, June 28, 1843.*

OF date 21st instant, the Governor of Matanzas says to me as follows:—"Most Excellent Sir, according to what the '*Oidor honorario*,' Attorney-General of this Government reports, I pass to your Excellency's hands the acts practised by virtue of your superior orders of the 14th and 15th current, relative to the denouncement of the British Commissaries, that the brig '*Palmyra*' or '*Segunda Palmyra*,' and the schooner '*Venganza*,' were destined for the traffic in slaves. By which your Excellency will see that having been examined, and after other proceedings to discover the truth, there does not result the least indication that the denouncements were true. Under these circumstances, I request your Excellency will inform yourself of what has been done, and make such resolution as may be convenient, at the same time taking into consideration for whatever you may determine. The facility with which the English Commissaries admit the unmerited imputations they do against the authorities of Matanzas as to their watchfulness and vigilance against the reprobated introduction of slaves, to which by no means whatever can they ever be wanting in opposition, if attempted in the ports or coasts of this district, which I transmit to you in answer to your note of the 14th relative to this affair."

God preserve you many years.

(Signed)

GERONIMO VALDES.

Her Britannic Majesty's Commissioners,

&c.

&c.

&c.

Third Enclosure in No. 48.

_____ to Mr. Crawford.

DEAR SIR,

_____ June 8, 1843.

I HAVE before me your esteemed favour of 7th instant. The brig called the "*Palmyra*" arrived here some time last month, and report says brought upwards of 800 Bozal negroes, of which there can be hardly a doubt. She has been for the last week repairing her hull, and they are now rigging her. She has been for three or four days past taking in a large quantity of water, and there can be no doubt but that she is fitting out for the coast of Africa, and will no doubt be off in all this month. Nothing certain is known, although every one is sure that this is her business.

There is also a small schooner here repairing, said to have brought over 200

negroes from the coast of Africa. As you observe, I should wish that my name might not be known; as a private individual it might cause me trouble, should it be known that I had given any information on this subject. I am happy and ready at any time to give you what information I may become possessed of, that an end may be put to this unrighteous traffic.

I remain, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) _____

Fourth Enclosure in No. 48.

_____ to Mr. Crawford.

DEAR SIR,

_____ June 13, 1843.

YOUR esteemed of 10th instant was duly received, and I should have replied to it by return of mail, but was unable to obtain any satisfactory information. As regards the brig, I have no doubt she is the "*Segunda Palmyra*," though they call her the "*Palmyra*;" she entered at our Custom-house, April 16, Spanish brig "*Alves*," Captain J. Eguiguira, from Maracaibo, in ballast, to the Captain. I know she belongs to Zulueta & Co. of Havana, as their agents, Lopez & Rivas, are fitting her out here; she is now bending her sails. The schooner entered on the 24th May, Spanish schooner "*Venganza*," Captain J. Moné, from Puerto Cabello, in ballast to the Captain. She landed her cargo up the Canimar river, and was in the harbour. Seen two days before coming to an anchor. She is managed by José Baro. It is very difficult to obtain any certain information, as it would excite suspicions should I make any direct inquiries. I sincerely hope something may be done to put an end to this traffic, and it would be good news to hear that this brig had been taken.

Most respectfully, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) _____

Fifth Enclosure in No. 48.

_____ to Mr. Crawford.

DEAR SIR,

_____ June 29, 1843.

I HAVE received your valued favours of 18th and 26th instant, the latter too late to reply by return of mail. I did not answer before, as I had nothing of any interest to communicate. The "*Palmyra*" sailed about ten days since, as I wrote to you, she cleared for Buenos Ayres. The schooner is still here dismantled; I do not see any preparations for fitting her out. Should I hear of anything, I will inform you.

Very respectfully, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) _____

No. 49.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, July 10, 1843.

(Received August 5.)

It is with great regret that I am under the necessity of reporting to your Lordship that recourse has been had to a practice which has been for some time almost in disuse, the trade to the coast of Africa under American colours.

On the 21st instant the brigantine (clipper built) "*Uncas*," cleared and sailed a few days afterwards for the Coast, laden with a full cargo of goods suitable for the traffic, put on board by parties notorious slavers, although the master, Roche, an Italian by birth, but a naturalised citizen of the United States, figured as the purchaser. Neither the clearance nor the sailing of this vessel ever appeared in the public papers.

A small pilot boat schooner, the '*Boston*,' 54 tons register, arrived here about three weeks ago; seeing that she reported in ballast with one passenger, occasioned me to inquire respecting her, and I discovered that she cleared from Salem for this port and the coast of Africa with provisions, of which she has now eight months' supply on board; she will sail in a few days, clearing hence for Brazil; doubtless intended as a tender to some more extensive expedition, being a very remarkably fast sailer.

About a month ago there arrived here a large vessel very oddly rigged as a three-masted schooner, reported "The American schooner '*Hannah*,' from Wilmington, with lumber to the Master." This vessel is now undergoing some alterations, and is destined for the coast of Africa, also under American colours, and doubtless is constructed on purpose, having her upper works of a clumsy, common merchantman appearance, her bottom being extremely sharp, entirely for speed.

Whether these vessels have made their arrangements to change their flag at some other place, or whatever else their plan may be, it is of course impossible to find out, but I have considered it my duty to report the facts to your Lordship.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

No. 50.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, August 28, 1843.

I REFERRED to Her Majesty's Advocate-General Mr. Turnbull's Despatch of the 16th June, 1841, and your Despatch of the 1st of August of last year's series, together with other communications received at this department from the Colonial Office, on the subject of a number of negroes, natives of the Bahamas, said to have been illegally removed many years ago from those islands, and to be now held in slavery in Cuba. I referred also to that officer a Despatch addressed by Mr. Turnbull to Lord Stanley on the 22nd December, 1842, enclosing a mass of depositions and evidence collected by that gentleman at the Bahamas and in Cuba respecting the negroes in question.

I have now to state to you, for your information and guidance, that Her Majesty's Government would not be entitled to claim as free subjects the negroes said to have been imported 20 years ago into the island of Cuba from the Bahamas, even if identified. The fact of their having been taken away from the Bahamas before the abolition of slavery in the British colonies, would be an effectual bar to a claim of this kind.

Nor, indeed, would Her Majesty's Government have a right to claim such persons on paying compensation to their present owners, unless with the consent of such owners; for at the time of the passing of the "Slavery Abolition Act" they had quitted the Bahamas, and were within a Spanish colony, to which the law of England does not extend.

Lastly, I have to acquaint you that the Queen's Advocate has reported that having perused the voluminous evidence collected by Mr. Turnbull at the Bahamas and in Cuba, he has not been able, out of all the numerous cases which Mr. Turnbull inquired into, to discover a single well-authenticated instance of a negro having been imported into Cuba from the Bahamas since the passing of the "Slavery Abolition Act."

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed)

ABERDEEN.

No. 51.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, August 28, 1843.

I HAVE received your Despatch marked "Slave Trade" of the 19th June last, respecting certain persons who are represented to have received free papers
CLASS B.

from Officers in Her Majesty's service on the evacuation of Prospect Bluffs on the coast of Florida, by the British forces during the last war with the United States.

I now transmit to you, for your information, a copy of a correspondence which has passed between this department and the War Office on the subject in question.

J. T. Crawford, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

First Enclosure in No. 51.

Viscount Canning to Mr. Sullivan.

SIR,

I AM directed by the Earl of Aberdeen to transmit to you, to be laid before the Secretary at War, the accompanying copy of a letter from Mr. Crawford, Her Majesty's Consul-General in Cuba (see No. 65), respecting certain persons who are represented to have received what are called "Free Papers" from Officers in Her Majesty's service at the time when, during the last war with the United States, the British forces evacuated a place on the coast of Florida, called Prospect Bluffs.

I am to request that you will state to the Secretary at War that Lord Aberdeen will be glad if any information can be furnished from the War Office, which can lead to the restoration of the persons in question to that state of freedom to which it appears that they are entitled.

Laurence Sullivan, Esq.
&c. &c.

I have, &c.
(Signed) CANNING.

Second Enclosure in No. 51.

Mr. Sullivan to Viscount Canning.

MY LORD,

War Office, August 10, 1843.

I AM directed to acknowledge the receipt of your letter of the 24th July last, inquiring whether any information can be afforded which may lead to the restoration to freedom of certain persons who served as soldiers during the occupation on the coast of Florida of a place called the Prospect Bluffs, and to whom on the evacuation of that place free papers were given by the Officer commanding the British; and to acquaint you that upon the expedition to Washington and New Orleans it is understood that certain mud forts were erected nearly opposite to San Agustin, on the coast of Florida, at a place then called Prospect Bluffs. No trace of any of the Officers named by Her Majesty's Consul-General in Cuba can be found in the books of this Office, nor is there any record of the occupation of these mud forts. As, however, it is probable that these forts were erected under the superintendence of Officers of the Ordnance Department, a copy of your letter and of its Enclosure has been transmitted to Mr. Byham.

Viscount Canning,
&c. &c.

I have, &c.
(Signed) L. SULLIVAN.

No. 52.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, July 22, 1843.
(Received September 5.)

ON the 10th instant I did myself the honour of reporting to your Lordship, that several vessels, under American colours, had fitted out, and that others of the same description were preparing to sail for the coast of Africa.

I am now enabled to furnish to your Lordship some particulars as to these expeditions.

No. 53.

*Mr. Crawford to the Earl of Aberdeen.**Havana, July 27, 1843.**(Received September 5.)*

MY LORD,

HAVING received intelligence that another cargo of negroes from Africa had been landed near Matanzas on or about the 18th instant, I addressed a remonstrance to his Excellency the Captain-General against the repeated violations of our Treaties; and having communicated upon the subject with Her Majesty's Commissioners, I found that they had also complained to his Excellency upon the same infraction.

Orders have, as usual, been issued for enquiry to be made respecting this importation; but I have little or no expectation that anything of a satisfactory nature will result therefrom, protected as these infamous slavers are by all the subaltern authorities; so that the remedies to be effectual must be obtained, and their application insisted upon, without evasion or subterfuge from the highest Spanish authority. As it is, our Treaties are not respected, nor their stipulations observed.

I regret to hear from other parts of the island, that slaves have been landed, and there is reason to fear that many are on their way, besides the great numbers which the extensive outfits for the coast of Africa give reason to expect at later periods; all combining to render some positive measures necessary at once to put an end to this traffic in blood.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 53.

*Mr. Crawford to the Captain-General.**Havana, July 24, 1843.*

IN obedience to the directions which I have received from Her Majesty's Government, I have to call your Excellency's attention to the late infractions of the engagements of Spain with Great Britain, for the entire abolition of the Slave Trade, chiefly committed in the districts of Matanzas and Trinidad de Cuba.

Especially I have to remonstrate with your Excellency relative to the disembarkation, on or about the 18th instant, of some 300 negroes from the coast of Africa, near to Matanzas; and although I have not been able, as yet, to find out the name of the vessel, and other particulars, there exists no doubt whatever of the fact that such negroes have been landed.

I regret that I should be under the necessity of thus bringing the subject of these infractions under your Excellency's notice; but I feel assured, at the same time, no exertion will be spared to detect and punish the authors, or those guilty of assisting or conniving in the carrying on of this detestable traffic.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**His Excellency the Captain-General,*

&c.

&c.

&c.

Second Enclosure in No. 53.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, July 24, 1843.

I HAVE the honour to enclose copy of remonstrance which I this day addressed to his Excellency the Captain-General, upon the subject of the recent infractions of the engagements of Spain with Great Britain, for the entire abolition of the Slave Trade.

The last case which is therein adverted to, although I have not been able to obtain the particulars, is supposed to be the negroes put on shore from a full-rigged brig, name unknown, but the master, one "Tito," who fitted out at Matanzas some four or five months ago.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

Her Majesty's Commissioners,
&c. &c.

Third Enclosure in No. 53.

(Translation.)

The Captain-General to Mr. Crawford.

Havana, July 26, 1843.

In consequence of your Honour's note of the 24th instant, referring to the disembarkation of some 300 negroes from the coast of Africa, near to Matanzas, on or about the 18th current, I have to acquaint you that, owing to a similar information from the British Commissaries, I have directed the most scrupulous search to be made as to such transaction.

God preserve your Honour, &c.

Her Majesty's Consul-General,
&c. &c.

(Signed)

GERONIMO VALDES.

Fourth Enclosure in No. 53.

Her Majesty's Commissioners to Mr. Crawford.

SIR,

Havana, July 24, 1843.

WE have received your communication of this date, enclosing a copy of a letter of the same date to the Captain-General, respecting a landing of negroes at Matanzas, from a vessel, name unknown, on or about the 18th instant, respecting which we also forwarded a letter to his Excellency on Saturday last.

We are, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

J. T. Crawford, Esq.
&c. &c.

Fifth Enclosure in No. 53.

Mr. Robinson to Mr. Crawford.

DEAR SIR,

Matanzas, July 23, 1843.

YOUR valued favour of 21st was duly received. A vessel has landed some 300 negroes near Matanzas, but she has not yet made her appearance in here. I have not been able to learn her name, but think she is one that was despatched from here some four or five months ago, commanded by one Tito. She is a large full-rigged brig, and was fitted out here. Any information I may be able to obtain hereafter I will inform you.

Respectfully your obedient servant,

J. T. Crawford, Esq.
&c. &c.

(Signed)

H. T. ROBINSON.

No. 54.

Mr. Crawford to the Earl of Aberdeen.

Havana, July 28, 1843.

(Received September 5.)

MY LORD,

IT has come to my knowledge, that by one of the numerous slavers which of late have landed their cargoes upon the coast of this island, one of the nephews of Dñ Joaquim Gomez had about 50 Bozal negroes, who were placed upon one of his estates near to Mariel. Having sold 24 of these victims, the purchaser was in the act of picking his lot from amongst the rest, they being

all in the field employed clearing away weeds, and each having a "machete" or cane knife. Suddenly one of these "Bozales," or new negroes, killed the white man who had been making the selection. The overseer of the estate, seeing what had taken place, proceeded with the "Ladinos," or other negroes belonging to Don Joaquin Gomez, to avenge the white man's murder; he was also killed, and several of the Bozales were cut to pieces upon the spot; the rest fled to the woods, but were hunted up and all destroyed, except seven, who had not been found when the letter was written; which my informant saw. Great pains have been taken to keep this dreadful butchery secret, and I have not heard that any public or private investigation has taken place by order of the authorities; but there is no doubt of the facts I have stated. And surely such outrages upon humanity cannot much longer be tolerated, or a state of things suffered to continue, which at any time may lead to a recurrence of such revolting tragedies.

I have, &c.
(Signed) **JOS. T. CRAWFORD,**
Consul-General in Cuba.

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

No. 55.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, July 28, 1843.
(Received September 5.)

I BEG leave to acknowledge the receipt of your Lordship's Despatch of the 30th of May, and I shall, in obedience thereto, do my utmost to obtain answers to the queries required for the information of Her Majesty's Government.

I have, &c.
(Signed) **JOS. T. CRAWFORD,**
Consul-General in Cuba.

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

No. 56.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, August 2, 1843.
(Received September 5.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 15th of June, transmitting copy of a Despatch addressed by your Lordship to Her Majesty's Envoy at Madrid, which, availing myself of your Lordship's permission, I this day read to his Excellency the Captain-General, who informed me that in May last he had again urged with the Government of Spain the necessity of stringent measures for carrying into effect their stipulated obligations under the existing Treaties with Great Britain, and especially the penal law required by the Second Article, which they had so long failed to promulgate, and for the want of which so many flagrant cases had been suffered to pass unpunished. His Excellency expressed a hope, that by the Spanish packet, which may be expected here in a few days, he should receive some positive instructions from his Government upon this important subject.

I have, &c.
(Signed) **JOS. T. CRAWFORD,**
Consul-General in Cuba.

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

No. 57.

Mr. Crawford to the Earl of Aberdeen.

(Extract.)

Havana, August 9, 1843.
(Received September 5.)

IN a conversation yesterday with General Valdes, his Excellency took occasion to advert to the Despatch to Mr. Aston, which by your Lordship's

permission I had read to him on the 2nd instant; and I am requested by his Excellency to express, on his behalf, to your Lordship and to Her Majesty's Government, the high sense of satisfaction he has experienced in the appreciation of his character, so honourably noticed in the Despatch alluded to, and upon a recent occasion in Parliament; and his Excellency desires me to assure your Lordship and Her Majesty's Government, that the same opinions are those which govern his conception of the obligations of Spain for putting an end to the Slave Trade, independent of his moral abhorrence of slavery in any form. His Excellency expressed his anxious expectation that the Spanish packet, soon to arrive, might bring him the instructions and authority he had applied for with reference to the Slave Trade and slave traders, but which he was rather apprehensive might not have been attended to, owing to the disturbed state of the Peninsula at present.

No. 58.

*Mr. Crawford to the Earl of Aberdeen.**Havana, September 7, 1843.**(Received October 6.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 25th July, and its Enclosures, relative to the abduction, by a certain Mr. Gathorne, of a number of negroes from Exuma, one of the Bahama islands, about twenty years ago.

Governor Sir Francis Cockburn sent me the papers upon this subject some time ago, and of date 8th July last. I requested him to endeavour to obtain information as to what part of this island the "Chosen Favourite" carried the persons described in the affidavits of Curtis and Barr, to which letter I have not as yet received any reply; neither have I received anything farther from Nassau upon this matter; and the declaration of "Driver Minns" the pilot is still wanting.

Notwithstanding the imperfect information which I have before me, I have made most diligent enquiries without any favourable result, not having been able to discover that Mr. Gathorne ever was in this island.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 59.

*Mr. Crawford to the Earl of Aberdeen.**Havana, September 21, 1843.**(Received November 7.)*

MY LORD,

It is again my disagreeable duty to report to your Lordship that another cargo of human beings has been imported from Africa into this island.

The brig "*Palmyra*," alias "*Segunda Palmyra*," now as I understand under the name of "*Emilia*," subject of my Despatch of 19th June last, has returned from the Gold Coast, after a most remarkably quick voyage, and the day before yesterday landed between 7 and 800 Lucumi negroes at Puerto Escondido, a small inlet some 10 or 15 miles to the westward of Matanzas.

The operation of landing was got through in about two or three hours, and the vessel is gone to Cabanas, as it is said by some, to take in a small load of molasses, and come to this port, and by others, to fit out for another trip to the Coast.

This vessel is the property of Dñ Julian Zulueta, a wealthy merchant of his city, and has, within twelve months, run three cargoes into this island.

Her Majesty's Commissioners lost no time in denouncing this last importation to the Captain-General; but, although it is well known here that Governor Ona of Matanzas sent an express to the spot, even before the whole number of these

hapless victims were landed, and doubtless ascertained all the facts and circumstances of the case, I very much fear that this will prove like other instances, and nothing be effected by the vigilance of Her Majesty's Officers, whose zeal and active exertions are frustrated by the protection afforded to this nefarious traffic by the Spanish authorities, now, by the removal of General Valdes, likely to be more widely extended, as the principles of the new rulers are well known in this respect.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

No. 60.

Mr. Crawford to the Earl of Aberdeen.

Havana, October 7, 1843.
(*Received November 7.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 28th of August, acquainting me of the result of your Lordship's reference to Her Majesty's Advocate-General of Mr. Turnbull's Despatch of 16th June, 1841, together with other communications from the Colonial Office, and mine of the Slave Trade Series of the 1st of August of last year, on the subject of a number of negroes, natives of the Bahamas, said to have been illegally removed many years ago from those islands, and now held in slavery in Cuba; by which it appears that Her Majesty's Government would not be entitled to claim such negroes as free subjects, even if identified, for the reasons stated to your Lordship by that Officer, whose opinion is, that Her Majesty's Government would not have a right to claim such persons on paying compensation to their present owners, unless with the consent of such owners; the law of England not extending to a Spanish colony, having been passed since they quitted Bahamas.

I shall pay implicit attention to the important decision conveyed in the Despatch above alluded to, for my information and guidance. I have, in consequence, perused attentively the correspondence, depositions, and opinions thereon, given by the Attorney-General of the Bahamas, dated 5th June last, respecting certain negroes deported from Exuma by a Mr. Gathorne about twenty years ago, and I find that Mr. Attorney-General Anderson's opinion partly coincides with the superior decision of Her Majesty's Advocate-General; but it does not appear that he had considered the fact of such parties being within a Spanish colony at the time of the passing the law for the Abolition of Slavery in England. The Act 46 Geo. III., c. 52, however, would apply to such persons, if found, where they might be entitled to its provisions.

Acting, therefore, under the instruction of your Lordship and the higher legal authority of Her Majesty's Advocate-General, I shall not move in the matter of Governor Sir Francis Cockburn's representation of the case of Mr. Gathorne, respecting which I had required more precise information, and was in active correspondence with Sir Francis.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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

Enclosure in No. 60.

Memorandum on Mr. Stipendiary Justice Cartwright's Letter and Enclosure of May 2nd, 1843, relative to an alleged abduction of Slaves from the Island of Exuma, by a certain William Gathorne.

Nassau, June 5, 1843.

THE Act of Parliament 5 Geo. IV., c. 113, which came into operation on the 1st January, 1825, and which declared the dealing in slaves on the high sea to be piracy, repealed all former acts relating to the Slave Trade, except

in so far as they may have been acted upon prior to that date. To authorise, therefore, criminal proceedings to be now instituted against any of the parties implicated in the case in question, it must be clearly shown that the abduction took place after the 1st day of January, 1825; and as the informations submitted to me are not precise as to dates, it does not appear to me that criminal proceedings can now be mentioned. This circumstance will not, however, I think, interfere with the just claim of the persons so abducted to their freedom; for even if they were removed prior to the 1st of January, 1825, yet they must have been removed in contravention of the then existing law, (46 Geo. III., c. 52) under which such a removal worked a forfeiture to the Crown; and as the effect of all such forfeitures was freedom to the slaves forfeited, it appears to me that the moment the parties at Exuma were embarked for the purpose of such illegal removal, the forfeiture was complete, and their right to freedom instantly vested, and cannot be barred by any subsequent repeal of the then existing law.

(Signed)

G. C. ANDERSON,
Attorney-General.

No. 61.

*Mr. Crawford to the Earl of Aberdeen.**Havana, October 7, 1843.**(Received November 7.)*

MY LORD,

IN acknowledging to your Lordship your Despatch of the 28 h of August, and its Enclosures, respecting certain persons representing themselves as having received free papers from Officers in Her Majesty's service at Prospect Bluffs during the late war with the United States of America, subject of my Despatch of the 19th of June last—

I beg leave to express a hope that some record may appear in the Ordnance Department, as to the services which these poor people say they then rendered to the British arms, which may entitle an interference here for their liberation from slavery. They appear to be quite superior to the mass of the miserable creatures who are, like them, suffering; and by the kindness of the Marquess de la Cañada Thirry, I was able to keep one of them from working on the railroad, to which all who were in the Casa de Beneficiencia had been ordered, and where the labour and treatment are both extremely severe.

I have, &c.

(Signed)

JOS. T. CRAWFORD,
*Consul-General in Cuba.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 62.

*Mr. Crawford to the Earl of Aberdeen.**Havana, October 9, 1843.**(Received November 7.)*

(Extract.)

I HAD the honour of reporting to your Lordship in my Despatch of the 21st ultimo, the disembarkation of 700 or 800 negroes from Africa at Puerto Escondido, near Matanzas, two days before, from the Spanish brig "*Palmyra*," or "*Segunda Palmyra*," alias "*Emilia*."

Governor Garcia Oua, of Matanzas, it appears, had early notice of this transaction, and sent to the spot. He directed the newly-landed negroes to be watched at the place where they were deposited, as to which he gave full information, and at the same time he requested orders respecting his farther proceedings from the new Captain-General Ulloa.

I have not had it in my power to learn from Her Majesty's Commissioners what result General Ulloa has communicated to them upon this affair.

No. 63.

*Mr. Crawford to the Earl of Aberdeen.**Havana, October 23, 1843.**(Received December 8.)*

MY LORD,

SINCE I did myself the honour of acknowledging the receipt of your Lordship's Despatch of the 30th May, I have been endeavouring to collect the information necessary to answer as accurately as possible the queries relative to the population &c., of this island, and that of Puerto Rico. I regret to be obliged to state that, as regards the latter, very little seems to be known here, beyond the fact, that the whites are much more numerous, as compared with the blacks or slaves, than they are in Cuba, and that consequently, they are less dependent upon that species of labour, as well as being in a great measure free from any apprehensions of insurrection of the negroes.

I now proceed to answer the queries in regular order; and
To Query First.

POPULATION OF CUBA.—CENSUS OF 1841.

Whites—Males	.	.	.	.	227,144	
„ Females	.	.	.	.	191,147	
			Total	.	—	418,291
Free Mulattoes—Males	.	.	.	.	43,658	
„ Females	.	.	.	.	44,396	
			Total	.	—	88,054
Free Blacks—Males	.	.	.	.	32,045	
„ Females	.	.	.	.	32,739	
			Total	.	—	64,784
Slave Mulattoes—Males	.	.	.	.	5,868	
„ Females	.	.	.	.	5,106	
			Total	.	—	10,974
Slave Blacks—Males	.	.	.	.	275,382	
„ Females	.	.	.	.	150,139	
			Total	.	—	425,521
			Grand Total	.		1,007,624

The Census of 1827 gave—

Whites	.	.	.	.	311,051	
Free of colour	.	.	.	.	106,449	
Slaves	.	.	.	.	286,942	
					—	704,487
			Difference in 14 years	.		303,137

Census of 1774—

Whites	.	.	.	.	96,440	
Free of colour	.	.	.	.	30,847	
Slaves	.	.	.	.	44,333	
			Total	.	—	171,620
			Increase in 67 years			836,004

Great as this increase appears, according to the opinions of persons who are most intimately acquainted with the circumstances of this island, it is far distant from the reality, for the following reasons, which are founded in fact.

First; All slaveholders, when they are required by Government Agents to state the numbers they possess, are in the habit of returning much less than they actually own, frequently naming only one half, being fearful that such returns may be connected with some plan of taxation; and in one district last

year, when the statistics were required by the Captain de Partido, only four hundred and odd slaves were returned whereas there are in that district upwards of one thousand!

Secondly; It is supposed that the Government is not particularly anxious to give publicity to facts relative to the island population, which would show too rapid an increase of slaves, or too great a disproportion between that class and the free white and coloured population. Some of the most intelligent and wealthy inhabitants assure me, that it would not be an excess to double the return given in the census last published (to the end of the year 1841), making it stand thus:—

Free people of colour	.	.	.	215,676	
Slaves	.	.	.	972,990	
				<hr/>	1,188,966
Whites, estimated at	.	.	.		500,000
					<hr/>
Total population	.	.	.		1,688,666

Others, also very conversant and well informed, however, do not go so far but make the following estimate:—

Slaves	.	.	.	.	750,000
Free people of colour	.	.	.	.	180,000
Whites	.	.	.	.	460,000
					<hr/>
Total	.	.	.	.	1,390,000

The truth, I am disposed to think, lies between these two last statements, the difference between them being in the number of the slaves.

Negroes began to be imported into these Spanish colonies, in the time of Queen Elizabeth the Catholic. As early as 1516, they were so numerous and so multiplying, that Cardinal Ximenes made objections to further importations, considering them ominous to the safety of these then new settlements, and, as it were, foretold the catastrophe which in our days resulted in Hispaniola, as to which colony he more particularly made such observations.

When the revolution took place in San Domingo, this island was opened to emigrants, whether from the Spanish or the French ports, and immense numbers of negroes came over. Whole gangs of slaves came with their masters, especially to the district of Cuba, as well as a great number of free coloured people, many of whom still exist.

The French had been in the habit of employing females in field labour. This practice they introduced into this island; at first they were tried upon the coffee plantations, to which labour they had been dedicated, and which cultivation they brought into Cuba; and it was not till 1817 that they were generally employed upon other cultivation, under a system to assort the males with them, and so in some measure to supply the mortality by the births, under the idea, that Slave Trade was to cease altogether, under which impression the demand for females became very active, so that great numbers were imported between that period and until the trade was checked in some measure by the acts of General Valdes, in 1842.

There has, therefore, been some increase by births, as well as an immense addition to the slave and free coloured population from San Domingo, besides the continuous importations from the Coast of Africa, so that it is not to be wondered, that there should be so great a disproportion, compared with the whites, whose numbers, constantly diminishing, because of the inhospitality of the climate, are not supplied by new importations.

In 1817, the number of free people of colour, according to the census of that period, was 115,691. Ten years afterwards, in 1827, the same class is stated as numbering 106,494 only, and no reason is given for this decrease; whilst in the last census end of 1841, they are put down as 152,838.

There can be no doubt but that this return is far below the truth. These people are increasing by their extraordinary prolific nature, as well as by the accession of the class of emancipados, and, viewed as they are with a certain degree of doubt by the Government, it is not very extraordinary that the statements of their numbers should be published considerably under reality.

Query the Second.

The importation of slaves into this island, has continued with as great activity as it could be carried on during the last ten year. At the beginning of 1842, the measures of General Valdes checked it considerably; but owing to his good intentions being damped by want of support from the mother country, and the connivance of the subordinate authorities at several of the outports, it has revived of late, and the slavers have landed their cargoes on any part of the coast they chose with perfect impunity.

It is not possible to ascertain the numbers in each year. All those imported have been from the Coast of Africa.

Query the Third.

The law makes no difference between a slave and a free man in criminal cases, and the slave is entitled to equal protection.

To the Fourth Query.

There are laws and customs, liberal and just affording protection to the slave against the ill conduct of his master, but such laws are seldom available to this miserably oppressed class of humanity.

In the old Code of the "Siete partidas" by Dñ Alonzo the Wise, about the middle of the thirteenth century, when slavery still existed in Spain, there are several declarations in favour of slaves, which lawyers now dare hardly to quote, for fear of being accused as abolitionists! But these laws and others of later date favourable to them, although not couched in very clear terms, are not known to the slaves, so as to be taken advantage of. The most favourable is that which appoints the "Syndics of Corporations," the protectors of the slaves; but alas! this is only in the name, for there are so few instances of the practice of such protection, that the masters of slaves, their "mayorales" or overseers upon sugar and coffee plantations, distant from cities or towns, would seem the best and kindest of men exercising power for there is nothing so rare as instances of the slaves applying to such "Syndics" for protection; and so it is, that those who are the worst treated are the least protected, the law being a dead letter, never called into operation.

According to the "Leyes de las Indias" which legalised slavery in these possessions, the Church then received the slaves into her bosom, considering them as men and as Christians. In the spiritual government of the Church, there is no difference between a negro slave and a white free man. The slave, even now, within the Church, is a man, although out of it he is but *a thing*, in the power of his master, man.

So long as the Church controlled the consciences of the masters of slaves, a religious feeling was the most effective protection against their ill treatment. The civil law then held a high respect for the Church, and a Christian feeling prevailed in favour of the slave, his condition being considered as being *against nature*. Christian instruction was not denied to the miserable African, and so long as this Christian feeling prevailed, the laws in favour of the slaves were fairly administered, and their condition in the Spanish colonies was, perhaps, preferable to that of other slaves elsewhere. In proportion to the increase of slavery, it would seem there has grown up a disregard for religion and Christianity in these lands. The public temper and opinions, as regards slavery and the slaves, are almost pagan. Although not absolutely denied religious or Christian instruction, none whatever is afforded them. There is no longer any sympathy between them and the Church. The civil laws, as already stated, are almost a dead letter, and the slaves are *things* at the mercy of their masters.

If then, the master is a kind, good man, of whom there are many amongst the proprietors, and especially amongst the ancient Spanish families, the slave is well enough, is even happy, to the extent that his condition allows. If, on the contrary, the master is a brute, the slave is as wretchedly unhappy as the master is savagely disposed.

Without the absolute enforcement of any laws giving protection to the slaves, by the most rigorous execution, which would require to be backed by military force, no Governor could carry out a system of amelioration in this island. The "Reglamento de Esclavos" last year, published by General Valdes, called forth such expostulations from the planters, who considered it calculated to turn the slaves against their masters, and to ruin the island, that he had to issue a circular, accompanying the Reglamento, which nullifies all its intended results as to benefiting and improving the condition of the slaves.

Query the Fifth.

The evidence of slaves is not generally received in the Courts of law, except in cases to illustrate or corroborate facts which had not been made clear by other evidence, or, in cases where the State or Crown is a party.

Query the Sixth.

Slaves employed in domestic service, or placed in most other circumstances, field labourers excepted, are generally well fed.

Upon large sugar and coffee estates, they get a ration of six ounces of jerked beef once a-day, and twice they have corn meal, plantains, cassada root, or sweet potatoes, where they have full allowance; but there are very many estates where they are very ill fed indeed, and against this they have no remedy but their own endeavours to pick up enough to support nature.

The treatment which slaves experience from their masters, or their agents, or managers, varies according to the kind of service in which they are employed, the temper or caprices of those under whom they are placed. In many instances they are well treated, although there are many more where they suffer dreadfully from the lash and fatigue of overworking. Still I know some estates where the lash is never used; and by perseverance in a system of kindness and consideration towards the negroes, the masters have found that it is not required. Upon such estates the slaves are, of course, well fed, clothed, and lodged, have their regular hours of rest, a proper proportion of females, and produce, under such a system, fully more than on properties where coercion is practised, and where the overseers live in continual alarm, although the negroes are locked up every night, which is not done under the milder management.

Query the Seventh.

Newly imported slaves are subject to the diseases of this climate, although not to the same extent as the whites; afterwards they enjoy good health, and, as domestic servants, or employed in easy work, they appear to live as long or longer than white free men: but upon sugar estates, where they are too often, or, indeed, it may be said generally, maltreated and overworked, they are not long lived. The mortality, or waste of life, annually, amongst the slaves in such situations is 7 and 8 per cent; whilst upon one estate having 180 slaves, and amongst them a fair proportion of females, only nine children have been reared in six years! Many more have been born; but the mothers, although every indulgence has been shown to induce them to attend to the rearing of their offspring, have in general displayed the greatest indifference, which accounts for so miserable a result.

The crime of child murder, whether previous to the birth, or at that time, has diminished under the severe punishment with which its detection is visited upon the offenders, and which is inflicted, as I understand, not by sentence after a formal public conviction, but summarily by the mayoral or driver upon the spot.

Query the Eighth.

The slave population is decidedly upon the increase in this island of Cuba. The causes are those specially mentioned in the answer to Query First, page 8 of this Despatch; and although not properly an answer to this query, which is confined to *slaves* alone, whose natural increase by procreation is proved to be diminished in a most extraordinary manner by their condition, and the effects it produces; still I would beg leave to refer to the answer to Query the First, its concluding paragraph, relative to the increase of the free coloured population, who are not exposed to the miseries which affect their coloured brethren in a state of bondage.

Query the Ninth.

The manumission of slaves is not a matter of common occurrence, but instances are numerous where, upon the decease of their masters or owners, they are freed or left free. There are some rare cases of the faithful slaves of considerate masters being manumitted. Some are also freed by their owners, admitting a ransom not unfrequently considerably under the value of the slave. This commonly is done when the masters or owners retire from the island, as a boon to their old domestic servants. Few, very few instances, either of manumission or of ransom: occur as regards the field negroes: their condition is, in every respect, most helpless; retained in ignorance, without any species of instruction, moral or religious, in the lowest state of degradation and suffering, they pine through their miserable existence without hope, and are transferred, like the beasts of the field, from one master to another, without the most remote

chance of alleviating their sufferings whilst life endures, so that many put an end to their existence in despair.

Query the Tenth.

I would respectfully refer to my answer for Query the Fourth, and I regret to state, that, although the laws and regulations in respect to slaves are nominally more favourable to them, within the last ten years, their proper administration is less attended to, their benevolent enactments are disregarded or evaded, and the slave's condition is in no way bettered.

Query the Eleventh.

At the commencement of this Despatch, I stated to your Lordship, that as to Puerto Rico, I have been unable to obtain any correct information.

In this island it can hardly be said, that there is a *party* favourable to the abolition of slavery known as such; but amongst the inhabitants, there are many men of enlightened minds, who are favourably disposed towards schemes of gradual abolition, and who would lend their hearty co-operation therein, if proposed by the Spanish Government. I think, however, that such are to be found only amongst the Creoles or natives of Cuba, who would, along with any such measure of gradual abolition, be anxious to obtain, for themselves perhaps, some improvement in their political position, and greater consideration than that which they now receive from their European rulers, in the nature of an island legislature, similar to the council and houses of assembly in our provinces and colonies. The abolitionists here would only be abolitionists upon the principles and in connexion with the views of political freedom above expressed; and there is not one amongst them bold enough to venture an expression of such opinions. It would assuredly be unsafe for him to do so, as much less than that has produced orders for several individuals, suspecting of cherishing such opinions, to quit the island.

Query the Twelfth.

In the eye of the law the free man of colour is but a passive member of society; no active rights of citizenship are in him acknowledged. Both in the theory and the practice of the law, a wide distinction is made between the free white and the free coloured man. The latter, however, can own lands, houses, slaves, and all kinds of goods or chattels, but not vessels of any kind or description.

Query the Thirteenth.

Free coloured men are never admitted to any office of the State, nor to any literary profession.

Query the Fourteenth.

The answers which I have given to these Queries are drawn partly from public documents, and partly from private information obtained from Spanish and Creole inhabitants of the highest character and respectability, some of whom are slaveholders, their testimonies being in most instances concurrent, and may be implicitly relied upon.

There are no stated periods at which a census is taken of this population, depending upon the will of the Captain-General for the time being, or such orders as he may receive from Spain upon the subject. The last was that taken to the end of 1841, upon which the statements in the answer to Query First are founded. The distribution of the population over the surface extent of the island is thus, according to that document:—

<i>Departments.</i>		White.	Free.	Slaves.
Western Divisions.	90	244,023	66,463	321,274
Central	88	113,873	31,579	50,156
Eastern	101	60,395	54,796	65,065
		<hr/> 418,291	<hr/> 152,838	<hr/> 436,495

Grand Total . 1,007,624 as at page 3.

Cities.—This city of Havana is stated to contain within and without the walls:—

	Whites.	Free coloured.	Slaves.	Total.
Havana	61,614	35,713	40,171	137,498
Matanzas	10,304	3,041	5,779	19,124
Pto. Principe	13,817	5,784	4,433	24,034
Trinidad	5,877	4,474	2,417	12,768
Cuba	9,326	7,494	7,933	24,753

I am perfectly satisfied from my own observation, that the population of Havana is very much beyond what is given in the census as above stated, especially as to the numbers of the free coloured and slave; and it is fair to infer a similar discrepancy respecting other cities, confirmatory of the observations I have made in my answer to Query First, as to the inaccuracy of the late returns.

In the year 1811 a short statistical table was published in this city, in a work titled "*Patriota Americana*," the tracts having been procured and executed by Dñ Francisco de Arango, a gentleman very favourably mentioned by Baron Humbolt in his account of this island. The period from 1791 to 1810, shows, in 20 years at the places mentioned, very curious results of progressive increase:—

Havana, and its immediate suburbs—

	Whites.	Free-coloured.	Slaves.	Total.
1791.	23,737	9751	10,849	44,337
1810.	41,227	26,349	28,771	96,304
	<hr/>	<hr/>	<hr/>	<hr/>
	17,490	16,598	17,922	51,967
	Increase average about 117 per cent.			
Cuba.	7926	6698	5213	19,837
	9421	6170	8836	24,427
	<hr/>	<hr/>	<hr/>	<hr/>
	1495	..	3623	4490
	Increase average only 23 per cent.			
Baracoa	850	1381	169	2400
	2060	1319	664	4043
	<hr/>	<hr/>	<hr/>	<hr/>
	1210	..	495	1643
	Increase average 68 per cent.			
Holguin	4166	1001	5862	10,979
	8534	4542	16,850	29,926
	<hr/>	<hr/>	<hr/>	<hr/>
	4418	3541	10,988	18,947
	Increase average 187 per cent.			
Boyamo	6584	9122	7287	23,002
	84,498	20,853	16,733	47,984
	<hr/>	<hr/>	<hr/>	<hr/>
	7914	11,721	9446	24,982
	Increase average 128 per cent.			
1791	14,168	2997	2226	25,366
1810	24,830	6935	13,255	48,034
	<hr/>	<hr/>	<hr/>	<hr/>
	10,662	3938	11,039	22,668
	<hr/>	<hr/>	<hr/>	<hr/>

Increase about 89 per cent.

It is to be observed that, with exception of Havana, the foregoing statements include the population in 1791 and 1810 respectively of the whole of the jurisdiction of the other places named, and not that of the towns or cities only. Those jurisdictions by the last census are put as containing,—

Cuba	91,512 inhabitants, all classes.
Baracoa	8523 " "
Holguin	23,635 " "
Bayamo	27,252 " "
Porto Principe	51,086 " "

showing an increase since 1810 by no means equal to what it was in the previous years, according to Mr. Arango's publication; and as there is no reason why the increase should not have been as great, or even proportionably greater, the inference is that the population at present is much underrated in the census.

I have, &c.

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

JOS. T. CRAWFORD,
Censul-General at Cuba.

No. 64.

*Mr. Crawford to the Earl of Aberdeen.**Havana, November, 7, 1843.**(Received December 8.)*

MY LORD,

HAVING received undoubted information by the mail of the morning of Saturday the 28th ultimo, that a Spanish Felucca, the "*Huracan*," was ready to sail from Matanzas; and likely to be despatched on the following day, armed for resistance and intended for Slave Trading, I lost no time in addressing Her Majesty's Commissioners; and I have now the honour of transmitting to your Lordship copy of my letter and of their answer.

I also took occasion to address his Excellency the Captain-General upon the same subject, and also to mention Mr. Consul Clarke's information as to other slavers at Santiago de Cuba.

I now do myself the honour of transmitting copy of my note and of his Excellency's reply, by which your Lordship will perceive, that although I stated to his Excellency that I acted, in addressing him upon the subject of infringement of the Treaties, in obedience to your Lordship's instructions, his reply prohibits my doing so in future, which I beg leave to place under your Lordship's notice; for although the Captain-General of this island may hold the opinion he has expressed, and may not answer such communications of a similar nature, as I may have occasion to address to him, and I shall not fail to carry out the instructions of Her Majesty's Government; still, I venture to submit to your Lordship the expediency of the Captain-General's being made aware by the Government of Spain, that he is to receive and attend to all such matters when brought under his notice by me.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*The Right Hon. the Earl of Aberdeen, K. T.**Consul-General in Cuba.*

&c.

&c.

&c.

First Enclosure in No. 64.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Noon, Havana, October 28, 1843.

I HASTEN to acquaint you that I have intelligence from Matanzas, of yesterday's date, to the effect following, as to a slaver, "the felucca '*Huracan*,' will leave on Sunday, first, strongly armed for resistance; the men are having a blow-out in anticipation. The other slaver here is not yet ready."

By this it would seem that, besides the "*Huracan*," there is another vessel fitting out for the coast of Africa.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Her Majesty's Commissioners,**Consul-General in Cuba.*

&c.

&c.

&c.

Second Enclosure in No. 64.

Her Majesty's Commissioners to Mr. Crawford.

SIR,

Havana, October 28, 1843.

WE have this evening received your letter of to-day's date, marked, "noon," informing us of a slave vessel named the "*Huracan*," being appointed to sail from Matanzas to-morrow morning, and of another vessel, name not mentioned, fitting out there also, for the Slave Trade. We regret to think that any interposition respecting the former, must be now too late to prevent its sailing, but will take the earliest opportunity of enquiring respecting the other, and on learning the particulars will immediately address a communication to the Captain-general on the subject.

We are, &c.

(Signed)

J. KENNEDY.

J. T. Crawford, Esq.

CAMPBELL J. DALRYMPLE.

&c.

&c.

Third Enclosure in No. 64.

Mr. Crawford to the Captain-General.

MOST EXCELLENT SIR,

Havana, October 28, 1843.

IN obedience to the instructions of Her Britannic Majesty's Government, to bring under the special notice of your Excellency all cases of Slave Trading, in contravention of the existing Treaties between our respective nations, I have to acquaint your Excellency that the Spanish schooner "*Teresita*," sailed from Santiago de Cuba, for Canarias and Goree, on the 5th instant, as reported to me by Mr. Clarke, Her Majesty's Consul, and it is supposed is gone for the purpose of Slave Trading, but he has omitted to inform me whether the "fianzas," prescribed have been entered into that Custom-house.

I regret also to have to state to your Excellency, that the Spanish felucca "*Huracan*," is ready for sea, and about to sail from Matanzas to-morrow or the next day, on a slaving voyage. This same vessel not long ago landed a cargo of negroes on the south side of this island, and is now strongly armed and fitted for resistance on her intended voyage.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*His Excellency the Captain-General,**Consul-General in Cuba.*

&c.

&c.

&c.

Fourth Enclosure in No. 64.

(Translation.)

The Captain-General to Mr. Crawford.

SIR,

Havana, October 29, 1843.

DISPOSED to observe and cause to be observed in the sphere of my command, the existing Treaties for the Abolition of Slave Trade, I shall adopt, whenever I have reason to believe there is any attempt at their infringement, the necessary measures to stop it; but as, according to those Treaties, it does not belong to you to interfere, and as this duty is incumbent on the British Commissioners, it will not be possible for me, in future, to communicate with you upon that subject to which I now reply in order that you will be pleased so to understand; and as a mark of particular distinction towards your person.

God preserve your Honour many years.

(Signed)

LEOPOLDO O'DONNELL.

Her British Majesty's Consul-General,

&c.

&c.

&c.

No. 65.

*Mr. Crawford to the Earl of Aberdeen.**Havana, November 9, 1843.**(Received December 8.)*

MY LORD,

ON the 6th instant an insurrection broke out amongst the slaves upon the Triumvirate estate, near Matanzas, which spread to three others. They were soon beset by the soldiery, and, according to what has been published by the authorities, 67 were captured, and 40 odd were killed.

The affair is stated to be over, and as no reinforcements have been sent from hence, it must be presumed that this outbreak has had no ramification or combination, but only another instance of the despair to which the sufferings of these poor wretches has driven them.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

*Consul-General in Cuba.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 66.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, December 14, 1843.

WITH reference to my Despatch, "Slave Trade" of the 1st February last, on the subject of negroes said to have been newly imported into Cuba, I herewith transmit to you, for your information, the accompanying copy of a Despatch and of its Enclosures, from Her Majesty's Envoy at Madrid, containing the explanation given by the Spanish Government of the transaction in question.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 66.

Mr. Aston to the Earl of Aberdeen, June 27, 1843.

(See No. 10, p. 10.)

No. 67.

(Circular).

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, December 31, 1843.

By the 26th Section of your General Instructions you were furnished with a copy of the Act of the 5th George IV., cap. 113, entitled "An Act to amend and consolidate the laws relating to the Abolition of the Slave Trade," and you were enjoined to keep a watchful eye upon all undertakings for trading in slaves within the district of your Consulate. You were further told, that whenever you had reason to suspect that British subjects or British capital were engaged or concerned in the carrying on of this traffic, you were faithfully to report the same to the Secretary of State, in order that steps might be taken for putting a stop to such criminal acts, and for bringing to punishment the offenders against the laws of their country.

I now transmit to you, for your information, two copies of an Act (6 and 7 Vic., cap. 98) passed during the last Session of Parliament entitled "An Act for the more effectual Suppression of the Slave Trade," in which the prohibitions contained in the first-named act are recited in considerable detail; and it is declared that all the several matters and things prohibited therein are forbidden to be done by British subjects, wheresoever residing or being, whether in any countries or settlements not belonging to the British Crown, or within the British dominions, colonies, or settlements.

I have to instruct you to cause a copy of this Act of Parliament to be affixed in some conspicuous part of your Office, and to take the proper measures for making its purport known to the British subjects resident within your Consulate: and whenever information shall be given to you, or it shall come to your knowledge, that any subjects of Her Majesty are implicated in transactions forbidden by either of these acts, you will not fail to transmit to me a statement thereof, with a view to such steps being taken as Her Majesty's Government may deem advisable.

You will particularly observe, on the one hand, that by this act it is made unlawful for any British subject, wherever he or she may be, to be employed in dealing, or in trading in, purchasing, selling, bartering, or transferring slaves, excepting where, by the act itself, special exceptions are made to the general prohibition.

But on the other hand, that a British subject is not forbidden by this act from transferring or receiving any share in a joint-stock company established before the time when the act was passed, in so far as respects any slave or slaves actually in the possession of the company before that time: nor is a British subject prohibited by it from selling any slave or slaves which were lawfully in his or her possession at the time when the act was passed, or which he or she shall or may, before the sale, have become possessed of, or entitled to by operation of law, as therein expressed; and further, that a British subject is not forbidden by it from either retaining possession, or from making use of such slaves as are in his

possession under the circumstances in which he is here permitted to receive, transfer, or sell them; and lastly, that in cases in which the holding or taking of slaves by a British subject is not prohibited by this or any other act, such sale and transfer of slaves is declared to be lawful.

I am, &c.

J. T. Crawford, Esq.
&c. &c.

(Signed) ABERDEEN.

You will annex a copy of this Despatch, and of the Act of the 6th and 7th Vic., cap. 98, as Enclosures 22 B. and 22 C. to the 26th Section of your General Instructions.

MEMORANDUM.—This circular was also sent to Her Majesty's Chargés d' Affaires at Hamburgh, Texas, Bogota, Caracas, Lima, Chile, and Montevideo; to Her Majesty's Agents and Consuls-General in Egypt, Tripoli, Tunis, Algiers, and Tangier; to Her Majesty's Consuls-General at Odessa, Christiana, Trieste, Belgrade, Constantinople, Syria, Tabreez, and San Salvador; to Her Majesty's Consuls at St. Petersburg, Archangel, Riga, Liebau, Wiborg, Warsaw, Stockholm, Gottenburgh, Bergen, Elsinore, Danzig, Amsterdam, Rotterdam, Antwerp, Ostend, Paris, Calais, Boulogne, Havre, Granville, Brest, Nantes, Charente, Bordeaux, Bayonne, Marseilles, Corsica, Bilboa, Corunna, Cadiz, Malaga, Carthagena, Alicante, Barcelona, Teneriffe, St. Jago de Cuba, Lisbon, Oporto, Madeira, St. Michaels, Cape Verds, Genoa, Nice, Cagliari, Leghorn, Ancona, Naples, Palermo, Messina, Patras, Syra, Pirceus, Bucarest, Jassy, Yanina, Salonica, Adrianople, Brussa, Smyrna, Erzeroom, Kaiseriah, Bagdad, Candia, Damascus, Aleppo, Beirut, Cyprus, Jerusalem, Alexandria, Cairo, Tehran, Zanzibar, Portland, Boston, New York, Philadelphia, Baltimore, Norfolk, Charleston, Savannah, Mobile, New Orleans, Galveston, Hayti, Mexico, Tampico, Vera Cruz, San Blas, Carthagena, (New Granada,) Panama, Guayaquil, Islay, Arica, Valparaiso, Buenos Ayres, Rio de Janeiro, Bahia, Pernambuco, Paraiba, Maranh, and Para; and to Her Majesty's Vice-Consuls at Mahon, Santa Martha, and Cochabamba.

No. 68.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, December 31, 1843.

I HAVE received your Despatches marked Slave Trade of the 23rd of October, and the 7th and 9th ultimo.

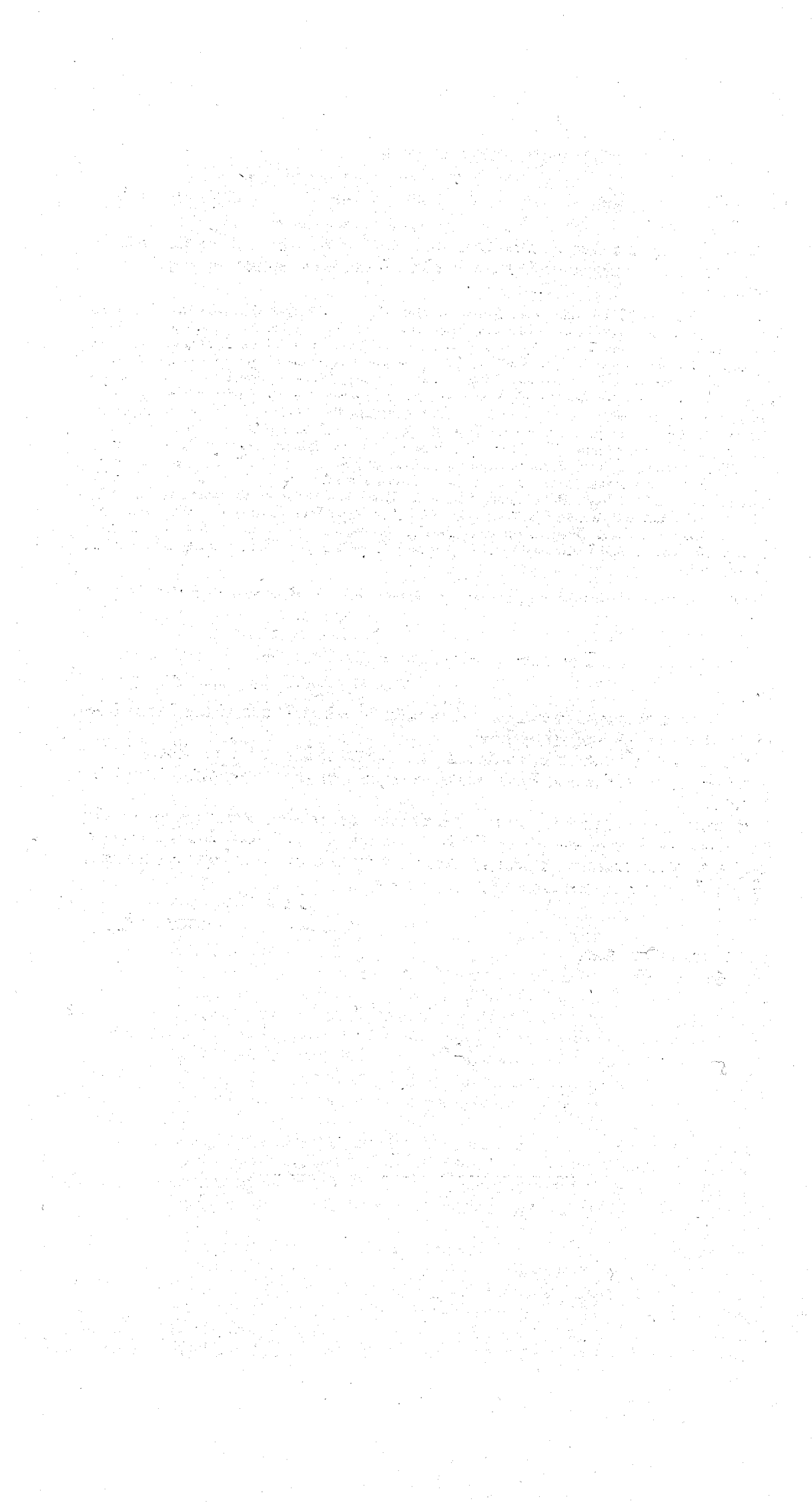
I have perused with much interest the excellent Report upon Slave Trade and Slavery in Cuba and Porto Rico, contained in your Despatch of the 23rd October.

A copy of your Despatch of the 7th ultimo, containing correspondence with the Captain-General on Slave Trade undertakings in Cuba, has been transmitted to Her Majesty's Envoy at Madrid, with directions to make a communication thereupon to the Spanish Government.

I am, &c.

(Signed) ABERDEEN.

J. T. Crawford, Esq.
&c. &c.



SPAIN. (Consular)—*St. Jago de Cuba.*

No. 69.

*Mr. Clarke to the Earl of Aberdeen,**British Consulate, Santiago de Cuba, December 3, 1842.*
(Received January 9, 1843.)

MY LORD,

I BEG leave to inform your Lordship that the Spanish schooner "*Amaltea*," Don Antonio Bebelagua, master, with a crew of eight men and one passenger, was cleared out, with a cargo of the produce of the country, for Goree and Sierra Leone, on the 28th November, 1842, as stated in the "*Redactor*" newspaper of this city of the 30th of last month.

I have been informed, and I have no reason to doubt the correctness of that information, that this vessel is intended to take in a return cargo of slaves, to be landed in this district, and most probably somewhere to windward of this part.

I have, &c.

(Signed)

CHARLES CLARKE.

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

No. 70.

*Mr. Clarke to the Earl of Aberdeen.**British Consulate, Santiago de Cuba, December 3, 1842.*
(Received January 9, 1843.)

MY LORD,

I BEG to inform your Lordship that the Spanish brigantine, "*Siète Hermanas*," whose sailing I reported to your Lordship on the 12th October, 1842, has returned to this port leaky. She has discharged her cargo, and is now refitting, with, I believe, the purpose of prosecuting her originally projected voyage.

I have, &c.

(Signed)

CHARLES CLARKE.

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

No. 71.

The Earl of Aberdeen to Mr. Clarke.

SIR,

Foreign Office, February 1, 1842.

I HEREWITH transmit to you a copy of a letter, and of its Enclosures, received at this Department from the Colonial Office, containing a copy of a deposition, made on oath, by the negro Wellington, recently released from slavery in Cuba, to the effect that, shortly after his own deportation from Jamaica to Cuba, three other negro boys, named *Saulman, William, and Charles*, belonging to the parish of St. James, in Jamaica, were taken to the island of Cuba, sold there as slaves, and sent to a coffee plantation in the neighbourhood of Santiago de Cuba, where he believes they still are.

I have to desire that you will lose no time in making what inquiry you properly can into the truth of the statement of the negro Wellington; and unless you should find reason to believe that it is not substantially correct, you will represent the case, in writing, to the Governor of the province, and invite him to institute a strict investigation into the facts alleged.

You will communicate the result of your inquiries to Her Majesty's Consul-

General at the Havana, who has been instructed to demand formally from the Captain-General the immediate restoration of these negroes to freedom, if it should appear that they are still held in slavery in Cuba.

I am, &c.

(Signed) ABERDEEN.

Charles Clarke, Esq.
&c. &c.

Enclosure in No. 71.

Mr. Stephen to Viscount Canning, January 10, 1843.
(See First Enclosure in No. 20.)

No. 72.

Mr. Clarke to the Earl of Aberdeen.

British Consulate, Santiago de Cuba, January 3, 1843.
(Received February 8.)

MY LORD,

BEGGING reference to my Despatch, "Slave Trade," of the 3rd December, 1842, I have the honour to inform your Lordship, that the Spanish brigantine "*Siete Hermanas*," therein reported, has sailed again, apparently for the same destination and with the same cargo, as stated in my Despatch, "Slave Trade, No. 18," of the 12th October, 1842.

I have, &c.

(Signed)

CHARLES CLARKE.

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

No. 73.

Mr. Clarke to the Earl of Aberdeen.

British Consulate, Santiago de Cuba, April 12, 1843.
(Received May 20.)

MY LORD,

I HAVE had the honour to receive your Lordship's Despatch, "Slave Trade," of the 1st February, 1843, regarding three negro boys, named "Saulman, William, and Charles," supposed to be held in slavery near this city.

I am, and have been for some time, in communication with Lord Elgin and Mr. Crawford on this subject, my object in so doing being to obtain the presence here of "Wellington," before moving in this matter.

"Wellington" has again been examined in Jamaica, but he cannot give any clew by which I might guide my inquiries, or to which I might refer in an application to the Governor of this province, in behalf of the three boys; but "Wellington" deposes that he knows the estate where the three boys were carried, and which he could *point out*, although ignorant of its name.

In my humble opinion the plan to be pursued is, for "Wellington" to be sent over here; for if I were to apply merely under the deposition of "Wellington," I should be asked, What are the Spanish names of the boys you claim, or on what estate do they reside? And I have recommended that application should be made to the Captain-General of Cuba for permission to send "Wellington" over here, with the object of seeking three of his former companions, named "Saulman," "William," and "Charles," (one of whom he saw here when under my care, but omitted at that time mentioning the fact,) on an estate, name unknown, where he considers them to be, and that I should be empowered to accompany him; and further, that "Wellington" should be allowed to remain a reasonable time in Cuba, with the idea of meeting his former companions in the street, if his search on the estate is found to be fruitless.

I have, &c.

(Signed)

CHARLES CLARKE.

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

No. 74.

*Mr. Clarke to the Earl of Aberdeen.**British Consulate, Santiago de Cuba, April 12, 1843.**(Received May 20.)*

MY LORD,

I HAVE the honour to transmit to your Lordship the copy of a Despatch which I have written to Commodore Byng, explanatory of a late Slave Trading transaction near this city.

I have, &c.

(Signed)

CHARLES CLARKE.

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

&c.

&c.

&c.

First Enclosure in No. 74.

Mr. Clarke to Commodore Byng.

SIR,

British Consulate, Santiago de Cuba, April 11, 1843.

I BEG to transmit to you copies of my Despatch of the 30th of March, 1843, to General Tello, the Governor of this province, and of his reply of the 31st, to which I have attached a translation.

I beg also to acquaint you that the slaves which composed the cargo of the felucca, have been publicly sold at a country-house, about one and a half leagues from this city; and that the felucca to which I alluded in my Despatch to General Tello entered this port on the 7th instant. She was reported in the "*Redactor*" newspaper of this city of the 9th, as the Spanish felucca "*Huracan*," of one hundred and ten tons, Don Gaspar Roig, master, sixty days from Montevideo in ballast, with a crew of thirty-six men, consigned to the master. She is two-masted, and mounted, I believe, three guns when at sea, with a crew of fifty or sixty catalans. She has small holes or ports in her bulwarks for pulling thirty oars or upwards, with a large swivel carriage on her quarter deck; the gun belonging to it being now in the hold.

I have reason to believe that her slave-fittings, casks, and caboose, are not now on board, but were removed previously to her entry into this port. She is reported to have landed slaves at or near Matanzas, on one or two occasions.

It is perhaps necessary for me to state, that although I have no doubt of her having landed a cargo of slaves on the coast to windward, at or near Cumberland Harbour, and of those slaves having been for sale near this city, I could not prove those facts in a Court of law.

I have, &c.

(Signed)

CHARLES CLARKE.

Commodore the Hon. H. D. Byng,

&c.

&c.

&c.

Second Enclosure in No. 74.

*Mr. Clarke to General Tello.**British Consulate, Santiago de Cuba, March 30, 1843.*

MOST EXCELLENT SIR,

ACTING up to the Instructions which have been transmitted to me, it is my duty to make known to your Excellency, that I have received information of a felucca having landed some two hundred and thirty African negroes on the coast to windward of this city, at or near the harbour of Guantanamo.

I have no doubt but that your Excellency will follow the same laudable steps which your Excellency pursued in a similar transaction last year, and that you will order these unfortunate Africans to be seized and conveyed to the Havana.

All the friends of humanity will thank your Excellency for such interposition and none more warmly than the humble individual who now addresses you.

I have, &c.

(Signed)

CHARLES CLARKE.

His Excellency General Don Juan Tello,
&c. &c. &c.

(Translation.) *Governor Tello to Her Majesty's Consul.*

Civil and Military Government of the Province of Cuba, March 31, 1843.

In your communication of yesterday you manifested to me, that acting up to the instructions which had been transmitted to you, it was your duty to acquaint me that you had received information of a felucca having landed some 230 African negroes on the coast, to windward of this city, at or near Cumberland Harbour, and that in consequence you did not doubt but that I should follow the same laudable steps which I observed in a similar occurrence of the past year. In answer I have to inform you, that in compliance with orders from the Captain-General relative to the observation of those Treaties which prohibit the traffic in slaves proceeding from Africa, I have given the most positive orders to all the authorities of the seaboard of this province, under my command, that they shall put down such trading on the instant of receiving intelligence of the same; and that consequently, you may rest assured that if that which you announce to me shall turn out to be true, it will undergo the same fate as the other which you opportunely cite in your aforesaid communication. Since, in furtherance of that object, I have issued fresh and stringent orders that my previous orders may not in any mode be eluded, in whose fulfilment I take the greatest interest, not only on account of the duty imposed on me by the office I hold, but from the feelings of humanity which animate me in favour of those unfortunates.

God preserve you many years.

Her Britannic Majesty's Consul,
&c. &c. &c.

(Signed)

JOHN TELLO.

No. 75.

Mr. Clarke to the Earl of Aberdeen.

British Consulate, Santiago de Cuba, July 18, 1843.

(Received August 21.)

MY LORD,

I HAVE the honour to inform your Lordship, that a brigantine, described by me in my Despatch "Slave Trade," of the 12th October, 1842, and which vessel returned here leaky, and sailed again on the 3rd January, 1843, is reported to have landed 92 slaves at the bay of Juragua, about 12 miles to windward of this city. The brigantine has not entered this port.

I shall again address your Lordship upon this case by the next mail.

I have, &c.

(Signed)

CHARLES CLARKE.

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

No. 76.

Mr. Clarke to the Earl of Aberdeen.

British Consulate, Santiago de Cuba, July 18, 1843.

(Received August 21.)

MY LORD,

I BEG leave to transmit to your Lordship an extract from a communication which I have this day made to the Senior Officer, Port Royal.

The Despatch to Commodore Byng, referred to in the above-mentioned extract, was transmitted by me to your Lordship on the day following its date.

I have, &c.

(Signed)

CHARLES CLARKE.

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

Enclosure in No. 76.

Extract from the Mr. Consul Clarke's Despatch to the Senior Officer, Port Royal, dated July 18, 1843.

I HAVE also to inform you that the Spanish felucca "*Huracan*," reported to Commodore Byng on the 11th April, 1843, went to sea on the morning of the 16th of this month; her destination is kept secret, but I have no doubt but that she is bound to the coast of Africa for another cargo of slaves. It has been hinted to me that she has gone to some neighbouring bay, creek, or island, for the purpose of meeting a vessel with cargo from Kingston or St. Thomas, to be transferred on board of the "*Huracan*," and so avoid duties. Cumberland harbour is as likely a spot as any other, or more so.

No. 77.

*Mr. Clarke to the Earl of Aberdeen.**British Consulate, Santiago de Cuba, August 11, 1843.**(Received September 21.)*

MY LORD,

BEGGING reference to my Despatch "*Slave Trade*," of the 18th July, 1843, I have the honour to inform your Lordship, that on the 22nd of last month a brigantine entered this port under Spanish coasting colours, and was passed off as the "*Dos Hermanas*," but which I have every reason to believe to be the same vessel reported to have landed 92 slaves at Juragua, as stated in my Despatch above mentioned. If it is the same vessel, and of which I have not any doubt, her name has been changed from "*Siete*" to "*Dos Hermanas*," and coasting colours have been hoisted to aid in the concealment of her real character.

She was not reported in the daily paper, it not being the practice to report the entry of coasters.

I understand that she was from Pisao.

The slaves forming the cargo have not been publicly sold, but, as I have been informed, they have been partly portioned out in lots according to the amount of each shareholder's investment in the fitting out of the vessel.

I say "partly portioned out," because I understand that she brought some slaves on freight.

I have considered it useless to bring this transaction before the notice of the Governor of this province, feeling convinced that any communication from myself on the subject would be evaded.

I have, &c.

(Signed)

CHARLES CLARKE.

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

&c.

&c.

&c.

No. 78.

*Mr. Clarke to the Earl of Aberdeen.**British Consulate, Santiago de Cuba, August 12, 1843.**(Received September 21.)*

MY LORD,

WITH reference to the concluding paragraph of my *Slave Trade* Despatch of yesterday's date, in which I stated that I considered it useless to bring a late *Slave Trading* transaction before the notice of the Governor of this province, feeling convinced that any communication from myself on the subject would be useless—

I beg leave to state, that I shall not again officiate any Governor touching any future case of *Slave Trading*, unless your Lordship shall instruct me to do so.

In my humble opinion, it would not deter any one here from the protection or commission of the crime, and it would cause me to be regarded with hostile feelings by the authorities, and in a great measure by the community at large.

CLASS B.

It appears to me that there is a marked change in the behaviour of the Governor towards me, since I addressed him on the 30th of March on the subject of the Spanish felucca "*Huracan*," a copy of which communication I did myself the honour of transmitting to your Lordship, along with the Governor's reply.

When the last Slave Trading transaction by the "*Siete Hermanas*" was reported to me, I observed to my informant, "It is useless my now addressing the Governor on this subject; he will evade the affair as he did before; but as I suppose the negroes will be sold as were those forming the cargo of the felucca, what if I personally appear on the spot, and then report the sale to the Governor as an eye witness?"

To which my informant at once replied, "If you do, you will be assassinated afterwards."

As I have no reason to doubt the judgment or honesty of my informant, I at once gave up the idea.

My informant would gladly see the Slave Trade abolished, like many other slave proprietors, although he would not consent to immediate emancipation.

I have, &c.

(Signed)

CHARLES CLARKE.

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

&c.

&c.

&c.

No. 79.

The Earl of Aberdeen to Mr. Clarke.

SIR,

Foreign Office, October 5, 1843.

I HAVE received your Despatches marked "Slave Trade" of the 11th, and "Secret" of the 12th ultimo. I regret to find myself called upon to express to you the censure of Her Majesty's Government, for your great neglect of duty in abstaining from giving information to the Governor of the Province of St. Jago, of the arrival of the slave vessel, "*Siete Hermanas*," and in not remonstrating against the fraudulent practices adopted with respect to that vessel, in order to conceal her real character.

Your statement, that any communication from you on the subject would be evaded, is no justification of your conduct in neglecting to call the attention of the Governor to the case.

You will in future bear in mind that it is imperatively your duty to report to the Governor all the authentic information respecting the proceedings of Slave Traders which may come to your knowledge; and I have to desire that you will not again fail to do so.

I am, &c.

Charles Clarke, Esq.

&c.

&c.

(Signed)

ABERDEEN.

No. 80.

Mr. Clarke to the Earl of Aberdeen.

British Consulate, Santiago de Cuba, September 16, 1843.

(Received October 25.)

MY LORD,

I HAVE the honour to inform your Lordship that a Spanish topsail schooner of about 80 tons, went to sea the middle of last month, and I have every reason to believe that she is bound for the coast of Africa for a cargo of slaves, but I cannot learn her name, as her clearance did not appear in the public papers; she did not take any cargo.

I have also the honour to inform your Lordship that there is another small schooner, or pilot boat, it is uncertain which, fitting out now, for I believe the same destination as the one before-mentioned, and I shall not fail to report her sailing.

I have, &c.

(Signed)

CHARLES CLARKE.

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

&c.

&c.

&c.

No. 81.

*Mr. Clarke to the Earl of Aberdeen.**British Consulate, Santiago de Cuba, October 12, 1843.**(Received November 23.)*

MY LORD,

I HAVE the honour to acquaint your Lordship that the small pilot boat, mentioned in my Slave Trade Despatch of the 16th ultimo, has put to sea. Her sailing appeared in the *Redactor* newspaper of this city, on the 6th of this month, as follows:—

“5th October, sailed for Canaries and Goræ Spanish pilot boat “*Teresita*,” Don José Vandrell, master, with a crew of twelve men, with tobacco, rum, aguardiente and sugar.”

I have, &c.

(Signed)

CHARLES CLARKE.

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

&c.

&c.

&c.

SPAIN. (*Consular*)—*Teneriffe*.

No. 82.

*Mr. Bartlett to the Earl of Aberdeen.**Santa Cruz, July, 1843.*
(*Received August 24.*)

MY LORD,

I HAVE the honour to inform your Lordship that the American corvette of war the "Saratoga," with the broad pennant of Commodore Perry, appointed to command the United States' squadron employed on the coast of Africa, for the suppression of the Slave Trade, anchored in this bay on Saturday, the 25th of June. The "Saratoga" has passed eight days quarantine, and remains, I believe, until the end of this week. The principal object of the visit of Commodore Perry to the Canaries is to select the most eligible place for the establishment of a depôt of naval stores for the use of the American squadron on the coast of Africa. The "Macedonian," a new frigate, and another ship, also for the Coast, are expected to arrive here in a short time.

I have, &c.

(Signed) RICHARD BARTLETT, *Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*
&c. &c. &c.

No. 83.

*Mr. Bartlett to the Earl of Aberdeen.**Santa Cruz, September 6, 1843.*
(*Received October 9.*)

MY LORD,

I HAVE the honour to inform your Lordship that the United States' frigate "Macedonian," Captain Mayo, anchored in this bay on the 19th ultimo, and sailed on the 27th for the coast of Africa. The sloop "Decatur" was to sail from Norfolk a few days after the "Macedonian" for the same destination, touching here or at the Cape de Verd islands.

The American squadron on the Coast will then consist of the vessels named at foot, carrying 98 guns:—

Macedonian.	50	guns.
Saratoga	22	"
Decatur	16	"
Porpoise	10	"
	—	
	98	guns.

I have, &c.

(Signed) RICHARD BARTLETT,

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

PORTUGAL.

No. 84.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 17, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Frolic," of 16 guns, will be employed on the Brazil station in the Suppression of the Slave Trade under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Frolic" is commanded by Commander W. A. Willis, and Lieutenant C. C. Powel is the officer second in command.

I have, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 85.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 18, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's steam vessel "Flamer," on the North American and West Indian station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Admiralty and cancelled.

I have, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 86.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 21, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's sloop "Rover," on the North American and West Indian Station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty and cancelled by them.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 87.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 23, 1843.

I TRANSMIT herewith to your Lordship a copy of a communication which I have received from the Admiralty, containing an account of an interview which Captain Foote of Her Majesty's ship "Madagascar," had held

with the President of the Council and the Senior Naval Officer at St. Paul de Loanda.

It appears that, from the language of those Portuguese authorities at the interview, Captain Foote is convinced that they are using every means in their power to fulfil the orders of their Government for the Suppression of the Slave Trade carried on from the province of Loanda to foreign ports.

I have to desire that, in communicating this statement to the Portuguese Government, you will express the satisfaction of Her Majesty's Government at the intelligence it conveys, and recommend the Portuguese functionaries therein made to the favourable consideration of the Government of Her Most Faithful Majesty.

I am, &c.

(Signed) ABERDEEN.

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

Enclosure in No. 87.

Mr. Barrow to Viscount Canning.

MY LORD,

Admiralty, November 12, 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 dated the 29th August, No. 95, from Captain Foote of Her Majesty's ship "Madagascar," reporting that the Portuguese President of the Council at St. Paul de Loando, and the Senior Naval Officer there, are using their best efforts for the Suppression of Slave Trade.

I am, &c.

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

(Signed) JNO. BARROW.

Sub-Enclosure in Enclosure in No. 87.

Commander Foote to the Hon. Sydney Herbert, M.P.

SIR,

"Madagascar," St. Paul de Loando, August 25, 1842.

I HAVE the honour to acquaint you that since my arrival here, on the 26th instant, I have had a long interview with the President of the Council and the Senior Officer of the Naval Forces, which has been highly satisfactory, inasmuch as I am now convinced they are doing every thing in their power to carry out the orders of their Government, in the Suppression of the Slave Trade to foreign ports; and I must here desire to acquaint their Lordships, in justice to Captain Cordoza, commanding Her Most Faithful Majesty's ship "8th July," that he has been extremely active and zealous in this cause, and has lately increased his naval force considerably; and I trust their Lordships may be pleased to recommend him to his Government as an officer who has honour enough to withstand the temptation of making a large fortune by receiving douceurs to shut his eyes, while the slave dealer would carry on his traffic, but, on the contrary, is using all his energies to suppress it.

I have, &c.

The Hon. Sydney Herbert, M.P.
&c. &c.

(Signed) JOHN FOOTE,
Captain and Senior Officer Commanding.

No. 88.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 26, 1843.

I HAVE to acquaint your Lordship that Her Majesty has been pleased to appoint George Frere, jun., Esq., to be Commissioner, and Frederick Richard Surtees, Esq., to be Arbitrator on the part of Her Majesty, and James Robert Macleay, Esq., to be Registrar at the Cape of Good Hope; and David Turnbull,

Esq., to be Commissioner, and James Fitzjames, Esq., to be Arbitrator on the part of Her Majesty, and Sydney John James Esq., to be Registrar, at Jamaica, to the Mixed British and Portuguese Commissions to be established in those colonies under the Treaty concluded at Lisbon on the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade.

I have to desire that your Lordship will announce these appointments to the Portuguese Government, and will add that the gentlemen above-named will receive directions immediately to proceed to their respective posts, and on their arrival were, to open the Courts of Mixed Commission for the transaction of business.

Your Lordship will express the hope of Her Majesty's Government that the Commissioners and Arbitrators who are to act on the part of Her Most Faithful Majesty in the Commissions at the Cape of Good Hope, and at Jamaica, may be forthwith appointed and directed to proceed to their posts.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 89.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 3, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's steam vessel "*Gorgon*," of six guns, will be employed on the Brazil station in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "*Gorgon*" is commanded by Captain Charles Hotham, and Lieutenant H. A. Story is the officer second in command.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 90.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 4, 1843.

WITH reference to the Article concluded at Lisbon on the 22nd October last, additional to the Treaty of the 3rd July preceding, between Great Britain and Portugal, for the Suppression of the Slave Trade, I herewith transmit to your Lordship, for communication to the Portuguese Government, copies of the laws, and regulations having the force of law, on the subject of the treatment of emancipated negroes in the colonies of Jamaica and the Cape of Good Hope; which laws and regulations are better adapted than the regulations contained in the Annex C. to that Treaty for guaranteeing the freedom of negroes liberated under it.

The Commissioners and Arbitrators appointed on the part of Her Majesty in the Mixed Commissions to be established at the Cape of Good Hope and Jamaica under that Treaty, will be instructed to consider these laws and regulations as superseding the special regulations of Annex C., and you will request the Portuguese Government to issue corresponding instructions to the Commissioners and Arbitrators to be appointed in those colonies on the part of Her Most Faithful Majesty.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 91.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 6, 1843.

I HAVE to refer you to my Despatch dated the 14th October of last year, transmitting to you, for communication to the Portuguese Government, a list of her Majesty's ships and vessels employed under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of Slave Trade.

And I have to desire that you will acquaint the Portuguese Government, that Captain G. Rodney Mundy has been appointed in the place of Acting Captain Thomas R. Eden, to the command of Her Majesty's ship "Iris," mentioned in the list above referred to.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 92.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 9, 1843.

I HAVE to refer you to my Despatch dated the 14th October of last year, transmitting to you, for communication to the Portuguese Government, a list of Her Majesty's ships and vessels employed under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade.

And I have to desire that you will acquaint the Portuguese Government, that Lieutenant Joseph A. Bainbridge has been appointed in the place of Lieutenant F. B. Montrisor, to the command of Her Majesty's schooner "Pickle," mentioned in the list above referred to.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 93.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 10, 1843.

I HAVE to refer you to my Despatch dated the 14th October of last year, transmitting to you, for communication to the Portuguese Government, a list of Her Majesty's ships and vessels employed under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade.

And I have to desire that you will acquaint the Portuguese Government, that Mr. Stephen Spain has been appointed in the place of Mr. B. G. Rolles, to be the officer second in command of Her Majesty's ship "Heroine;" that Mr. James Studwell has been appointed in the place of Mr. E. H. Blake, to be the second officer in command of Her Majesty's ship "Rapid;" and that Lieutenant William Barrie has been appointed in the place of Lieutenant P. A. Allen, to be the officer second in command of Her Majesty's ship "Daphne."

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 94.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 10, 1843.

I HEREWITH transmit to you, for your information, a copy of a Despatch

from Her Majesty's Consul for the Cape Verds, containing information relating to the Slave Trade in those islands and the neighbouring coast of Africa.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.
&c. &c. &c.

Enclosure in No. 94.

Mr. Rendall to the Earl of Aberdeen, dated December 14, 1842.

(See No. 191, page 151.)

No. 95.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, January 31, 1843.
(Received February 13.)

MY LORD,

I HAVE duly notified to the Portuguese Government that Her Majesty's ships "Orestes," "Pique," "Wasp," "Frolic," and Her Majesty's steam vessels "Kite," and "Megæra," have been furnished with warrants and instructions to act according to the 3rd Article of the Treaty of the 3rd of July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade.

I have also notified to the Portuguese Government the cancelling of such similar instructions issued to Her Majesty's ships "Racer," "Spitfire," "Rover," and Her Majesty's steam vessel "Flamer."

I have, &c.

(Signed) HOWARD DE WALDEN.

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

No. 96.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, January 31, 1843.
(Received February 13.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Signor Gomes de Castro, in acknowledgment of my notification to him that Her Majesty's steam vessel "Megæra" was about to be employed on the North American and West India station, to act in accordance with the 3rd Article of the Treaty of July, for the Suppression of the Slave Trade, and in which his Excellency states, that on the part of the Portuguese Government, the corvette "D. Joao," Commander, Captain F. J. Soares Franco, and Lieut. F. A. do Rego, the officer second in command; and the brig schooner "Tamega," Commander, Lieut. J. J. G. de M. Corrêa, and Lieut. J. M. da Fonseca, the officer second in command, have already left this port for the Brazil station, to be employed in the suppression of that inhuman traffic.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

(Translation.)

Enclosure in No. 96.

M. De Castro to Lord Howard de Walden.

MY LORD,

Lisbon, Foreign Office, January 25, 1843.

I HAVE transmitted to the Minister of Marine the note which your Lordship did me the honour to address to me on the 14th instant, informing me that Her Majesty's war steamer "Megæra," Commander, Lieutenant G. Oldmixon,

CLASS B.

and officer second in command, J. Pollard, mate, was about to be employed in the North American and West Indian station for the suppression of the Slave Trade.

By this opportunity, in like accordance with the 3rd Article of the Treaty of the 3rd of July, 1842, between Portugal and Great Britain for the Suppression of the Traffic in Slaves, I have to inform your Lordship, with reference to my note of the 18th of November last, that the corvette, "*D. Joao*," Commander, Captain F. Soares Franco, and Lieutenant F. A. De Rego, the officer second in command; and the war brig-schooner "*Tamega*," Commander, the First Lieutenant J. J. G. de M. Corrêa, and Lieutenant J. M. da Fonseca, the officer second in command, will immediately leave this port for the Brazils, there to be employed in the suppression of this inhuman traffic.

I avail, &c.

(Signed)

J. J. G. DE CASTRO.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 97.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 20, 1843.

WITH reference to my Despatch dated the 14th October of last year, transmitting to you, for communication to the Portuguese Government, a list of Her Majesty's ships and vessels employed under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade; I have to desire that you will inform the Portuguese Government that the warrant issued to Her Majesty's ship "*Victor*," mentioned in the list above referred to, cannot be traced, and has accordingly been cancelled by the Lords Commissioners of the Admiralty.

I am, &c.

(Signed)

ABERDEEN.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 98.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 23, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's steam vessel "*Thunderbolt*," of four guns, will be employed on the Cape of Good Hope station in the Suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal.

The "*Thunderbolt*" is commanded by Commodore George Nathl. Brooke, and Lieutenant George Wodehouse is the officer second in command.

I am, &c.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

(Signed)

ABERDEEN.

No. 99.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 27, 1843.

I HEREWITH transmit to your Lordship, for communication to the Portuguese Government, the accompanying copy of a Despatch from Her Majesty's Consul at the Cape Verd Isles, containing information on the subject of Slave Trade said to be carried on under the American flag.

In communicating these papers to the Portuguese Government, you will express the hope of Her Majesty's Government that the Portuguese Government will enquire into the conduct which it is alleged that their Authorities at the

Cape Verd Isles still continue to pursue, in conniving at undertakings of Slave Trade; and that effectual measures may be taken to prevent a recurrence of conduct so much at variance with the engagements entered into between Great Britain and Portugal, for the effectual suppression of Slave Trade.

I am, &c.

The Lord Howard de Walden, G. C. B. (Signed) **ABERDEEN.**
 &c. &c. &c.

Enclosure in No. 99.

Mr. Rendall to the Earl of Aberdeen, dated December 27, 1842.

(See No. 192, page 153.)

No. 100.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, Feb. 16, 1843.
(Received Feb. 28.)

MY LORD,

I HAVE duly communicated to the Portuguese Government, according to your Lordship's instructions, copies of the laws and regulations on the subject of the treatment of emancipated negroes in the colonies of Jamaica and the Cape of Good Hope.

I enclose a copy of my note to Senor Gomes de Castro.

I have, &c.

(Signed) **HOWARD DE WALDEN**
The Right Hon. the Earl of Aberdeen, K.T.
 &c. &c. &c.

Enclosure in No. 100.

Lord Howard de Walden to S. de Castro.

Lisbon, February 15, 1843.

THE Undersigned has been instructed by Her Majesty's Government, with reference to the Article concluded at Lisbon on the 22nd October last, additional to the Treaty of the 3rd July preceding, between Great Britain and Portugal, for the Suppression of Slave Trade, to communicate to the Government of Her Most Faithful Majesty copies of the laws, and regulations having the force of law, on the subject of the treatment of emancipated negroes in the colonies of Jamaica and the Cape of Good Hope: which laws and regulations are better adapted than the regulations contained in the Annex C. to that Treaty, for guaranteeing the freedom of negroes liberated under that Treaty.

The Commissioners and Arbitrators appointed on the part of Her Majesty, in the Mixed Commissions to be established at the Cape of Good Hope and Jamaica, under that Treaty, will be instructed to consider these laws and regulations as superseding the special regulations of Annex C. The Undersigned is to request the Government of Her Most Faithful Majesty will issue corresponding instructions to the Commissioners and Arbitrators to be appointed in those colonies, on the part of Her Most Faithful Majesty.

(Signed) **HOWARD DE WALDEN.**
His Excellency S. Gomes de Castro,
 &c. &c. &c.

No. 101.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, February 16, 1843.
(Received February 28.)

MY LORD,

I HAVE the honour to transmit a copy of the note which I addressed to Senhor Gomes de Castro, notifying to the Portuguese Government the appoint-

ment of Commissioners, Arbitrators, and Registrars to the Mixed British and Portuguese Commissions to be established in the colonies of Jamaica and Cape of Good Hope.

I also enclose a copy of the reply which I have received from his Excellency, in which he states he hopes very shortly to make me a similar communication on the part of Portugal.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

(Translation.)

Enclosure in No. 101.

Senhor de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, February 15, 1843.

I HAD the honour to receive the communication which your Lordship addressed to me on the 4th instant, in the name of the Government of Her Britannic Majesty, of the names of the persons appointed on the part of Great Britain to be Commissioners, Arbitrators, and Registrars in the Mixed Commissions which, in virtue of the Treaty of the 3rd July, 1842, between Portugal and Great Britain, are to be established at the Cape of Good Hope and in Jamaica.

Thanking your Lordship for your note, I hope very shortly to be able to make a similar communication on the part of Portugal.

I am, &c.

(Signed) J. J. G. DE CASTRO.

The Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 102.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, March 5, 1843.

(Received March 12.)

MY LORD,

I HAVE duly communicated by note to the Portuguese Government, under date of the 22nd of February, that in virtue of the 3rd Article of the Treaty of July, 1842, between Great Britain and Portugal for the Suppression of Slave Trade, Captain Rodney has been appointed, in the place of Acting Captain Thomas R. Eden, to the command of Her Majesty's ship "Iris;" also that Lieutenant Joseph A. Bainbridge has been appointed, in the place of Lieutenant J. B. Montresor, to the command of Her Majesty's schooner "Pickle;" and likewise that Mr. Stephen Spain has been appointed to be the officer second in command of Her Majesty's ship "Heroine," in the place of Mr. B. J. Rolles; that Mr. James Steedwell has been appointed, in the place of Mr. E. H. Blake, to be the officer second in command of Her Majesty's ship "Rapid;" and that Lieutenant William Barrie has been appointed, in the place of Lieutenant P. A. Allen, to be the officer second in command of Her Majesty's ship "Daphne."

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

No. 103.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, March 7, 1843.

(Received March 19.)

(Extract.)

I HAVE the honour to enclose a copy of a note which I have addressed to the Minister of Foreign Affairs on the subject of the proceedings of the Por-

tuguese authorities at the Cape de Verd Islands in their tolerance and encouragement of Slave Trade.

I have thought it expedient to make a summary of the report sent to Her Majesty's Government.

First Enclosure in No. 103.

Lord Howard de Walden to Sr. de Castro.

M. DE CONSEILLER,

Lisbon, February 27, 1843.

I HAVE the honour to bring under the notice of your Excellency various circumstances connected with the tolerance, if not direct encouragement, of the Slave Trade, by the Portuguese authorities in the Cape de Verd Islands, which have been communicated to Her Majesty's Government.

It would appear from what Her Majesty's Government have learnt, that the proceedings of Governor Bastos and the Portuguese authorities in the Cape de Verd Islands, form a most striking contrast, to their disadvantage, to the praiseworthy zeal and activity of the Governor and Officers connected with the colony and station of Angola.

I have, &c.

(Signed)

HOWARD DE WALDEN.

His Excellency Sr. Gomes de Castro,

&c.

&c.

&c.

Second Enclosure in No. 103.

Substance of a Communication to Her Majesty's Government from the Cape de Verd Islands.

AT Porto Praia, the Juiz de Dereito, who was proceeding against various parties deeply involved in the Slave Trade, and whose guilt had, it is believed, been already clearly proved, was suspended, in order to make room for an Acting Juiz de Dereito, who immediately, in combination with the ex-Governor, Fontes de Mello, quashed all the proceedings against the slavedealers. The Juiz de Dereito has now been reinstated, but he states he cannot renew these prosecutions without fresh instructions from Lisbon.

The schooner "*Rosa*" has been permitted to leave Porto Praia for the coast of Africa, without the least inquiry being instituted into the charges preferred against her, by Her Majesty's brig "*Heroine*," to the Governor-General of the Cape de Verds. The "*Rosa*" is no doubt gone for a cargo of slaves, and has the noted slavedealer "*Santa Anna*" on board as captain. *This man also holds the appointment of harbour-master of Porto Praia.*

In the summer of last year, the brig "*General Portar*," or, as it is also called, "*General Espartero*," Avillar, master, left the Cape de Verds with a number of slaves on board for Maranham. This fact was known to the authorities, and indeed the Governor-General stated that he had directed a prosecution to be instituted against a man who had shipped slaves on board this vessel. This vessel returned to Boa Vista on the 1st of December last, and sailed again on the 11th, having been permitted to transact business without interruption, or without any public inquiry being ordered into the transactions of the previous voyage, though the Governor-General was on the spot.

On the 14th December last, there was in Boa Vista a brig under Spanish colours, lately from Matanzas, in Cuba; the owner, D. Pedro Tito, having purchased, or exchanged it, with a brig-schooner in which he carried 139 slaves from the Rio Pongos, in April or May last. This vessel, it is understood, is proceeding to the island of Sal, whence the owner fitted out from before in his voyage with the schooner, and whence other slave trading vessels have been permitted to do the same without the least interruption from the Portuguese authorities of the islands. There is no doubt that the brig is now destined for the coast of Africa.

There is also another Spanish schooner preparing at Porto Praia, St. Jago, to proceed to the coast of Africa for a cargo of slaves; and although at the date of

this communication the fact was notorious, yet no impediment had been thrown in the way by the Portuguese authorities.

The notorious slavedealer Kytaneo, of Bissao, arrived at the end of last year to pay his respects to the Governor-General, and has been received with the greatest attention and consideration; he presented himself every where in the uniform of a Portuguese field officer, and was received in it by the Governor-General, though it was understood the Portuguese Government had deprived this man of his commission. Kytaneo made a similar visit to the former Governor, and was received in the same manner, and it was then that he entered into arrangements with that authority, which enabled him, during the Governorship of Fontes de Mello, to carry on a very extensive trade in slaves from Bessao without interruption.

There has been a very considerable increase of slaves within the last twelve months, in the Cape de Verd Islands, which is attributed to an existing law of the Governor-General, that slaves may be imported at 9\$ 600 reis a head! and this, although the late Treaty is said to be in force in these islands.

In short, the same system appears to be carried on in these islands under the present Governor; Brigadier-General Bastos, as prevailed in the time of the late one, Captain Mello, as regards the Trade in Slaves.

No. 104.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, March 12, 1843.

(Received March 19.)

MY LORD,

HAVING communicated to Signor Gomes de Castro your Lordship's Despatch of the 23rd January, his Excellency requested permission to show it to the Minister of Marine. I accordingly left it in his Excellency's hands.

I enclose a copy of a note, which I have received from his Excellency, returning these papers, in which he states that the Portuguese Government will take into due consideration the recommendation expressed by Her Majesty's Government with regard to the President of the Council and the Naval Commander on the station of Angola.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 104.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Lisbon, March 9, 1843.

IN returning to your Lordship the enclosed Despatch from Lord Aberdeen, of 23rd January last, which you were kind enough to entrust me with, and which accompanied the communication made to the British Admiralty by Captain John Foote, commanding Her Britannic Majesty's frigate, "Madagascar," relative to the honourable conduct of the President of the Council of the Government of Angola, and also of the Commander of Her Most Faithful Majesty's corvette "8 de Julho," there stationed, and of their efforts to prevent the illegal traffic in slaves, I have the honour to thank your Lordship for that communication, and to inform you that due consideration shall be given by Her Majesty's Government to the recommendation expressed by Lord Aberdeen in favour of those two Portuguese authorities.

I have, &c.

(Signed)

J. J. G. DE CASTRO.

The Lord Howard de Walden, G.C.B.

&c.

&c.

&c.

No. 105.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, March 17, 1843.**(Received March 26.)*

MY LORD,

I HAVE the honour to inclose a copy of a note which I have received from Signor Gomes de Castro, in reply to my note of the 15th February, stating that he will make the necessary communication to the Commissioners and Arbitrators of the Mixed Commissions, with respect to the laws and regulations between master and servant, which are to be applicable in Jamaica and at the Cape of Good Hope, to the treatment of liberated negroes.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 105.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, March 15, 1842.

THE Undersigned, Minister and Secretary of State of Foreign Affairs, had the honour to receive the note which Lord Howard de Walden, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, forwarded to him on the 15th February ultimo, in conformity with the additional Article of the 22nd October, 1842, to the Treaty of the 3rd July of the same year, between Portugal and Great Britain, for the Abolition of the Slave Trade, remitting to him copies of the laws, and regulations with the force of law, on the treatment of the liberated negroes, which are to be substituted in the colonies of Jamaica and Cape of Good Hope, for the special regulations of the Annex C. to the said Treaty.

The Undersigned will duly communicate, for the necessary end, the above-mentioned laws, and regulations with the force of law, to the Portuguese Commissioners and Arbitrators in those colonies; and avails, &c.

(Signed) JOZE JOAQUIM GOMES DE CASTRO.

The Lord Howard de Walden, G.C.B.

&c.

&c.

&c.

No. 106.

*Lord Howard de Walden to the Earl of Aberdeen**Lisbon, March 17, 1843.**(Received March 26.)*

MY LORD,

I HAVE the honour to enclose herewith a copy of a note which I have received from Sr. Gomes de Castro, stating, that on the 4th instant the brig of war "*Tejo*," of 20 guns, Lieut. Capt. Domingos Fortunato de Valle, commander, and St. Domingos Roberto de Aguiar, the officer second in command, left this port, with the necessary instructions, to be employed in the Suppression of the Slave Trade in the seas east of the Cape of Good Hope.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 106.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, March 10, 1842.

IN reference to my note of the 18th November, 1842, and in execution of the 3rd Article of the Treaty of the 3rd July of the same year, concluded between Portugal and Great Britain, for the extinction of the Slave Trade; I have the honour to inform your Lordship that on the 4th instant the Portuguese

brig of war "*Tejo*," of 20 guns, Commander, Lieutenant Captain Domingos Fortunato do Valle, and Second Commander the First Lieutenant Domingos Roberto de Aguiar, sailed from this port, possessed of the necessary instruction to be employed in preventing that inhuman trade in the seas to the east of the Cape of Good Hope.

I avail, &c.

(Signed)

JOZE JOAQ. GOMES DE CASTRO.

The Lord Howard de Walden, G.C.B.

&c.

&c.

&c.

No. 107.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, March 31, 1843.

I HAVE to desire that you will draw the attention of the Portuguese Government to Article 12 of the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade.

You will observe to the Portuguese Government, that it appears desirable that the two Governments should agree on some mode by which the object of that Article may best be carried into effect.

You will propose to the Portuguese Government, that authority shall be given by each Government respectively to the other, to keep in custody the captain, pilot, crew, and passengers found on board a vessel of the other country detained for Slave Trade, until the adjudication of the case. That if the vessel should be liberated, those persons shall at once be set free; but that if it should be condemned, they shall be retained in custody until they can be delivered up to the Government of the country to which the condemned vessel belongs, to be tried and punished according to the laws of that country.

If the condemnation should take place in a port where that Government has no resident authority, except its Commissioners in the Mixed Court, it will be desirable that the prisoners should be delivered over to those Commissioners, or, at their request, be retained in the custody of the authorities of the place, until those Commissioners shall otherwise dispose of them. And in case of there being at the time no resident Commissioners on the part of the Government of the country to which the vessel belonged, the Commissioners of the other Government should be empowered to take measures for sending the prisoners, with as little delay as possible, to some place where authorities of that country may be resident.

In either case the expense of retaining the prisoners in custody, and of removing them, should be borne by the country to which their vessel belonged.

You will add, that Her Majesty's Government make this proposition under the impression that it will meet the views of both Governments, parties to the Treaty; but that if the Portuguese Government see any objection to it, or have any other plan to suggest for better securing the object declared in the Treaty, Her Majesty's Government will be glad to receive and consider any proposition to that effect.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.

&c.

&c.

&c.

No. 108.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, April 1, 1843.

(Received April 9.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Sr. Gomes de Castro, in reply to my note of the 27th February, complaining of the conduct of the Portuguese authorities in the Cape de Verdes in regard to the Slave Trade, by which his Excellency informs me that strict orders will be sent to these islands to observe the stipulations of the Treaty between Great Britain and Portugal for the Suppression of the Slave Trade.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 108.

Sr. de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, March 24, 1843.

IN answer to the note which your Lordship forwarded to me on the 27th February ultimo, enclosing an extract of a communication made to the Government of Her Britannic Majesty, on the toleration of the Portuguese authorities of the Cape Verd Islands towards the prohibited traffic in slaves, I have the honour to inform your Lordship that, having written to the Minister of Marine on the 14th instant, he returned an answer on the 22nd instant, to the effect that he had forwarded an order to the Governor-General of those islands, not only to inform with urgency respecting the contents of the extract which came together with your Lordship's note, but to adopt the most energetic measures for the rigorous observance in those islands of the Treaty for the Suppression of the Slave Trade; and in due time I will communicate to your Lordship the informations which will be received on this subject.

I renew, &c.

(Signed) JOZE JOAQUIM GOMES DE CASTRO.

The Lord Howard de Walden, G.C.B.

&c.

&c.

&c.

No. 109.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, April 11, 1843.

I HEREWITH transmit to your Lordship a copy of a letter from Messrs. Oliverson, Denty, and Lavie, of London, respecting the seizure of the Brazilian vessel "*Virtuosa Maria Aldina*" by a Portuguese ship of war, at Benguela, on suspicion of Slave Trade.

From the statement in the letter, it would appear, that the Underwriters have been called upon to pay a total loss on the insurances effected on this vessel; and that they are about to send a Mr. Young to Lisbon to make inquiries into the case.

Under these circumstances, Messrs Oliverson and Co. request, on the part of the Underwriters, that I would sanction your Lordship's affording to Mr. Young such assistance as your Lordship can consistently and properly give to him towards the attainment of the information required; and I have to desire that you will comply with the request made by those gentlemen, as far as you shall consider it to be proper.

I am, &c.

(Signed) ABERDEEN.

The Lord Howard de Walden, G.C.B.

&c.

&c.

&c.

Enclosure in No. 109.

Messrs. Oliverson, Denty and Lavie to the Earl of Aberdeen.

MY LORD,

Frederick Place, Old Jewry, March 20, 1843.

WE have been directed by the Underwriters in Lloyd's and by several Insurance Companies in London, to inquire into the circumstances attending the seizure of a vessel called the "*Virtuosa Maria Aldina*," at the Portuguese settlement of Angola, on the coast of Africa; and with a view to the inquiry at Lisbon, it has been determined to send Mr. William Young to that city.

We have been requested to ask your Lordship that you will be pleased to authorise Her Majesty's Minister at Lisbon, to afford such assistance to Mr. Young as he can properly do in this inquiry.

The "*Virtuosa Maria Aldina*" was insured in the months of August and September 1840, from Genoa to Pernambuco, Rio de Janeiro, and ports in the Brazils, and at and from thence to Angola and ports on the coast of Africa. The vessel sailed from Genoa in the month of September 1840, under the Brazilian flag, with a supercargo on board, and the entire adventure was made to assume the Brazilian character; but it has been lately stated that the ship and

CLASS B.

cargo were the property of Messrs. Paola Sebastino Odero and Son, at Genoa. The vessel remained on the coast of Brazils until the month of November 1841, and on the 11th of that month, it is alleged, she sailed from Rio de Janeiro for Angola, on the coast of Africa. She arrived at a place called Benguela, which is within a few days' sail of Angola on the evening of the 3rd of January, 1842, and came to anchor there about eight o'clock in the evening, and was almost immediately afterwards visited by a boat from a Portuguese corvette of the Royal Navy of Portugal called "the 8th of July," and was seized on the ground of having come there for slaves. In a few days afterwards she was taken to Angola.

At the time she sailed from Genoa, it is stated that the vessel had on board a cargo of the value of something more than £10,000, and that more than one-half of this amount consisted of coral worked and mounted. It is alleged that this coral was on board when the vessel arrived on the coast of Africa; but it does not appear that there were goods to any considerable value beyond this coral.

It appears by the papers which have been laid before the Underwriters, in support of the claim for a total loss, that the captain, passengers, and crew were detained on board the vessel for a very considerable time, and were afterwards put into prison. That the cargo on board was landed, and the captain and parties on board dispossessed of both the vessel and cargo. The captain, passengers, and crew seem to have remained at Angola until the month of June 1842, and then to have proceeded to the Brazils, from whence the captain went to Genoa. It is alleged in the papers which are brought forward by the assured that no information could be obtained from the authorities in Angola of the ground for the seizure, further than the belief they were engaged in slaving. In the documents which have been produced by the assured, there is no mention made of there having been anything like a judicial proceeding, or any step whatever to bring the true nature of the case forward, or to adjudicate upon it.

There are many circumstances in the case not reasonably accounted for, and some of a suspicious character, which are not in any way explained. The Underwriters are called upon to pay a total loss upon the insurances which have been effected. They are desirous that a full and proper inquiry should take place, and the real nature of the transaction be ascertained; and with this view they have deemed it proper that Mr. Young should be despatched to Lisbon, to obtain from the authorities there the information which has been received from Angola.

It may be very possible that the papers which have been laid before the Underwriters, and of which Mr. Young will take out copies, may contain a very imperfect disclosure of the facts and real state of the case. There appears to have been a Portuguese brig of war called the "*Audax*," at Angola, at the time, and this latter vessel assumed the control after the "*Virtuosa Maria Aldina*" was taken to that place.

It is proposed that Mr. Young should proceed to Lisbon without delay; and we have to request on the part of the insurers that your Lordship will be pleased to sanction the British Minister at Lisbon to afford him such assistance as he can consistently and properly do.

We are, my Lord, with great respect,

Your Lordship's very obedient humble servants,

(Signed) OLIVERSON, DENTY, & LAVIE.

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

&c. &c. &c.

No. 110.

Baron Moncorvo to the Earl of Aberdeen.

London, April 13, 1843.

(Received April 15.)

MY LORD,

THE Undersigned, &c. has received the commands of his Government to lay before his Excellency the Earl of Aberdeen, &c. the case of the illegal and forcible seizure of the Portuguese brigantine "*Oriente*," belonging to the port of Loanda, in Angola, by the brig "*Bittern*," Commander Byron Cary, of the British Navy, on the 3rd December, 1842, under the pretext that the Portuguese vessel was engaged in or destined for the Slave Trade.

The circumstances of the case, such as it has been reported to Her Most Faithful Majesty's Government, are as follows:—The "*Oriente*" belongs to a very rich lady, perhaps the wealthiest person at Loanda, who is possessed of several other vessels, and who on no occasion has either carried on, or even been suspected of carrying on, the nefarious trade in slaves. The "*Oriente*" left Loanda, having all her papers in regular order, and having undergone, previous to her sailing, a most minute examination as to the object of her course and trade. She had on board a cargo of goods of various descriptions, but all of them of a lawful quality, and by no means destined for the Slave Trade. Besides these goods, there were on board a quantity of building materials, and a number of mechanics for the sole purpose of building, at Mossamedes, a very extensive house destined for a large establishment for salting provisions, which were being prepared at that place as a most suitable position for this sort of trade. The route which the "*Oriente*" had orders to take, on leaving Loanda, was to go to Mossamedes, touching at various points on the coast to dispose of her cargo; and from Mossamedes she had to go to St. Helena; and the papers on board of the vessel were in due and legal order, and completely bore the course she had to follow, had she not been immediately stopped and seized by the "*Bittern*."

The Undersigned begs further to inform his Excellency, that the present Governor-General of Angola has been most active in all his measures, and has deserved the highest praise from his Government for his zeal, and for the effective steps he has taken to carry into execution the orders of Her Most Faithful Majesty's Government for the suppression of the Slave Trade; consequently this Governor would by no means wink at the preparations and at the sailing of the "*Oriente*," if that brig had been truly destined for the Slave Trade or were even suspected of being intended for it.

Far from entertaining any suspicion of the kind, it is this said Governor who has forwarded to the Marine Department at Lisbon a representation, signed by the most respectable portion of the inhabitants of Loanda, against the seizure of the "*Oriente*," and against the manner generally adopted by the British cruisers of throwing every obstacle in their way to the trade of Loanda, without any discrimination as to the licit and the illicit trade of that town.

To this representation the said Governor calls the most earnest attention of Her Most Faithful Majesty's Government in very strong language; and he adds, that all his endeavours to promote the licit trade of that province, and of suppressing the Slave Trade, will be of no avail, if the conduct of the British cruisers will be equally hostile to both; as, when the licit trade returns but small profits, the Slave Trade gives hundredfold; and if both trades, licit and illicit, are to be similarly stopped, and to run equal chances of loss, it is but natural that those who undertake expeditions of vessels will prefer, with equal risk, the trade that will return an exorbitant profit, to that which gives but a moderate one.

The character and the reputation of the actual Governor-General of Angola having already deserved the approbation of the British Government, the Undersigned is confident that the very just and appropriate observations of the Governor-General will also meet with due weight, and with that degree of attention on the part of the same Government which they really deserve.

Having now laid before his Excellency the principal bearings connected with the capture of the "*Oriente*," by the "*Bittern*," Commander Byron Cary, who sent the seized vessel to Sierra Leone for adjudication, the Undersigned has received orders from his Government to demand the immediate release of the seized vessel, and that adequate compensation be given for losses and damages to those Portuguese subjects who have suffered by the seizure of the "*Oriente*."

The Undersigned is further instructed to request of his Excellency the necessary steps to put an end to the vexatious and improper manner of proceeding of several of the British cruisers towards Portuguese vessels carrying on a lawful and licit trade.

The Undersigned, &c.

(Signed)

TORRE DE MONCORVO.

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

&c.

&c.

&c.

No. 111.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, April 19, 1843.

I HAVE to refer your Lordship to my Despatch, dated the 14th October of last year, transmitting to you, for communication to the Portuguese Government, a list of Her Majesty's ships and vessels employed under the Treaty of the 3rd July 1842, between Great Britain and Portugal, for the Suppression of Slave Trade.

And I have to desire that you will acquaint the Portuguese Government that Mr. William Barret has been appointed in the place of Lieutenant Gabriel Johnson, to be the officer second in command of Her Majesty's ship "*Acorn*."

I have, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c. &c. &c.

No. 112.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, April 13, 1843.**(Received April 23.)*

MY LORD,

I HAVE the honour herewith to enclose a copy of a note which I have addressed to the Minister of Foreign Affairs, proposing, according to your Lordship's Instructions, conveyed to me in your Despatch of the 31st ultimo, with reference to Article 12 of the Treaty of the 3rd of July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, that authority shall be given by each Government respectively to the other, to keep in custody the captain, pilot, crew, and passengers found on board a vessel of the other country detained for Slave Trade, until the adjudication of the case, either under the arrangements and conditions laid down by your Lordship, or under any other plan which may be suggested by the Portuguese Government, which, under considerations, may be better adapted for securing the object declared in the Treaty.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 112.

Lord Howard de Walden to Sr. Gomes de Castro.

MONSIEUR LE CONSEILLER,

Lisbon, April 12, 1842.

I HAVE received instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, to draw the attention of the Portuguese Government to Article 12 of the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade.

I am directed to observe to the Portuguese Government, that it appears desirable that the two Governments should agree on some mode by which the object of that Article may best be carried into effect.

I have therefore to propose to the Portuguese Government, that authority shall be given to each Government respectively to the other, to keep in custody the captain, pilot, crew and passengers found on board a vessel of the other country, detained for Slave Trade, until the adjudication of the case, that if the vessel should be liberated, those persons shall at once be set free; but that if it should be condemned, they shall be retained in custody until they can be delivered up to the Government of the country to which the condemned vessel belongs, to be tried and punished according to the laws of that country.

If the condemnation should take place in a port where that Government has no resident authority, except its Commissioners in the Mixed Courts, it will be desirable that the prisoners should be delivered over to those Commissioners, or

at their request be retained in the custody of the authorities of the place, until those Commissioners shall otherwise dispose of them. And, in case of there being at the time no resident Commissioners on the part of the Government of the country to which the vessel belonged, the Commissioners of the other Government should be empowered to take measures for sending the prisoners, with as little delay as possible, to some place where authorities of that country may be resident.

In either case the expense of retaining the prisoners in custody, and of removing them, should be borne by the country to which their vessel belonging

I have the honour to add, that Her Majesty's Government make this proposition under the impression that it will meet the views of both Governments, parties to the Treaty; but that, if the Portuguese Government see any objection to it, or have any other plan to suggest, for better securing the object declared in the Treaty, Her Majesty's Government will be glad to receive and consider any proposition to that effect.

I avail, &c.

(Signed)

HOWARD DE WALDEN.

His Excellency Sr. J. J. Gomes de Castro,
&c. &c. &c.

No. 113.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, April 17, 1843.

(Received April 23.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received this morning from the Minister of Foreign Affairs, notifying to me the nomination by Her Most Faithful Majesty of the Members of the Mixed Commission, to be established in San Paulo de Loanda, in Africa, and at Boa Vista, one of the Cape de Verd islands, in conformity to the Treaty of the 3rd of July 1842.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

Enclosure in No. 113.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office (Lisbon), April 17, 1843.

I HAVE the honour to inform your Lordship that, in observance of the Treaty of the 3rd of July, 1842, between Portugal and Great Britain, for the entire abolition of the Slave Trade, Her Majesty was pleased to appoint, by decrees of the 8th instant, for the Portuguese and British Mixed Commission, to reside in the city of San Paulo de Loando, the retired Captain in the Navy, Ladislau Benevenuto dos Santos, Commissioner; Jose Angelo de Barros, Arbitrator; and Jose Alexandre Pinto, Secretary. And for the Portuguese and British Mixed Commission, to reside in the island of Boa Vista de Cabo Verde, the Bachelor of Arts, Euzebio Catella de Lemos Pinheiro Falcas, Commissioner; Hypolito Joze Xavier de Almeida; Arbitrator, and Joao Antonio Martins, Secretary; all which functionaries will leave for their respective destinations as soon as possible.

Requesting that your Lordship will be pleased to inform your Government of these Her Majesty's determinations,

I avail, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 114.

*The Earl of Aberdeen to Baron Moncorvo.**Foreign Office, April 27, 1843.*

THE Undersigned, &c. has received the note which was addressed to him, under date of the 13st inst., by the Baron de Moncorvo, &c. respecting the alleged seizure of the Portuguese brigantine "*Oriente*," by Her Majesty's brig "*Bittern*," on the 3rd of December, 1842, upon suspicion that the Portuguese vessel was engaged in or destined for the Slave Trade.

The Undersigned has lost no time in transmitting a copy of that representation to the Admiralty, with a desire that an enquiry may forthwith be instituted into the facts alleged in the note from Baron de Moncorvo; and the Undersigned has not failed to call the attention of the Lords of the Admiralty to the representation stated to have been forwarded to Lisbon by the Governor of Loanda, from the most respectable portion of the inhabitants of the last-mentioned town, against the practice, said to have been adopted by the British cruisers, of throwing every obstacle in the way of the trade of Loanda, without any discrimination as to the licit or illicit nature of that trade.

As soon as the Undersigned shall have learnt the result of the enquiry to be made, he will have the honour to communicate further with Baron de Moncorvo upon this subject.

At the same time the Undersigned must express his regret that Baron de Moncorvo has not been enabled to enter further into particulars in support of the general complaint conveyed in his note, and to describe the manner and mention the instances in which the legitimate trade of Loanda has suffered by the proceedings of British cruisers; inasmuch as any such details would have made it much easier to institute a satisfactory investigation.

The Baron de Moncorvo,
&c. &c.

The Undersigned, &c.
(Signed)

ABERDEEN.

No. 115.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, April 23, 1843.
(Received May 1.)

MY LORD,

I HAVE the honour to enclose a project of law which has been proposed to the Cortes by the Duke of Palmella, Count de Lavradio, and the Viscount de Lá da Bandeira, having for object the emancipation of slaves in the Portuguese Indian possessions, being, in the proposed operation, immediate for slaves the property of the Crown, under specified regulations; also, *immediate* as to *right of purchase of freedom*; and, prospectively, general in three years, the proprietors being entitled to be indemnified, and all transfer of slaves as property prohibited.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

(Translation.)

Enclosure in No. 115.

Project of Law on the Abolition of Slavery in Portuguese India.

ART. 1. The edicts with the force of law of the 19th September, 1761, and of January, 1773, which entirely abolished slavery in the kingdom of Portugal, are declared to extend to all the possessions of the Portuguese monarchy, comprised under the general Government of the State of India, which consist of the territories of Goa, Salsete, Bardez, Damao, Diu, Macau, and the islands of Timor and Solor, with their respective dependencies. From the publication of this law, all persons who are born in the above-mentioned territories shall be free, though their parents may be slaves; as also all persons of whatever denomination or origin, who enter the above-mentioned territories.

Art. 2. The Government shall make regulations for the full execution of the aforesaid edicts with the force of law, in the above-mentioned territories.

Art. 3. The slaves of both sexes, existing at present in these territories, who are national property, are declared free, and the Governor-General of the State of India, or his *locum tenens*, shall immediately, on the receipt of this law, grant them certificates of manumission; but with the clause, however, that they shall only enjoy their full liberty three years after the publication of this law. In the first year they shall continue to serve as hitherto, gratuitously; but, in the second and third years, their service can only be exacted by the payment of a pecuniary gratuity, to be fixed by the Governor-General in Council of India for each territory under his Government.

Art. 4. The slaves of both sexes existing in the above-mentioned territories, whether private or public property, shall possess the right, from the date of the promulgation of this law, to obtain their own ransom, whenever they shall be able so to do, by the payment of a determinate sum, which the Governor-General in Council of the State of India shall at once fix for each of the territories which compose his Government. Any slave, whether male or female, who may be desirous and able to obtain, as above, his or her immediate and entire freedom, shall possess the right of resorting for this end to the highest authority of the country where he or she may exist, and this authority shall be responsible for the due execution of this law.

Art. 5. The slaves of either sex, who are private property, that exist in the above-mentioned Portuguese territories, shall be free on the expiration of three years after the publication of this law, in each of the respective territories, the State being bound to indemnify the proprietors by the payment of a certain and determinate sum, which shall be paid to the parties interested on the day of emancipation in money, if the finances of the State of India permit, or in bills, gradually admissible as cash in payments to the Custom-houses of those dominions. The Government shall make the necessary arrangements as well to determine the indemnification to be awarded according to the sex and age of each person emancipated, and according to the peculiar circumstances of each territory comprised under the dispositions of this law, as to designate the method and form of issuing such bills as may be granted to indemnify the owners of the liberated slaves.

Art. 6. The alienation of the slaves belonging to the State that exist in the above-mentioned territories, under whatever pretence, is prohibited from the date of the promulgation of this law.

Art. 7. The Government shall cause a regulation to be published designating the corporal punishments which may be inflicted on slaves of either sex in the territories which form the general Government of the State of India. These punishments may only take place in public, and by order of the public authority, to whom the masters of slaves shall make their application, and declare the cause of their complaint.

Art. 8. All the regulations which are enjoined by this law shall be presented by the Government to the Cortes, either in the next or the successive legislative session, as also a return of the number of slaves existing in these territories, distinguishing the sex, and whether they belong to the State or not.

Art. 9. The local authorities, who contravene the provisions of the 3rd, 4th, and 5th Articles of this law, whether they are nominated by Government, or are popularly elected, shall incur the penalties awarded to those who are guilty of consigning free persons to slavery. The above-mentioned authority shall be judged in first and last instances by the Supreme Court of Judicature at Goa.

Art. 10. All legislation to the contrary is hereby cancelled.

(Signed) DUQUE DE PALMELLA.
 CONDE DE LAVRADIO.
 VISCONDE DE SA BANDEIRA.

No. 116.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, May 3, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Sappho," of 16 guns, will be employed on the Cape

(Translation.)

Enclosure in No. 119.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, April 22, 1843.

IN reference to my note of the 17th instant, in which I communicated to your Lordship the names of the functionaries whom Her Majesty had appointed for the two Mixed Commissions to reside in Loanda, and in the island of Boa Vista, by virtue of the Treaty of the 3rd July, 1842, concluded between Portugal and Great Britain, for the complete abolition of the Slave Trade; I have the honour to inform your Lordship, that Her Majesty has been pleased to transfer the Bachelor of Arts, Euzebio Catella de Lemos Pinheiro Falção, to be Commissioner of the Mixed Commission in Angola; and the Captain of frigate, Ladislau Benevenuto dos Santos, to be Commissioner of the Mixed Commission in the island of Boa Vista.

I have, &c.

(Signed)

J. J. GOMES DE CASTRO.

The Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 120.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, April 29, 1843.

(Received May 14.)

MY LORD,

I HAVE the honour to enclose a copy of a Portaria, which has been published by the Minister of Marine, signifying the Queen of Portugal's approbation of the conduct of Commander Francisco Antonio Gonzales Cardozo (the Officer noticed by your Lordship in your Despatch of the 23rd January, for his activity against the Slave Trade.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

(Translation.)

Enclosure in No. 120.

Her Portuguese Majesty's Thanks to the Commander at Angola.

Navy Quarters, Lisbon, March 20, 1843.

YOUR EXCELLENCY will know by this, and will make known to the Commanders of the Vessels in Commission, that the official recommendation received from Angola, respecting the Commander of the Naval Forces which are stationed there, the First Lieutenant, Francisco Antonio Goncalves Cardoza, for his active service in the repression of the Slave Trade, has been brought before Her Majesty the Queen; a recommendation likewise made to the same August Sovereign by the Government of Her Britannic Majesty, in consequence of information received by the Admiralty on this subject; Her Majesty has been pleased to order me to laud in Her Name that praiseworthy Officer, for the zeal which he has shown in such an important Commission, hoping that this token of Her Majesty's pleasure will be an incentive to the other Officers in the Navy, in that service, to do their utmost to merit the same praise.

MANOEL DE VASCONCELLOS PERREIRA DE MELLO.

Sur Pedro Alexandrino ne Cunho,
Captain-Lieutenant, Commander.

No. 121.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 5, 1843.

(Received May 14.)

MY LORD,

I HAVE the honour to inclose a copy of a note which I have received from Sr. Gomes de Castro, notifying to me, for the information of Her Majesty's GO-CLASS B.

vernment, that the Portuguese Government has despatched two vessels of war, the "*Urania*," a corvette of 18 guns, and the schooner "*Esperança*," of 6 guns, to cruise on the western coast of Africa against the Slave Trade, and that the Instructions formerly given to the schooner "*Harriet*," at the Cape de Verd station, have been cancelled.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

Enclosure in No. 121.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office, May 5, 1843.

By virtue of the dispositions of the Second Section of the Third Article of the Treaty of the 3rd July, 1842, concluded between Portugal and Great Britain, for the complete Abolition of the Slave Trade, I have the honour to acquaint your Lordship, for the information of Her Britannic Majesty's Government, that on the 27th ult., her Majesty's ships of war, the corvette "*Urania*," of 18 guns, Commander the Captain-Lieutenant Pedro Alexandrino da Cunha, and second Commander the Second Lieutenant Antonio d'Oliveira: and the schooner "*Esperança*," of 6 guns, Commander the Second Lieutenant Joze Gregorio Taloni, and second-Commander the Second Lieutenant Guilherme Joze dos Reis, sailed from the port of this capital for the Western Coast of Africa, and Islands of S. Thomé and Principe, to be employed in the suppression of that traffic. The above-mentioned Captain-Lieutenant Pedro Alexandrino da Cunha being the Commander-in-Chief of the Naval Force stationed at those places.

I have also the honour to inform your Lordship, that the Instructions given to the schooner "*Harriet*," stationed at Cape Verd, for the said object of preventing Slave Trade, have been cancelled.

I avail, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c. &c. &c.

No. 122.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, May 7, 1843.

(Received May 14.)

THE misconduct of the Portuguese authorities in the Portuguese African Colonies having come to the knowledge of the Viscount de Sá da Bandeira, he denounced them yesterday in the Chamber of Peers, in the following terms:— He said he was informed that the following abuses were constantly practised in favour of the Slave Trade. 1st. The Governors-General register Portuguese vessels as foreign, against the dispositions of the Decree of the 18th January, 1837. 2. The officers of the Custom-houses do not pass the certificate as enjoined in the 1st Section of the 10th Article of the Decree of the 10th December, 1836, that the vessels which leave the port, have no slaves on board, nor any articles prohibited by this Decree. 3. The bail required in the 7th Article of the said Decree, that the vessels shall not be employed in the Slave Trade, is generally taken fraudulently in the Custom-houses. 4. When a vessel is captured with slaves on board, as all the crew ought to receive corporal punishment, under the 1st and 2nd Sections of Article 19, they are sent to Fort St. Michael, in Loanda, and not to the city prisons, so that in eight or ten days they make their escape. This proves the connivance of the authorities. 5. When a vessel is captured on suspicion of Slave Trade, as only the captain, pilot, and shippers are corporally punishable, these alone are sent

to the fort of Loanda, while the rest of the crew are sent to the prison. Those in the fort escape, as usual; but those in the prison are detained until the termination of the process, when they are absolved. 6. The charge is generally made on the strength of deposition in the Judge's house, even when the captured vessel is in the port. 7. In the process it is never asked who are the shippers or parties interested in the cargo of slaves or utensils for the Slave Trade. 8. It has been customary in Angola for the criminals' Advocate to take the place of Judge, and to form the sentence. He added that many more abuses were practised which it was unnecessary to enumerate.

The Viscount then moved for circumstantial information on the defects which have been met with in practice in the Decree of the 10th December, 1836, and the abuses to which it has given rise; and also as to what alterations and additions are requisite to ensure prompt and efficacious punishment of those who infringe the law.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 123.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 11, 1843.

(Received May 22.)

MY LORD,

I HAVE the honour to enclose a copy of a pamphlet which has been printed in Lisbon for distribution by a gentleman of colour, which gives, I am assured, a very faithful exposition of the miserable state into which several of the Portuguese colonies on the west coast of Africa, have fallen.

I also add a copy of a Decree which has just been issued by the Queen of Portugal, with a view to direct the undertaking of the building of a new town at the port of Lobito, to which the inhabitants of St. Felippe de Benguela propose to remove their residences.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Extract.)

Enclosure in No. 123.

Decree.

IN consequence of a representation made by the Governor-General of Angola, of the local advantages to be reaped from the removal of the town of St. Felippe de Benguela to the port of Lobito, which removal is greatly desired by the inhabitants of that town, who have made a subscription amounting to 31 : 150,000 reis, for that purpose, and for directing the river Catumbella to the port of Lobito; Her Majesty has been pleased to approve of this change of site, under the following clauses, viz., respecting the direction of the river:—

1st. That the whole stream of the Catumbella shall not be directed to the port of Lobito, but merely so much of it as is sufficient for the use of the inhabitants and shipping, and which shall be conducted there by a small aqueduct or channel.

2nd. That the Governor-General shall be very careful in the choice of the person employed in directing this work, who must combine a knowledge of hydraulics with local knowledge of the river Catumbella, and a scientific acquaintance with the nature of the ground on which the work is to be performed. And as regards the erection of the new town:—

1st. That in the lower part of the port, the Custom-house, and the Merchants' Warehouses and offices, shall be only built; and on the north of these, a closed battery shall be raised, with seven pieces of ordnance, to defend the port.

2nd. That the Government House, the Church, the Hospital, the Cemetery, and all the dwelling-houses of the inhabitants shall be erected on the summit of the hill just above the port.

3rd. That the low grounds near the water, be raised, if necessary, to 12 palms above the spring tides' high water mark, and that

the height be gradually increased towards the interior, to facilitate drainage. 4th. That no building shall be erected without a cistern attached thereto, large enough to contain as much rain water as may be calculated to fall during one season on the space which such building occupies. 5th. That the ground floor of all houses to be built, shall be raised at least four palms above the ground; the walls of these houses to have apertures for permitting the free circulation of air. 6th. That all houses to be built shall have one story above the ground floor; and the authorities shall try to convince the inhabitants that this higher story will be more salutary for sleeping apartments. 7th. That all the new habitations shall be large, with sufficient ventilation; and the apartments not less than 16 palms high. 8th. That horizontal tiling be recommended, as the most appropriate for that climate. 9th. That the huts of the resident negroes be placed below, and to leeward of the houses of the white or civilised persons. 10th. That the habitations placed on the hill be enclosed by a wall, surrounded by a ditch of not less than 20 palms in depth. 11th. That at a short distance without this wall, to the north-east, or to leeward, be marked out a space, with a wall or paling round it, for a fair and public market. Finally: Her Majesty would recommend that the side which protects the anchorage in Lobito, be as soon as possible planted with cocoa trees, and that the present forest of 'mangue' trees, on the beach to the south of Lobito, be shortly rooted up, and that in their stead other indigenous trees of quick growth, and which may produce the most serviceable wood, be planted between Lobito and the river Catumbello; this wood, as well as that of the 'mangue' trees, will belong to the State.

No. 124.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 11, 1843.

(Received May 22.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, announcing the appointment of the Portuguese Members of the Mixed Commission to be established at the Cape of Good Hope and Jamaica, under the Treaty of the 3rd July, 1842, for the Suppression of the Slave Trade.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 124.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, May 10, 1843.

IN addition to my notes of the 17th and 22nd ultimo, I have the honour to inform your Lordship, that, in observance of the Treaty of the 3rd July, 1842, between Portugal and Great Britain, for the complete Abolition of the Slave Trade, Her Majesty has been pleased to appoint to the Portuguese and British Mixed Commission, to reside in the Cape of Good Hope, the Doctor Lorenzo Joze Monez, Commissioner, and Alfrede Duprat, Arbitrator: and to the Portuguese and British Mixed Commission, to reside in Jamaica, the Portuguese Consul in Cork, Jorge Manders, Commissioner; the Second Attaché, now unemployed, João d'Almeida Figanieri, Arbitrator. These four persons will leave for their destination as soon as possible.

Requesting that your Lordship will inform Her Britannic Majesty's Government of these appointments,

I avail, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 125.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, May 13, 1843.
(Received May 22.)*

MY LORD,

ALTHOUGH I have frequently received assurances from the Minister of Foreign Affairs, that the subject of representation made by me to the Portuguese Government, under your Lordship's instructions in your Despatch marked "Slave Trade," of the 18th Feb., 1842, respecting the liberation of John Barnett, a British subject, who had been detained as a slave, had been duly attended to, it has only been this day that I have been able to obtain an official notification in writing to that effect, for the satisfaction of your Lordship.

I have now the honour to inclose a copy of Senhor Gomes de Castro's letter declaring to me the liberation of the said Barnett, and his having been duly received on board Her Majesty's ship "Pantaloön."

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 125.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, March 11, 1843.

IN answer to the note which your Lordship forwarded to me on the 28th August of last year, respecting the British subject John Barnett, of a dark colour, from Sierra Leone, who stated that he had been sold as slave to Caetano Joze Nozolino of Bissau, I have the honour to inform your Lordship that according to a note which I received from the Minister of Marine, it appears that the said John Barnett has already been given up by Nozoline to the commander of the English brig of war, "Pantaloön," which in the beginning of last year had anchored in the port of Bissau. Your Lordship's claim being thus satisfied,

I avail, &c.

(Signed) J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 126.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, May 26, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's ship "Curaçoa," of 24 guns, will be employed on the Brazil station in the Suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal.

The "Curaçoa" is commanded by Captain Sir T. S. Pasley, Bart., and Lieutenant Frank Denison is the officer second in command.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 127.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, May 20, 1843.
(Received May 28.)*

MY LORD,

I HAVE the honour to report to your Lordship, that I have, according to the Instructions in your Lordship's Despatches, of the 3rd and 5th instant,

marked "Slave Trade," communicated to the Portuguese Government that Her Majesty's sloop "Sappho" will be employed on the Cape of Good Hope station in the Suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal; and that the warrant supplied to Her Majesty's sloop "Pilot" on the North America and West India Station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 128.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 20, 1843.

(Received May 28.)

MY LORD,

I HAVE been informed, upon authority worthy of credit, that the notorious Caetano, of such celebrity as a slave trader, has arrived in Lisbon, and has received from the Government the rank of Lieutenant-Colonel. I have spoken to Sr. Gomes de Castro on this subject, representing to his Excellency the extreme impropriety and indecency of such a proceeding, being one, when taken with the acts of the Governor of the Cape de Verds, who was declared to be a decided enemy to the Slave Trade, calculated to shake confidence in the sincerity of the Governor, as regards the suppression of the Slave Trade.

His Excellency appeared extremely surprised and annoyed at the subject of my representation. He denied having any cognisance of this proceeding; he said that he would immediately speak to his colleague of the Marine Department about it (as it could only have been done in the Marine Department); but he added, he could assure me at once, that the Minister of Marine was a most determined enemy of the Slave Trade. I remarked this might be so, but that the same was said of Governor Bastos when he went out to the Cape de Verd Islands, but that since he had been in authority, if he did not actually carry on the Slave Trade himself, he found it worth his while, not only to shut his eyes in respect to it, but to invite the most notorious slave traders to his house; such as Caetano, the present subject of my representation. His Excellency had nothing to reply beyond the general assurance that I was unjust, and that he would investigate the matter.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 129.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 3, 1843.

I HAVE received your Lordship's Despatch of the 20th ultimo, and I have the satisfaction to acquaint your Lordship that I approve of the remarks which, as stated in that Despatch, your Lordship made to M. Gomes de Castro, respecting the rank recently conferred by the Portuguese Government upon the notorious slave trader Caetano.

I am, &c.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Signed)

ABERDEEN.

(Extract.)

No. 130.

*Baron de Moncorvo to the Earl of Aberdeen.**Portuguese Legation, June 5, 1843.**(Received June 6.)*

BARON de Moncorvo presents his compliments to the Earl of Aberdeen, and has the honour to acquaint him that the Portuguese Commissioners appointed to the Mixed Portuguese and British Commission at the Cape of Good Hope, Dr. Lourenço, José Moniz, and Senhor Alfredo Duprat; and at Jamaica, Senhors Joao Jacomo Altavilla, and Joao D'Almeida Figaniere, are about to proceed to their respective destinations.

(Extract.)

No. 131.

*The Earl of Aberdeen to Baron de Moncorvo.**Foreign Office, June 12, 1843.*

THE Earl of Aberdeen presents his compliments to Baron de Moncorvo, and begs to mention to Baron de Moncorvo, that, by a communication from the Portuguese Government, through Lord Howard de Walden, it would appear that Mr. Jorge Manders, the Portuguese Consul at Cork, is appointed Commissioner at Jamaica; but that, in Baron de Moncorvo's note of the 5th instant, the name of the Gentleman appointed to be Portuguese Commissioner at that place appears to be Joao Jacomo Altavilla.

Lord Aberdeen has to request that Baron de Moncorvo will have the goodness to inform him which of the two names is correct.

No. 132.

*The Earl of Aberdeen to Lord Howard de Walden.**Foreign Office, June, 12, 1843.*

MY LORD,

I HAVE to desire that you will acquaint the Portuguese Government that the warrants supplied to Her Majesty's steam vessel "Sydenham," and to Her Majesty's ship "Orestes," authorising them to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.

(Signed) ABERDEEN.

&c.

&c.

No. 133.

*The Earl of Aberdeen to Lord Howard de Walden.**Foreign Office, June 13, 1843.*

MY LORD,

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Rose," of 18 guns, will be employed on the North America and West India station in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Rose" is commanded by Commander Henry R. Sturt, and Lieutenant W. H. Dobbie is the officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.

(Signed) ABERDEEN.

&c.

&c.

No. 134.

*The Baron Moncorvo to the Earl of Aberdeen.**Portuguese Legation, June 15, 1843.
(Received June 16.)*

THE BARON de Moncorvo presents his compliments to his Excellency the Earl of Aberdeen, and in answer to his note of the 12th instant, has the honour to inform his Excellency, that by the official communication from his Government, the Portuguese Commissioner appointed at Jamaica, is the Gentleman mentioned in Baron de Moncorvo's note of the 5th instant.

According to private letters from Lisbon, Baron de Moncorvo was aware that Mr. Jorge Manders had been appointed Commissioner at Jamaica, but he respectfully declined the appointment.

His Excellency the Earl of Aberdeen, K. T.

&c. &c. &c.

No. 135.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, June 10, 1843.
(Received June 18.)*

MY LORD,

HAVING, according to your Lordship's instructions, informed the Portuguese Government that Her Majesty's ship "Sappho" and "Curaçoa," were to be employed in the Suppression of the Slave Trade on the Cape of Good Hope and the Brazil stations, and that the Instructions given to the "Pilot" had been cancelled, I have the honour to enclose the note I have received in answer from his Excellency Sr. Gomes de Castro.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 135.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office, June 8, 1843.

I HAVE the honour to acknowledge the receipt of your Lordship's notes of the 17th ult. and 5th inst., relative to Her Britannic Majesty's ships "Pilot," "Sappho," and "Curaçoa," to the first of which the warrant which it had received, to prevent Slave Trade on the North America and West India stations, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain, had been cancelled; and that warrants had been given to the two latter, to intercept that traffic under that same Treaty, on the stations of the Cape of Good Hope and Brazil.

Thanking your Lordship for this communication, which I immediately made known to the Minister of Marine,

I avail, &c.

(Signed) J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c. &c.

No. 136.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 26, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's steam vessel "Avon," of two guns, will be employed on the North America and West India station, in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Avon" is commanded by Lieut. D. R. B. Mapleton, and Mr. Henry Cheshyre, mate, is the officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.

&c. &c.

(Signed) ABERDEEN.

No. 137.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 26, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's ship "Illustrious," on the North America and West India station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 138.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 26, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's brig "Partridge," on the Brazil station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 139.

Lord Howard de Walden to the Earl of Aberdeen.

M LORD,

Cintra, June 25, 1843.
(Received July 2.)

I HAVE the honour herewith to transmit a copy of a Despatch, with its Enclosures, which I have received from Mr. Consul Rendall, reporting the act of planting the Portuguese flag on the island of Bulama, in substitution of that of Great Britain, and the pretensions of the Portuguese authorities in the African settlements to assert the right of Portugal to that island, as manifested in the correspondence of Governor Bastos with Mr. Consul Rendall.

I have, &c.

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

(Signed) HOWARD DE WALDEN.

First Enclosure in No. 139.

Mr. Rendall to Lord Howard de Walden.

MY LORD,

British Consulate, Boa Vista,
Cape Verds, April 24, 1843.

I HAVE the honour to enclose herewith a copy of a communication which I have just received from Captain Foote, R.N., commanding her Majesty's naval forces on the western coast of Africa, touching the matter of the Portuguese authorities having hauled down the English flag, and substituted their own at the island of Bulama.

I have, &c.

Lord Howard de Walden G.C.B.
&c. &c.

(Signed) J. RENDALL,
Her Britannic Majesty's Consul.

Second Enclosure in No. 139.

Captain Foote to Mr. Rendall.

SIR,

"Madagascar," Boa Vista, April 4, 1843.

I BEG to transmit for your information the accompanying copy of a letter I addressed to his Excellency the Governor-General of these islands, in reference to the proceedings of the Governor of Bissao having ordered the British flag at the island of Bulama to be hauled down, and replaced by the Portuguese, and his Excellency's reply thereto.

I am, &c.

John Rendall, Esq.
&c. &c.

(Signed) JOHN FOOTE.

Third Enclosure in No. 139.

Captain Foote to Governor-General Bastos.

SIR,

"Madagascar," Porto Praia, St. Jago, March 27, 1843.

I HAVE the honour to address your Excellency on the subject of a most unwarrantable aggression committed by the Governor of Bissao in January last, in having ordered some Portuguese soldiers to land on the British island of Bulama, and haul down the English flag which had been flying there since the 23rd of May, 1842, when it was taken formal possession of in the name of Her Britannic Majesty, Victoria, by order of the British Government addressed to me.

I should have been fully justified if I had landed at the town of Bissao, and in retaliation for this act have hauled down the Portuguese flag, and substituted that of England; but in consideration of the long existing friendship between our nations, I have not thought proper to have recourse to such strong measures; but being about to proceed to these islands in the prosecution of my duty as Senior Officer on the West Coast of Africa, I have preferred remonstrating with your Excellency on this most unwarrantable proceeding. Trusting that your Excellency may give such directions to the Governor of Bissao as shall prevent a recurrence of such conduct, so likely to end in the most serious consequences; for I shall feel myself obliged, after this remonstrance, to take very serious measures against any repetition of these hostile steps; in the meanwhile I have transmitted an account of these proceedings to my Government and have every reason to believe that orders will be very shortly given to colonise this island.

If the Governor of Bissao considered that this island belonged to Portugal, he should have protested against our taking formal possession of the same in May, 1842, and not suffered the British flag to fly there for eight months without taking any steps on the subject; but I suspect he has been influenced to commit himself in this matter by that noted practical slavetrader, Caetano, who has been so long fostered by the said Governor, and who well knows that should Bulama be colonised by the British, the Slave Trade will be at an end in the Bissaos.

I have, &c.

(Signed) JOHN FOOTE, *Captain, &c.*

His Excellency Brigadier and Governor-General Bastos,
&c. &c. &c.

Fourth Enclosure in No. 139.

Governor-General Bastos to Captain Foote.

(Translation.)
SIR,

Government of Cape Verds,
Villa de Praya, March 28, 1843.

I ACKNOWLEDGE receipt of your letter of yesterday's date, having reference to one of the objects of conference which I had with you on the 9th instant. In this said letter, you say that there was committed an unjustifiable aggression upon the rights of your country, upon the island of Bulama, in consequence of

some Portuguese soldiers having been ordered to land there, in January last, to take away the English flag that had waved there ever since the 23rd May last year, at which period it was taken possession of on the part of the British Government. To which I have to answer, that the Portuguese soldiers of whom you speak, formed a detachment which went to relieve the one that existed there on the 23rd May last, and who continued to exist upon the same spot after it was occupied by the English, as also this detachment had before relieved another; and you must understand that it is clear that the Governor of Bissao, in sending this detachment to Bulama, a Portuguese possession from time immemorial, did no more than preserve a force in one of the Portuguese dominions, which by no means can be considered an act of aggression, as you think. As to your saying that the English flag was taken, it cannot be but a mistake, as you are not ignorant that the Portuguese flag had there waved for many years previous to the 23rd May; and therefore the Governor of Bissao did no more than to replace the Portuguese flag where it used to occupy, and which was violently lowered on the before-mentioned day by the crew of an English man of war, who also removed and took the small detachment of Portuguese that existed there.

You further say, that in consequence of this act of the Governor of Bissao, you would have done right had you gone to that place and taken the Portuguese flag that waved there, and substituted that of England. To which I answer, that if you had succeeded in committing such an unheard-of act of hostility, you could not by that show that the island of Bulama belonged to England, but you would have made yourself responsible for such consequences as might have arisen between two friendly and allied nations, for the simple reason, that the regular duties of the service had been performed. But you preferred, as you say, coming to represent to me this event, that I might give to the Governor of Bissao some orders; to which I have to say, that I have no order to give upon that subject, because I approve completely of the proceedings of the Governor of Bissao, who did his duty as a soldier and as a Governor.

You proceed by threatening that you are going to take very serious measures to prevent the repetition of these proceedings, which you call hostile, having reason to believe that your Government intend giving orders to colonise the island of Bulama; but I must insist in declaring, on the part of the Governor of Bissao, that there is no hostility, because such cannot be applied to acts necessary to be performed in a Portuguese colony. I make you responsible for any proceedings that may hereafter after the actual and old situation of that Portuguese island, and upon which the Government of Her Most Faithful Majesty and that of Her Britannic Majesty have to decide. You conclude by saying, that if the Governor of Bissao had considered that the island of Bulama belonged to Portugal, he ought to have protested against the occupation of it by the English forces, and not have suffered the British flag to have waved there. To take you from this mistake, on which rests all the force of your argument, I have to say that the Governor of Bissao protested against that occupation, and I also protested with the Government Council, and made the proper reports to the Government of Her Most Faithful Majesty; and it is probable that the same august lady sent the competent claims to the Government of Her Britannic Majesty. In the case also concerning the English flag being substituted by that of the Portuguese nation, by the Governor of Bissao, who also sent the detachment there, I have also reported to my Government.

Permit me to tell you that if the island of Bulama was English, there would be no occasion to take possession of it by a force of the same nation; or if that solemnity was thought necessary, it ought not to have been left for the year 1842.

As to the accusations concerning the traffic in slaves, with which you pretend to involve me in so distinct a manner, it is my duty to observe to you, that these allegations are destitute of proof, and absolutely inadmissible.

I am &c.

(Signed) F. DE PAULA BASTOS.

The Commanding Officer of the British Frigate "Madagascar,"

&c.

&c.

&c.

No. 140.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 4, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's steam vessel "Megæra," on the American and West India station, authorising her to act under the Treaty of the 3d July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c.

(Signed) ABERDEEN.

No. 141.

The Earl of Aberdeen to Lord Howard de Walden..

MY LORD,

Foreign Office, July 4, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Espoir," of eight guns, will be employed on the coast of Africa, in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Espoir" is commanded by Commander Arthur Morrell, and Lieut. W. K. O. Price is the officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.
&c.

(Signed) ABERDEEN.

No. 142.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 8, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ship "Waterwitch," on the Cape of Good Hope station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c.

(Signed) ABERDEEN.

No. 143.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Cintra, June 28, 1843.
(Received July 9.)

WITH reference to my Despatch, marked "Slave Trade," of the 11th ultimo, I have the honour to enclose a copy of a note which I have received from Sr. Gomes de Castro, notifying that, in consequence of the resignation of Mr. George Manders, Sr. João Jacomo Altavilla has been appointed Commissioner to the Portuguese and British Mixed Commission, to be established at Jamaica.

I have, &c.

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

(Signed) HOWARD DE WALDEN.

Enclosure in No. 143.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, May 20, 1843.

WITH reference to my note of the 10th instant, I have the honour to acquaint your Lordship, for the information of Her Britannic Majesty's Government, that Her Majesty the Queen, having accepted the resignation of George Mauders, Consul-General in Cork, from the post of Commissioner to the Portuguese and British Mixed Commission to be established in Jamaica, has been pleased to appoint in his place Joao Jacomo Altavila, by decree of the 18th instant.

I avail, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 144.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 12, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's brig "Spy," of 3 guns, will be employed on the coast of Africa in the Suppression of the Slave Trade, under the Treaty of 3rd July, 1842, between Great Britain and Portugal.

The "Spy" is commanded by Lieutenant S. O. Wooldridge, and Mr. Philip Hudson, mate, is the Officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Signed)

ABERDEEN.

No. 145.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 12, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Bittern," of 16 guns, will be employed on the Cape of Hope station in the Suppression of the Slave Trade, under the Treaty of the 3rd July 1842, between Great Britain and Portugal.

The "Bittern" is commanded by Commander Edmund Peel, and Lieutenant Thomas Chaloner is the Officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Signed)

ABERDEEN.

No. 146.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 12, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the Officers mentioned in the list enclosed in this Despatch are now second in command of the ships stated against their names respectively; which ships, as your Lordship is already aware from previous Despatches, are now employed under the Treaty of 3rd July 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade.

I am, &c.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Signed)

ABERDEEN.

Enclosure in No. 146.

Ship's Name.	Officer Second in Command.	Station.
Ardent . . .	Lieutenant W. H. Budge . . .	Brazil.
Iris . . .	Lieutenant H. J. Robins . . .	Coast of Africa.
Pantaloons . . .	Mate H. M. Smith . . .	”
Rapid . . .	Acting Second Master N. Sewell . . .	”
Albatross . . .	Lieutenant W. T. Rivers . . .	North America and West Indies.
Scylla . . .	Lieutenant W. C. Coffin . . .	”
Pickle . . .	Second Master W. G. J. Stokes . . .	”

No. 147.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 15, 1843.

I HEREWITH transmit to your Lordship, for your information, and in case the Portuguese Government should make a representation to you on the subject, the copy of a Letter and of its Enclosures, which I have received from the Admiralty, containing an account of circumstances which took place on the occasion of the search of a vessel on suspicion of Slave Trade, when lying off the Portuguese island of Sal.

Your Lordship will perceive, and will be able to show to the Portuguese Government, if necessary, that throughout the transaction there described the Commander of Her Majesty's cruiser was most properly careful to pay due respect to the rights of Portugal.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

Enclosure in No. 147.

Sir John Barrow to Viscount Canning.

MY LORD,

Admiralty, July 7, 1843.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Aberdeen, three Letters from Captain Foote of Her Majesty's ship "Madagascar," dated the 18th March, and 2nd and 12th April last, No. 22, 27, and 29, together with the enclosed correspondence on the subject of the Spanish brig "Urumea" having been searched by an Officer and boat's crew from the "Heroine," at the island of Sal, the Commanding Officer of the "Heroine" not having at that time been in possession of the Instructions under the Treaty of 3rd July 1842, with Portugal, for the Suppression of Slave Trade; and adverting to the desire of Captain Foote to be furnished with their Lordships' Instructions how to act, supposing that the Commander of a British cruiser should have positive information of a *bonâ fide* slave vessel lying in a Portuguese port on the coast of Africa, and consequently require the authorities there to carry out the stipulations of the before-mentioned Treaty, and that the said authorities should, after search, release such slave vessel, my Lords request that you will move the Earl of Aberdeen to favour them with his decision upon it.

I am, &c.

(Signed) JOHN BARROW.

The Viscount Canning,

&c.

&c.

First Sub-Enclosure in Enclosure in No. 147.

Captain Foote to the Hon. Sidney Herbert, M.P.

SIR,

*Madagascar," Boa Vista,
Cape de Verd Islands, March 18, 1843.*

I HAVE the honor to send herewith an extract of a letter I have received from Lieutenant Stewart, in command of Her Majesty's brig "Heroine," stating the particulars of his having proceeded to the island of Sal to request permission from the Military Governor of that island to search the Spanish brig "Urumea," lying there. I also transmit a copy of the correspondence that has taken place between the Governor-General of these islands and the British Consul, where the Governor complains, in strong terms, of the violation of the Treaty of the 3rd July last.

I beg to acquaint their Lordships that at the time Lieutenant Stewart was performing this service, he was not in possession of the said Treaty, but was acting under my orders, and the Act of Parliament of the 2nd and 3rd Victoria, cap. 73; and therefore I feel confident their Lordships will be pleased to approve of Lieutenant Stewart's conduct on this occasion, and consider that the Governor-General's accusations are groundless.

I have, &c.

*The Hon. Sidney Herbert, M.P.
&c. &c.*

(Signed) JOHN FOOTE,
Captain and Senior Officer Commanding.

Second Sub-Enclosure in Enclosure in No. 147.

Extract of a Letter from Lieutenant D. D. Stewart, commanding Her Majesty's brig "Heroine," to Captain Foote, dated at Sierra Leone, the 25th of January, 1843.

I PROCEEDED to sea on Thursday the 15th December, and anchored at Boa Vista on the 20th, when I was confined to my cabin by illness, but not severe. The Consul was good enough to wait on me next day, informing me that a notorious slave-dealer named Don Pedro Tito, a Spaniard, who had married into the principal family of these islands, had returned with a brig instead of a schooner, on which he had successfully carried 129 slaves from the River Tongas to Matanzas, and that the brig was at the island of Sal, where the Governor-General was then making a temporary visit. We proceeded to the island of Sal without delay, with the intent of searching her if permitted. The Governor-General, however, returned to Boa Vista while we were on our passage. On anchoring close alongside the Spaniard, she showed no colours, although the Shore, an English brig, and Bremen barque, hoisted theirs. We first boarded the English brig, and I then sent Mr. Hudson, mate, to wait on the Portuguese Governor, to acquaint him with my illness as apology for not waiting on him, and to enquire what the brig was without colours. The Governor replied she was a Spanish brig which had been there four days, and was going to take in salt, and the captain was on shore. Mr. Hudson then explained that the fact was, we had heard of Don Pedro's brig being at the port of Sal, and that we had come expressly to search her as a suspicious vessel, if the Governor would sanction it. Pedro Tito now made his appearance, and showed a perfect readiness to proceed to the search immediately, and the Governor assented to go on board himself. Mr. Hudson instantly returned to me, and, while giving him instructions, the Governor and Pedro Tito got on board the Spanish brig and hoisted the colours. I instantly sent Mr. Hudson, accompanied by the second master, with a cutter's crew, to search the brig; and the whole business appears to have been conducted with becoming strictness and mildness, and the brig was quitted with apparent satisfaction to all parties, as nothing disagreeable occurred. Pedro Tito made apology for the colours not being hoisted, saying if he had been on board, they certainly would have been.

We waited for the ship's company to dine before we weighed, in the course of which (the Spaniard's first ensign shown being very small) a larger ensign was hoisted, also a masthead flag, with the name "Urumea" on it. What motive there was for this it is impossible for me to say.

I am drawn into this minute detail on account of Mr. Rendall's reply to a

letter from the Governor-General on this subject, and his report to Lord Aberdeen; copies of which having been supplied to me by the Consul, when I called at Boa Vista on the 13th instant, seriously ill, and incapable of attending to them, I have found the affair incorrectly described.

I would account for this by stating that my Report to Mr. Rendall was but verbal, and as both the Governor of Sal, and Pedro Tito, the captain (who is a superior description of man), behaved with becoming respect to the officers I sent on the search duty, and there appeared no likelihood of complaint, the Consul had nothing to refer to in my absence, when he received the Governor-General's letter.

In consequence of this affair being seriously represented to the two Governments, I beg leave to enclose copies of Mr. Rendall's letter and enclosures, excepting the Portuguese letter, which no one on board can well enough decipher, but of which there is a translation of the body of the original, being all that is absolutely necessary.

Third Sub-Enclosure in Enclosure in No. 147.

Mr. Rendall to Lieutenant Stewart, R.N.

*British Consulate, Boa Vista, Cape Verds,
January 14, 1843.*

SIR,

I HAVE the honour to enclose herewith, for your information, a copy of a letter which I received from the Governor-General of this Province, with my reply to the same; as also the copy of a Despatch, which I forwarded to the Earl of Aberdeen, sending at the same time a copy thereof to the British Ambassador at Lisbon, having reference to your searching a Spanish brig at the island of Sal.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

Lieutenant Stewart, R.N.
&c. &c.

Fourth Sub-Enclosure in Enclosure in No. 147.

*The Governor-General of the Province of Cape Verd to John Rendall, Esq.
Her Britannic Majesty's Consul.*

(Copy of a Translation as enclosed.)

I BEG to acquaint you that the Commander of the English brig of war "Heroine," searched the merchant Spanish brig "Urumea," when at anchor in a Portuguese port of the island of Sal, of this province, and requiring the Military Commandant of the said island to search the aforesaid vessel, which, in order to avoid disputes, he *felt himself obliged to conform to.*

I cannot but consider such a proceeding as an insult to the independence and dignity of the Portuguese flag, and, at the same time, being a flagrant violation of the 4th Section of the 3rd Article of the Treaty of the 3rd July, 1842.

I beg to acquaint you that I am about to bring this affair to the knowledge of Her Most Faithful Majesty's Government, and that I have issued the necessary orders to all the Military Commandants of the different islands that they do not tolerate such abuses in conformity with the aforesaid Section of the said Treaty; it being your duty to give notice to the commanders of the men of war of your station, that they will not be allowed to make these searches within the ports of this province, as the Portuguese Government is firmly resolved to maintain, at all costs, the dignity and decorum of their flag.

Fifth Sub-Enclosure in Enclosure in No. 147.

Mr. Rendall to the Governor-General.

*British Consulate, Boa Vista, Cape Verds,
January 11, 1843.*

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 7th instant, having reference to a transaction of Her Britannic Majesty's brig "Heroine," Lieutenant Stewart, Commander, at the island of Sal, a short time since.

I must acquaint your Excellency that the vessel in question is one of Her Majesty's cruisers appointed for the suppression of the abominable Slave Trade, and therefore sails under particular instructions, and that Commander Stewart is amenable only in this country to the Senior Naval Officer of the station.

Your Excellency's reference to the new Slave Trade Treaty, cannot, I believe, apply to the acts of Commander Stewart, to the present date, as I heard he had not yet received these new Instructions, and is consequently sailing under those that were previously in existence.

Of the act complained of by your Excellency I have no written report; but I avail myself of this opportunity to acquaint your Excellency that the circumstances relating to it, which were communicated to me, conveyed an impression that Commander Stewart had considered the British flag to have been most grossly insulted by the Captain of the Spanish vessel, and that it was in consequence of this flagrant act that Commander Stewart communicated with the Governor of Sal, of whom the Commander spoke in the highest terms, not only of his politeness and urbanity, but also as evincing a most ready disposition to make search where the parties suspected were notorious slavedealers, and who had only a few months previously fitted out from the same port, for the coast of Africa and had carried a cargo of slaves from thence to the Havana.

I shall lay before Commander Stewart, when he touches here, a copy of your Excellency's communication to me, that he may prepare upon the spot a correct statement of facts for the information of the Commodore of the station, and of his own Government.

I have, &c.

(Signed)

JOHN RENDALL,

H. B. M. Consul.

His Excellency the Governor-General,
&c. &c. &c.

Sixth Sub-Enclosure in Enclosure in No. 147.

Mr. Rendall to the Earl of Aberdeen.

MY LORD,

British Consulate, Boa Vista, Cape Verds.

I HAVE the honour to enclose herewith a copy of a letter from the Governor-General of this province, with my reply to the same, touching a complaint made against Her Britannic Majesty's brig "Heroine," Lieutenant Stewart, commander.

The facts of the case, as I understand them from Commander Stewart, were, that the "Urumea" was at anchor at the island of Sal, when the "Heroine" also anchored there; that the Spanish vessel did not hoist colours, although the Shore and other vessels in the harbour paid the compliment. Commander Stewart then sent an officer ashore to enquire of the Governor what vessel it was acting in such an unbecoming manner; and the officer learning that she belonged to Don Pedro Tito, denounced him as being a notorious slavedealer, and of having just returned from Havana, after landing a cargo of slaves from the River Pongas, having previously fitted out in the port of Sal for that purpose.

The Governor made no objections to the vessel being visited, and accompanied himself the officer of the "Heroine," that the visit should be legal and properly carried into effect; meaning, of course, that by his being present, the visit was made by him and not by the officer of Her Britannic Majesty's brig "Heroine."

The flag of the Spaniard, I understand, was not hoisted until after the visit had been made, and the parties left, and then two flags were shown, in derision of the proceeding that had taken place.

It is right that I should here mention that this Don Pedro Tito is the individual I spoke of in my confidential letter to your Lordship of the 14th ultimo, and that the authorities here have shown him the most glaring favours by permitting his sugar, coffee, rum, &c., to come ashore under circumstances that would never have been conceded to the lawful trader of Great Britain with the Portuguese colonies.

I have, &c.

(Signed)

JOHN RENDALL,

H. B. M. Consul.

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

Seventh Sub-Enclosure in Enclosure in No. 147.

Captain Foote to the Hon. S. Herbert, M.P.

*"Madagascar," St. Jago, Cape de Verde Islands,
April 21, 1843.*

SIR,

WITH reference to my letter of the 18th ultimo, No. 22, forwarding Lieutenant Stewart's report of his proceedings in boarding the Spanish brig "*Urumea*," under suspicious circumstances; in the port of Sal, and copies of the correspondence that has taken place thereon between his Excellency the Governor-General of these islands and Mr. Rendall, British Consul—

I have now the honour to transmit a copy of my letter of explanation on this subject to the Governor-General, and his reply thereto.

I took this occasion of observing to his Excellency that I had the most correct information of the very glaring countenance afforded to slaveowners and their vessels at these islands, and especially to the noted slavedealers Pedro Tito and "*Caetano*," the latter of whom had been seen at his public levees dressed in the uniform of a Portuguese brigadier-general.

The Governor-General contents himself with saying in reply, that my allegations are without proof, and absolutely inadmissible; but I trust, however, that seeing my determination to watch his proceedings, he will be extremely cautious in repeating these favours to the slavedealers.

I have, &c.

(Signed) JOHN FOOTE,
Captain and Senior Officer Commanding.

The Hon. Sidney Herbert, M.P.
&c. &c. &c.

Eighth Sub-Enclosure in Enclosure in No. 147.

Captain Foote to the Governor-General.

*"Madagascar," St. Jago, Cape Verdes,
March 27, 1843.*

SIR,

I HAVE the honour to acquaint your Excellency that Lieutenant Stewart of Her Britannic Majesty's brig "*Heroine*," has transmitted to me an account of his having boarded the "*Urumea*," Spanish brig, while at anchor in the port of Sal, together with a copy of a correspondence that has taken place between your Excellency and John Rendall, Esq., British Consul, on this subject, in which you state that Lieutenant Stewart required the Military Governor of the island of Sal to search the aforesaid vessel; which, in order to avoid disputes he felt himself obliged to conform to, and that you consider such a proceeding as an insult to the independence and dignity of the Portuguese flag, and a flagrant violation of the 4th Section of the 3rd Article of the Treaty of the 3rd July, 1842. I would beg to call your attention to the latter part of the said 4th Section, where it states:—"But should such subjected vessel be met with in such port or roadstead, due representation is to be made to the authorities of the country, requesting them to take the necessary measures to prevent the violation of the stipulation of this Treaty, and the said authorities shall proceed to take effectual measures accordingly." Now, Sir, although at the time Lieutenant Stewart requested the Military Governor of Sal to assist him in searching the "*Urumea*," he was not in possession of the Treaty of the 3rd of July, 1842, yet he appears to have acted strictly up to it, and I therefore think, upon a more careful review of this transaction, you will see that Lieut. Stewart did his duty faithfully to his own country, and with all proper deference to the flag of yours; at least I am confident that both your Government and my own will so decide upon a statement of the real facts of the case being made to them; and here I must be allowed to say, in reply to your statement, that Lieutenant Stewart required the Military Governor of Sal to search the aforesaid vessel, which in order to avoid disputes he felt himself obliged to conform to, that I should conceive that the Governor of Sal being a soldier, would strictly obey the orders given to him by you, and not be likely to swerve from them to avoid disputes with a Foreign Officer, who was at that moment confined to his bed from severe illness. This Sir, would be of little moment, were it not that you have represented this transaction to your Government in a totally different light than can

be borne out by facts, and quite at variance with Lieutenant Stewart's account of it, a copy of which I send you herewith.

It therefore becomes my imperative duty to contradict them, lest your Government may be led to believe that any British Officer would offer the slightest indignity to the flag of Portugal, England's oldest and most faithful ally.

It only remains for me to explain to your Excellency what I had the honour to do at my interview with you, that I shall follow up the exact meaning of the 4th Section of the 3rd Article of the Treaty of the 3rd July, 1842, in my proceedings in these islands, and shall give directions to the vessels under my orders to do the same, and if I find that after complying with its intentions the Military Governors of these islands do not seize vessels which are proved to be slavers and fitted for the reception of slaves, I shall consider that the said Governors have broken the terms of the said Treaty, and shall act accordingly.

I cannot in the faithful performance of my duty, however painful it may be to me, refrain from acquainting your Excellency, that I have the most correct information that very glaring favours have been shown lately to Don Pedro Tito, the most noted slaveowner and dealer in these islands, by permitting his sugar, coffee, rum, &c., to come on shore under circumstances that would never have been conceded to the lawful trader of Great Britain with the Portuguese colonies; and that upon the arrival of the most noted slavedealer at Bissão, Caetano, at Porto Praya, your Excellency and staff have given him the greatest possible countenance, and that he has been seen at your public levees dressed in the uniform of a Portuguese Brigadier-General, to which I am told he has no title. The inference to be drawn from these two circumstances I will not presume to offer, though they must be obvious to your Excellency.

I beg that your Excellency will receive this communication in the spirit in which it is written, namely, with all due respect to your Excellency as Governor-General of these islands; but with the firmest determination to do my utmost to put an end to the countenance afforded to slaveowners and their vessels in these islands; which is a duty I dare not shrink from in obeying the orders of my Government.

I am, &c.

(Signed) JOHN FOOTE, *Captain, &c.*

His Excellency the Governor-General,
&c. &c. &c.

Ninth Sub-Enclosure in Enclosure in No. 147.

(Translation.) *The Governor-General to Captain Foote.*

Government-General of the Province of Cape Verd,
2nd Direction, 4th Section.

MOST ILLUSTRIOUS SIR,

I acknowledge the receipt of your letter dated the 27th inst., enclosing the copy of a report communicated to you by Lieutenant Stewart, the second in command of H. B. M. Ship "*Heroine*," respecting the visit paid by him to the Spanish merchant vessel "*Urumea*," at anchor in the port of the Isle of Sal; to which I have to return for answer, that though this transaction has already been brought under the notice of my Government, I shall take the earliest opportunity for transmitting to Lisbon a copy of your letter, together with the documents relating to this matter, as well as to the Island of Bulama.

God preserve you, Sir,

General Quarter of the Government of the Province of Cape Verd in the town of Praia, March 29, 1843.

(Signed) FRANC^o. DE PAULA BASTOS,
Brigadier and Governor-General.

*To the Most Illustrious Commander of the
British Frigate "Madagascar."*

Tenth Sub-Enclosure in Enclosure in No. 147.

Captain Foote to the Hon. Sidney Herbert, M. P.

*"Madagascar" at Sea, Lat. 11' 55° N. Long. 17' 36°,
April 12, 1843.*

SIR,

WITH reference to my letters of the 18th ultimo, and 2nd inst. (Nos. 22 and 27) reporting the search of the Spanish brig "*Urumea*," in the port of the Isle of Sal, by Lieutenant Stewart of the "*Heroine*," and forwarding a copy of my letter of explanation on the subject to his Excellency the Governor-General, of the Cape de Verde Islands—

I have now the honour to acquaint you that on the "*Urumea's*" arrival at the Cape de Verde Islands, she was permitted to land and deposit her rum, and reship it in a Portuguese vessel under 50 tons, a privilege never granted to British vessels, and that she loaded at Sal with salt for the Havana, but proceeded to the Coast, and that a brig, under American colours, named the "*Angelina*," consigned to the noted slavedealer, and owner of the "*Urumea*," Don Pedro Tito, left Sal a short time after, with that person on board, bound to the Rio Pongas, for slaves.

From these circumstances, and others that I do not think it necessary to trouble their Lordships with, (as they will be fully reported by the British Consul at Boa Vista,) I feel convinced that the present Governor-General gives the greatest encouragement to slavedealers at the Cape de Verde Islands, in which, I fear, he is secretly countenanced by the authorities at home, in spite of the recent Treaty.

Their Lordships will immediately see that this will prove a great obstacle in my endeavours to annihilate the Slave Trade in the Bissaos and amongst the Cape de Verde Islands; for as the Treaty does not permit our searching vessels in Portuguese ports, the slavers will remain there unmolested, and watch the opportunity of the British cruisers' absence, to make a dash for the Coast.

But as the latter part of the 4th Section of the 3rd Article of the Treaty of the 3rd July, 1842, requires the authorities of the country to take effectual measures to prevent the violation of its stipulations, upon due representation being made, I am anxious to have their Lordships' directions how to act, supposing that the Commander of the cruiser, having positive information that a slave vessel is lying in any of these ports, and consequently requires the authorities to carry out the stipulations of the Treaty, and that they, after search, release the vessel—

Whether the cruiser, upon a certain knowledge that the released vessel was *bonâ fide* a slaver, would be authorised to send her to the authorities at Lisbon, or the Mixed Commission at Boa Vista. For, although, I am aware that the terms of this Treaty must be strictly complied with, yet if the Portuguese Authorities first wilfully break them by releasing a slaver, though knowing her to be such, it would appear to me that their Lordships may be induced to counteract the underdealings of these people, who are individually and collectively aiding and abetting the Slave Trade, by every possible means from the Canary Islands to St. Paul de Loando. Without some such measure, it will be impossible to put down the Slave Trade from the Portuguese possessions on the Coast, whose authorities and inhabitants live by supporting this accursed traffic, and I therefore trust their Lordships may be induced to move Her Majesty's Government to take this matter into their most serious consideration.

I have, &c.

(Signed) JOHN FOOTE,
Captain and Senior Officer Commanding.

The Hon. Sidney Herbert, M. P.

&c.

&c.

No. 148.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, July 15, 1843.

(Received July 23.)

MY LORD,

HAVING duly notified to Senor Gomes de Castro that the warrants supplied to Her Majesty's steam vessel "*Sydenham*," and to Her Majesty's

sloop "Orestes," authorising them to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them, and that Her Majesty's sloop "Rose," of 18 guns, will be employed on the North American and West Indian station, in the Suppression of Slave Trade, under the abovementioned Treaty, I have the honour to enclose a copy of the note which I have received in reply from his Excellency.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 148.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD, *Foreign Office (Lisbon), June 28, 1843.*

I HAVE the honour to acquaint your Lordship that I have made known to the Minister of Marine your Lordship's communication of the 26th instant, stating that the warrants supplied to Her Britannic Majesty's ships of war "Sydenham" and "Orestes," to act under the Treaty of the 3rd July, 1842, in the Suppression of Slave Trade, had been cancelled, and that the ship "Rose" was going on that commission to the North America and West India station.

I have, &c.

(Signed) J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 149.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD, *Foreign Office, July 29, 1843.*

I TRANSMIT herewith to your Lordship copies of communications which I have recently received from the Colonial Department and the Admiralty, giving an account of transactions respecting the island of Bulama.

I refer your Lordship to previous correspondence on this subject, and in particular to the note from Viscount Palmerston to Baron Moncorvo, of the 9th June, 1841, a copy of which was forwarded to your Lordship on the 24th of the same month, asserting the right of Great Britain to the sovereignty and possession of that island, and stating the opinion of Her Majesty's Government, that they were bound in duty to the interests of the British Crown to maintain that title.

To that note no answer was returned on the part of the Crown of Portugal, either by the Portuguese Minister in London, to whom it was addressed, or by the Portuguese Government at Lisbon; and Lieutenant Lapidge of Her Majesty's Navy, having been directed to carry into practical effect the declaration of Her Majesty's Government, so that no misconception might hereafter arise upon the subject, on the 24th May, 1842, hoisted Her Majesty's flag upon the island, and took possession of it with due formality,

It is under these circumstances, with great surprise and regret, that Her Majesty's Government have learnt, as you will see from the accompanying papers, that on the 6th November following the Portuguese Governor of Bissao took upon himself to make a protest against the occupation of that island by Great Britain, and that he subsequently adopted the offensive and hostile measure of hauling down the British flag from that possession.

I have to desire that your Lordship will communicate these facts by note to the Portuguese Government, and that you will add that Her Majesty's Government call upon the Portuguese Government with confidence to disavow at once the act of the Governor of Bissao, a repetition of which, or of similar acts, may easily lead to a collision between the forces of the two nations, destructive of the good understanding so happily existing between them.

You will state that it was reasonable that Her Majesty's Government should

expect, that if an answer could be given to the note of June 9, 1841, maintaining the right of Great Britain to the island of Bulama, such answer would be given before now; and that not having been given, Her Majesty's Government are justified in considering that Portugal acquiesces in the claim asserted by Great Britain.

Of the renewed assertion of that claim, and the restoration of the British flag by an Officer of Her Majesty's ship "Albert," Her Majesty's Government approve. They consider that act to be fully in accordance with the declaration already made to the Minister of Portugal, that Her Majesty's Government are bound, in duty to the interests of the British Crown, to maintain the title of Great Britain to Bulama.

Lord Howard de Walden, G.C.B.
&c. &c. &c.

I am, &c.
(Signed) ABERDEEN.

First Enclosure in No. 149.

Mr. Stephen to Viscount Canning.

MY LORD,

Downing Street, May 4, 1843.

I AM directed by Lord Stanley to transmit to your Lordship the copy of a Despatch from the Acting Lieut.-Governor of the Gambia, covering copies of a letter and protest, with their translations, which he had received from the Governor of the Portuguese settlement of Bissao, respecting the conduct of Lieutenant C. H. Lapidge, of Her Majesty's brig "Pantaloan," in taking possession of the island of Bulama in the Queen's name.

I also transmit to you a copy of Acting Lieutenant-Governor Ingram's reply to the Portuguese Governor's letter and protest; and I am to request that you will lay these papers before the Earl of Aberdeen, for his Lordship's information.

Viscount Canning,
&c. &c.

I am, &c.
(Signed) JAS. STEPHEN.

First Sub-Enclosure in First Enclosure in No. 149.

Lieutenant-Governor Ingram to Lord Stanley.

MY LORD,

Bathurst, Gambia, January 28, 1843.

I HAVE the honour to inclose herein, for your Lordship's information, the copy of a letter (and its translation) from the Governor of the Portuguese settlement of Bissao, transmitting me a protest (a copy and translation of which I likewise forward) against Lieutenant Charles Horace Lapidge, of Her Majesty's brig "Pantaloan," for taking possession of the island of Bulama in the name of the Queen.

I beg also to forward your Lordship a copy of my reply to the letter and protest of the Governor of Bissao.

I have, &c.
(Signed) J. L. INGRAM, *Acting Governor.*
The Right Honourable Lord Stanley,
&c. &c. &c.

Second Sub-Enclosure in First Enclosure in No. 149.

The Governor of Bissao to Lieut.-Governor Ingram.

SETTLEMENT OF BISSAO }
AND DEPENDENCIES. }

*House of Government of the Fortress of San
Joseph de Bissao, November 6, 1842.*

ILLUSTRIOUS AND EXCELLENT SIR,

BEING informed officially, from my holding the Government of the Fortress of San Joseph of Bissao and its Dependencies, to which Her Most Faithful Majesty has been pleased to nominate me, of the outrage committed on the 23rd May, 1842, by Charles Horace Lapidge, Commander of Her Britannic Majesty's brig

of war named "Pantaloön," against the rights of the Portuguese Crown to the territory of the Island of Bulama, a Dependency of this Colony, I consider it my strict duty to protest solemnly against such a proceeding, and forward to your Excellency an authenticated copy of the mentioned Protest, for your Excellency to be pleased to carry the same to the knowledge of your Government.

God save your Excellency.

(Signed) ANTONIO JOZE DE TORRES.

*The Illustrious and Excellent Governor of the
Island of St. Mary's, River Gambia.*

(A true Translation from the Original.)

HENRY T. GIBSON.

Third Sub-Enclosure in First Enclosure in No. 149.

*Government House of the Fortress of San Joseph of Bissao
and its Dependencies, November 6, 1842.*

PROTEST.

HAVING learnt officially, from my holding the Government of the Fortress of San Joseph of Bissao and its Dependencies, to which Her Most Faithful Majesty has been pleased to nominate me, that Charles Horace Lapidge, Commander of Her Britannic Majesty's brig of war named "Pantaloön," on the 23rd of May, 1842, arrived at the island of Bulama, and there, with an armed force, after having maltreated the pacific labourers, natives of this settlement, who were employed in the cultivation of rice, took possession of that island in the name of his Government, planting the British colours there, and handing over, with threats to his guard, a detachment of soldiers who have been placed there long since, not alone from the indisputable right of conquest, but also from the cession of the said island to the Portuguese, by the Kings Damion and Fabion, the first of the island of Canhabaca, and Lord of Bulama, and the second of the River Grande, on the mainland of the Beafadas, contiguous to the same island, as is shown by the Treaty made with the mentioned Kings on the 12th July, 1828, by order of the Government of Portugal, ratified with the possession of the said island, on the 9th May, 1830, now existing in the Office of the Secretary of this Colony, thus violating the privileges of a territory belonging to the Portuguese Crown, and forming part of the dependencies of this settlement, and which Her Majesty has confided to my charge;—therefore, by these, the most formal and solemn, I hereby protest against such proceedings, and the losses and damages that may accrue to the Portuguese Crown, and to the subjects of the same.

(Signed) ANTONIO JOZE DE TORRES,
Captain, Lieutenant-Governor.

In conformity with the original Secretary's office.

(Signed) HENRY DE MELLO, *Secretary.*

(A true Translation from the Original.)

(Signed) HENRY T. GIBSON.

Fourth Sub-Enclosure in First Enclosure in No. 149.

Lieut.-Governor Ingram to the Governor of Bissao.

SIR,

Bathurst, Gambia, November 12, 1842.

I HAVE had the honour of receiving your Excellency's letter of the 6th November last, containing the copy of a Protest against those concerned in taking possession of the island of Bulama, and, agreeably to your Excellency's request, I shall take an early opportunity of laying those documents before Her Majesty's Government.

I have, &c.

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

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

Second Enclosure in No. 149.

Sir John Barrow to Viscount Canning.

MY LORD,

Admiralty, July 8, 1843.

WITH reference to Viscount Palmerston's letter of the 23rd June, 1841, and subsequent correspondence relative to taking possession of the island of Bulama, on the West Coast of Africa, in the name of Her Majesty, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Aberdeen, copies of two letters from Captain Foote, of Her Majesty's ship "Madagascar," dated the 17th February and 31st March, 1843, Nos. 15 and 26, and of their enclosures, on the subject of the Portuguese authorities of Bissao having caused to be hauled down the British flag on the island of Bulama, and hoisted the Portuguese flag in its stead; and my Lords request to be favoured with Lord Aberdeen's directions as to the instructions to be given to Captain Foote on this point.

I am, &c.

(Signed) JOHN BARROW.

The Viscount Canning,
&c. &c.

First Sub-Enclosure in Second Enclosure in No. 149.

Captain Foote to the Honourable Sidney Herbert, M.P.

SIR,

"Madagascar," Sierra Leone, February 17, 1843.

I HAVE the honour to forward herewith, for their Lordships' information, the accompanying extract from a letter I have received from Acting Lieutenant M. B. Cockraft, commanding the "*Albert*," acquainting me of the Portuguese authorities at Bissao having hauled down the British flag on the island of Bulama, and hoisted the Portuguese, and of having immediately proceeded to communicate with the Governor of Bissao on the subject, and retaken possession of the island, which I trust will meet with their Lordship's approval.

Deeming it more than probable that Her Majesty's Government purposed colonizing this island, I did not consider it requisite to take any further measures on this subject for the present; and as I am aware that the Governor of Bissao is under the immediate orders of the Governor-General of the Cape de Verde Islands, whither I am about to proceed, I purpose calling on the latter for an explanation on this subject.

Their Lordships are no doubt aware, that although the claim of Her Majesty's Government to this island is a good one, yet that the correspondence with Portugal has not led the Portuguese Government to recognise this claim; and it now appears that the notorious slavedealer Caetano went to Lisbon for the purpose of exciting the Portuguese Government to retake possession of this island, which he is no doubt deeply interested in accomplishing, as, if it were once colonised, his traffic in slaves in that quarter would be at an end.

(Signed) JOHN FOOTE, *Captain.*

The Hon. Sidney Herbert, M.P.
&c. &c.

Second Sub-Enclosure in Second Enclosure in No. 149.

Extract from a Letter from Acting-Lieutenant Macleod B. Cockraft, commanding Her Majesty's Steam-vessel "Albert," to Captain John Foote, dated Bulama, January 20, 1843.

ON the 9th of January I embarked Chief Justice Carr, in obedience to your orders, and landed him at the Gambia, on the 13th, from whence I proceeded with all despatch to Bulama, which, to my astonishment, I found in possession of the Portuguese, who had struck the British flag in my absence and put a sergeant and five soldiers in charge of the island. I immediately proceeded to Bissao, and demanded from the Governor his reasons for so doing; who replied, he acted in conformity with orders from his Government, and finding that he had no British authority for so acting, I stated to him my intention of rehoisting the flag immediately; for which purpose I sailed from

Bissao the same day, and put my intention into effect the next morning. Trusting, Sir, that this step will meet your approbation; my reasons for so doing, being, that I could not see by what right the Portuguese authorities should presume to haul down the British flag, without previous communication with the proper British authorities.

During my interview with the Governor, he stated as one reason why the Portuguese Government acted in so extraordinary a manner, that the island was an old Portuguese possession; but on my asking him why that had not been stated to Lieutenant Lapidge, on his taking possession, or why such time was allowed to elapse after his doing so, without any steps being taken, he could give no reason; and it is my opinion that the whole of this proceeding has been brought about by that notorious slavedealer "Caetano," who is at present at Lisbon, I believe, for no other purpose.

Deeming it necessary that you should be put in immediate possession of the above facts, I have thought it my duty to proceed with all possible despatch in search of you. I have omitted to state above, that the Governor not only laid claim to Bulama, but gave me to understand that the Portuguese Government believed themselves entitled to the possession of Gallihvas and Arcas likewise.

Third Sub-Enclosure in Second Enclosure in No. 149.

Captain Foote to the Honourable Sidney Herbert, M.P.

*"Madagascar," St. Jago, Cape de Verde Islands,
March 31, 1843.*

SIR,

WITH reference to my letter of the 17th ultimo, No. 15, acquainting their Lordships that I should call on the Governor-General of these islands for an explanation on the subject of the Portuguese Governor of Bissao having ordered some soldiers to land on the island of Bulama, and haul down the British flag and hoist the Portuguese—

I have now the honour to transmit a copy of a letter I addressed to his Excellency on this subject, together with his reply, by which their Lordships will perceive that he still maintains that the islands belong of right to Portugal, and therefore he conceives the Governor of Bissao has strictly performed his duty.

I have not thought proper to go into any further argument with the Governor-General on the subject, trusting I shall shortly have directions from their Lordships for my guidance, in case of a repetition of this insult; in the meanwhile I shall give directions to the cruisers stationed in the Bissaos, not to suffer any Portuguese soldiers to land there; and if they should be found on it to warn them off immediately.

I have, &c.

(Signed) JOHN FOOTE,

Captain, and Senior Officer Commanding.

The Honourable Sidney Herbert, M.P.

&c.

&c.

Fourth Sub-Enclosure in Second Enclosure in No. 149.

Captain Foote to Governor-General Bastos.

SIR,

"Madagascar," St. Jago, Cape Verdes, March 27, 1843.

I HAVE the honour to address your Excellency on the subject of a most unwarrantable aggression committed by the Governor of Bissao, in January last, in having ordered some Portuguese soldiers to land on the British island of Bulama, and haul down the English flag which had been flying there since the 23rd May, 1842, when it was taken formal possession of in the name of Her Britannic Majesty, Queen Victoria, by order of the British Government, addressed to me.

I should have been fully justified if I had landed at the town of Bissao, and in retaliation for this act have hauled down the Portuguese flag there, and

CLASS B.

substituted that of England; but in consideration of the long existing friendship between our nations, I have not thought proper to have recourse to such strong measures; but being about to proceed to these islands, in the prosecution of my duty as Senior Officer on the West Coast of Africa, I have preferred remonstrating with your Excellency on this most unwarrantable proceeding, trusting that you may give such orders to the Governor of Bissao, as shall prevent a recurrence of such conduct, so likely to end in the most serious consequences; for I shall feel myself obliged, after this remonstrance, to take very serious measures against any repetition of these hostile steps; in the meanwhile I have transmitted an account of these proceedings to my Government, and have every reason to believe orders will be very shortly given to colonise this island.

If the Governor of Bissao has considered that this island belonged to Portugal, he should have protested against our taking formal possession of the same in May, 1842, and not suffered the British flag to fly there for eight months without taking any steps on the subject; but I suspect he has been influenced to commit himself in this matter by the noted piratical slavedealer "Caetano," who has been so long fostered by the said Governor, and who well knew that should Bulama be colonised by the British, the Slave Trade will be at an end in the Bissaos.

I have, &c.

(Signed)

JOHN FOOTE,

Captain, and Senior Officer Commanding.

His Excellency Brigadier and Governor-General Bastos,
 &c. &c. &c.

Fifth Sub-Enclosure in Second Enclosure in No 149.

Governor-General Bastos to Captain Foote.

(Translation.)
 SIR,

*Head Quarters of the Provincial Government,
 Villa da Praya, March 28, 1843.*

I HAVE to acknowledge the receipt of your letter of yesterday's date, relating to one of the subjects referred to in our conference of the 9th inst.

In your said letter you state, that an unjustifiable aggression has been committed on the rights of your country, in the island of Bulama, by an order given to certain Portuguese soldiers to land in January on that island, and to remove the English flag, which had been flying there since the 23rd of May, 1842, when possession was taken of the island in behalf of the British Government.

In reply, I am to observe, that the Portuguese soldiers alluded to formed a detachment which relieved that which was there on the 23rd of May, and had continued there since the English occupation; in like manner as the same detachment has been relieved by another; and so on in succession: and, therefore, when the Governor of Bissao sent the detachments in question to Bulama, from time immemorial in Portuguese possession, he did no more than maintain a garrison in that part of the Portuguese dominions; and it can in nowise be considered an act of aggression, as stated by you.

With regard to your statement, that the English flag was removed, it must have been made in error; as you cannot but be aware that the Portuguese flag was already flying there many years before the above-mentioned date of the 23rd May, 1842; and the Governor of Bissao only replaced the Portuguese flag on the spot where it had been flying, and from which it was forcibly removed by a party from an English vessel of war, putting constraint on the small Portuguese detachment which was then present.

You proceed to say, that if, in consequence of this act of the Governor of Bissao, you had proceeded to that place, and removed the Portuguese flag flying there, you had hoisted the English in lieu, you would not have committed any unjustifiable act. I must reply, that if you had attempted and executed such an unheard-of act of hostility, you would not thereby have shown that the island of Bulama belongs to England; and you would have made yourself responsible for such consequences as might have ensued between two friendly nations and ancient allies; and the whole for an occurrence that took

place in the ordinary course of the service. You have, however, preferred, as you say, making your representation to me, in order that I should give the necessary instructions to the Governor of Bissao. I beg to observe, that I have no instructions to give in this matter: fully approving, as I do, of the proceedings of the Governor of Bissao, in which he fulfilled his duty as a military man, and as one in authority.

You further proceed to threaten that you will take serious measures to prevent a repetition of these acts, which you call hostile, having reason to believe that orders will shortly be given by your Government for colonising the island of Bulama. Persisting in my declaration, that there has not been any act of hostility on the part of the Governor of Bissao, (for the maintenance of a possession of the Portuguese nation can in no wise be so termed,) I hold you responsible for any proceeding which tends to change the present and the very ancient situation of that Portuguese island; upon which it belongs to the Government of Her Most Faithful Majesty and that of Her Britannic Majesty, by common consent, to decide.

You conclude with an observation, that if the Governor of Bissao considered the island of Bulama as belonging to Portugal, he would have protested against the occupation of it by British forces in May last, and not have suffered that the British flag should fly there. In order to undeceive you, and to show the little force of your *argument*, I have to state that the Governor did protest against this occupation; that I also, together with the Council of Government, protested against it, and made the necessary communications to the Government of Her Most Faithful Majesty; and that it is probable the same August Sovereign has caused the proper representations to be made to the Government of Her Britannic Majesty; and the same applies to the English flag, for which the Governor of Bissao immediately ordered the Portuguese to be substituted, to which country the detachment there belongs.

Allow me now to observe, that if the island of Bulama belonged to England, it would not be necessary that a force of that country should take possession of it; nor if such form were considered necessary, would it have been deferred till the year 1842.

As to the charge relative to the traffic in slaves, mixed up with a matter so distinct from it, it is sufficient that I should remark that the allegation is destitute of proof, and absolutely inadmissible.

I have, &c.

(Signed) FRAN^{co}. DE PAULO BASTOS,
Brigadier and Gov.-General.

Captain Foote,
&c. &c.

No. 150.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 2, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's ship "Conway," of 26 guns, will be employed on the Cape of Good Hope station in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Conway" is commanded by Captain Robert Fair, and Lieutenant Edward Franklin is the officer second in command.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 151.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 2, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Racer," of 16 guns, will be employed on the Brazil

station in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Racer" is commanded by Commander Archibald Reed, and Lieutenant Henry St. J. Georges is the officer second in command.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c. &c.

No. 152.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 2, 1843.

I HEREWITH transmit to your Lordship an extract of a letter which has been received at this Office from the Admiralty, giving accounts of the Slave Trade in Mozambique.

Your Lordship will communicate to the Portuguese Government the facts contained in that paper, and you will express to them the hope of Her Majesty's Government, that the upright conduct of Senor Azvedo, in assisting to carry out the declared intentions of his Government to put an end to Portuguese Slave Trade, may meet with its due reward.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c. &c.

Enclosure in No. 152.

Extract of a Letter from Captain Christopher, of Her Majesty's ship "Cleopatra," to Rear-Admiral the Honourable Josceline Percy, C.B., dated Simon's Bay, May 5, 1843.

At the entrance of Quizungo there is a baracoon for slaves as well, as between it and Quillemaine has always on hand a great stock of slaves, so that a vessel arriving in the river can in 24 hours complete her cargo; they sometimes go into the river for that purpose, at other times take them in outside the Bar, the river being well provided with long boards, so that they can take a cargo out at one trip.

I do not think that the Slave Trade is carried on with any activity in this channel; but at Quillemaine and the small ports in its vicinity at that place, slaves are always to be had at about 30 dollars each, and at the shortest notice.

The market at Quillemaine is in some measure supplied by Dows belonging to the territory of the Imaum of Muscat, which bring slaves along the coast from the interior; there were several detained at Mozambique when I was there.

I beg to say how much I have been assisted by the gratuitous information given me in everything connected with the slave dealings, by a Portuguese resident merchant at Quillemaine, M. Azvedo, late Collector of the Customs at that port: he has in consequence brought upon himself the enmity of the Governor, who I have reason to believe has an interest in the illicit sale of slaves.

Lieutenant Barnard was always employed to visit the town, and collect information, which, through M. Azvedo's knowledge and communication, proved to be most useful and correct: by it more slave vessels may still be expected this year from Rio de Janeiro, I should say until the end of May; two were particularised, viz., one barque with a full cargo of merchandise for the purchase of slaves, and one barque empty, their fittings being already at Quillemaine, brought by American vessels; in addition to these he had learnt from his correspondents at Rio Janeiro, that two others might be expected.

No. 153.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 11, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's steam vessel "Hermes," of three guns, will be employed on the North America and West India station in the Suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal.

The "Hermes" is commanded by Lieutenant Washington Carr, and Mr. D. N. Welch is the officer second in command.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 154.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 16, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrants supplied to Her Majesty's ship "Iris," to Her Majesty's sloop "Persian," and to Her Majesty's steam vessel "Kite," authorising them to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 155.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, August 11, 1843.**(Received August 21.)*

MY LORD,

I HAVE the honour to enclose a copy of a note which I have addressed to Sr. Gomes de Castro, as directed under your Lordship's instructions in Despatch of the 29th ultimo, marked "Slave Trade," respecting the unwarrantable and offensive proceeding of the Portuguese authorities in Africa, in regard to the British flag at Bulama.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 155.

Lord Howard de Walden to Sr. Gomes de Castro.

MY LORD,

Lisbon, August 8, 1843.

THE Undersigned, &c. has received instructions from Her Majesty's Government to bring before the Government of her Most Faithful Majesty, proceedings of the Portuguese authorities in the Portuguese African colonies, of a most serious character, in regard to the island of Bulama.

The Undersigned has the honour, with a view to the convenience of his Excellency Sr. Gomes de Castro, &c., to recapitulate briefly the antecedent transactions which tell upon the case.

The Undersigned begs, in referring to previous correspondence, to point out in particular the note addressed by Viscount Palmerston to Baron Moncorvo, of the 9th of June, 1841, asserting the right of Great Britain to the sovereignty and possession of that island, and stating the opinion of Her Majesty's Govern-

ment, that they were bound in duty to the interests of the British Crown, to maintain that title.

To that note no answer was returned on the part of the Crown of Portugal, either by the Portugese Minister in London, to whom it was addressed, or by the Portuguese Government at Lisbon; and Lieutenant Lapidge of Her Majesty's Navy, having been directed to carry into practical effect the declaration of Her Majesty's Government, so that no misconception might hereafter arise upon the subject, on the 24th of May, 1842, hoisted Her Majesty's flag upon the island, and took possession of it with due formality.

It is under these circumstances, with great regret and surprise, that Her Majesty's Government have learnt that on the 6th November following, the Portuguese Governor of Bissao took upon himself to make a protest against the occupation of the island by Great Britain, and that he subsequently adopted the offensive and hostile measure of hauling down the British flag from that possession. The Undersigned is further to state that it was reasonable that Her Majesty's Government should expect that, if an answer could be given to the note of June 9, 1841, maintaining the right of Great Britain to the island of Bulama, such answer would be given before now; and that, not having been given, Her Majesty's Government are justified in considering that Portugal acquiesces in the claim asserted by Great Britain.

Of the renewed assertion of that claim, and the restoration of the British flag by an officer of Her Majesty's ship "Albert," Her Majesty's Government fully approve. They consider that act to be fully in accordance with the declaration already made to the Minister of Portugal, that Her Majesty's Government are bound in duty to the interests of the British Crown, to maintain the title of Great Britain to Bulama.

In communicating these facts to his Excellency, the Undersigned is to add, that Her Majesty's Government call upon the Portugese Government with confidence to disavow at once the act of the Governor of Bissao, a repetition of which, or of similar acts, may easily lead to a collision between the forces of the two nations, destructive of the good feeling happily existing between them.

The Undersigned avails, &c.

(Signed)

HOWARD DE WALDEN.

His Excellency Sr. J. J. Gomes de Castro,
 &c. &c. &c.

No. 156.

Lord Howard de Walden to the Earl of Aberdeen.

Cintra, August 20, 1843.

(Received August 27.)

MY LORD,

WITH reference to my Despatch of the 11th instant, I have the honour herewith to transmit a copy of a note, by which Sr. Gomes de Castro acknowledges the receipt of the note I addressed to his Excellency, under your Lordship's Instructions, respecting the proceedings of the Portuguese authorities, in authorising and justifying the pulling down of the British flag in the island of Bulama.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

Enclosure in No. 156.

Sr. Gomes de Castro to Lord Howard de Walden.

(Translation.)

Lisbon, August 18, 1843.

THE Undersigned, &c., has had the honour to receive the note which Lord Howard de Walden, &c., by order of his Government, transmitted to him on the 8th inst., complaining of the conduct of the Governor of Bissao, in causing the British flag, which Lieutenant Lapidge of the British Navy had hoisted at the island of Bulama, to be pulled down.

The Undersigned having immediately communicated the contents of the said note to the Minister of Marine, hopes shortly to be able to answer it, as also the one addressed by Lord Palmerston to Baron Torre de Moncorvo, on the 9th June 1841, respecting the sovereignty and possession of that island.

The Undersigned, &c.

(Signed) J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 157.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 28, 1843.

I HEREWITH transmit to your Lordship a copy of a letter which has been received at this Office from the Admiralty, containing an account of the circumstances attending the suicide of the master of the Portuguese schooner "Andorinha," detained by Her Majesty's sloop "Persian," on suspicion of being engaged in the Slave Trade.

You will communicate the particulars of this unfortunate occurrence, as detailed in these papers, to the Portuguese Government.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 157.

The Honourable Sidney Herbert to Viscount Canning.

MY LORD,

Admiralty, August 9, 1834.

I AM commanded by my Lords Commissioners of the Admiralty, to send you herewith, for the information of the Earl of Aberdeen, copies of a letter dated 28th June last, No. 89, from Captain Foote, of Her Majesty's ship "Madagascar," and of the enclosed Investigation into the circumstances attending the suicide of the Master of the Portuguese schooner "Andorinha," detained by Her Majesty's sloop "Persian," on suspicion of being engaged in the Slave Trade.

I am, &c.

Viscount Canning,
&c. &c.

(Signed) SIDNEY HERBERT.

First Sub-Enclosure in Enclosure in No. 157.

Captain Foote to the Honourable Sidney Herbert, M.P.

SIR,

"Madagascar," Ascension, June 28, 1843.

COMMANDER EDEN, of Her Majesty's sloop "Persian," having reported to me that the Master of the schooner "Andorinha," detained by him on the 13th instant under Portuguese colours, on suspicion of being engaged in the Slave Trade, did, while the said schooner was at anchor in these roads on the morning of the 18th instant, commit suicide by cutting his throat—

I beg to acquaint you, for their Lordships' information, that I immediately ordered Captain Mundy of the "Iris," to take to his assistance the Medical Officers of the ships then in the roads, and hold an investigation into the circumstances of the case, and I herewith transmit the Report forwarded to me from that Officer, that their Lordships may be enabled to answer any reference made to them on a future occasion as to the death of this Portuguese subject.

I have, &c.

The Hon. Sidney Herbert, M.P.
&c. &c.

(Signed) JOHN FOOTE,
Captain, and Senior Officer commanding.

Second Sub-Enclosure in Enclosure in No. 157.

Investigation.

At 3 P.M., on board the Portuguese schooner "*Andorinha*," before George Rodney Mundy, Esq., Captain of her Majesty's ship "*Iris*," to investigate into the circumstances concerning the Death of Joze Antonio Leita, Master of that schooner, detained by Her Majesty's sloop "*Persian*," for being engaged in the Slave Trade, and in charge of Mr. Bideford, boatswain.

1. Mr. Bideford examined.—Was in charge of schooner; Vice-Lieutenant Kooyston sick; saw the Portuguese mate come up and draw his hand across his throat; went down and saw the Captain with his throat cut; hoisted Portuguese colours half mast, and hailed "*Iris*."

2. John Turnbull, Master-at-Arms of Her Majesty's sloop "*Persian*," while sitting abaft, Portuguese mate came up to him and made motions with his hand across his throat; jumped down into the cabin and saw some blood, and looking at the Captain (Joze Antonio Leita), saw his throat cut; hauled him out, and took him on deck, where he died immediately; hoisted a flag half mast, and hailed "*Iris*" to send a boat; boats came immediately from "*Iris*," "*Persian*," and "*Madagascar*," with their respective medical officers.

3. Joze Antis Roza (boatswain).—The Captain did not usually drink, but on the morning of his death he had some gin; it was then 9 A.M., and he did not see him particularly excited; but they were watching him, because on the evening after anchoring at this place, he jumped overboard, and was hauled in by witness.

The officers and men of the "*Persian*" were always kind to him, and the crew of the schooner never had any disputes with him. When he went down at 9 o'clock to his cabin, he lay on his bed, and then inflicted the wound which caused his death.

Is confident the wound was inflicted by himself with a razor, and also that no person was in the cabin until after the said wound was inflicted.

(Signed) G. R. MUNDY,
Captain of Her Majesty's ship "*Iris*."

Third Sub-Enclosure in Enclosure in No. 157.

Ascension, June 18, 1843.

WE, the Surgeons of Her Majesty's ships "*Madagascar*," "*Iris*," and "*Persian*," were sent for at half-past 11 A.M. to go on board the prize schooner "*Andorinha*," to see the Master, José Antonio Seita, who committed suicide by cutting his throat; on our arrival found he was lying on the deck dead, and on examination perceived a wound in the left side of the neck, extending from the mesial line opposite the cricoid membrane backwards, and outwards to the edge of the sterno mastoid muscle, describing a slight curve with the convexity downwards, and cutting through the integuments, common carotid artery, jugular vein, and parvagus nerve, with other smaller branches of vessels cut, and the larynx nearly divided to the upper part of the thyroid cartilage; the wound appeared as if inflicted with a sharp instrument, and death was the immediate result.

(Signed)	JOHN READ, <i>Surgeon</i> ,	} H.M.S. Madagascar.
	JOHN BERNARD, <i>Assistant-Surgeon</i> ,	
(Signed)	L. CAMPBELL, <i>Additional Assistant-Surgeon</i> ,	} H.M.S. <i>Iris</i> .
(Signed)	JOHN M'ILROY, <i>Surgeon</i> ,	} H.M.S. <i>Persian</i> .

No. 158.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, September 8, 1843.

I HEREWITH transmit to your Lordship a list of Her Majesty's ships and vessels which will be employed in the Suppression of the Slave Trade,

under the Treaty of the 3rd July 1842, between Great Britain and Portugal, specifying the force and station of each vessel, the name of its Commander, and of the Officer second in command.

And I have to desire that you will communicate a copy of that list to the Portuguese Government.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.
&c. &c.

Enclosure in No. 158.

Name of Vessel.	Name of Commander.	Name of Officer Second in Command.	No. of Guns.	Station.
Dolphin .	Lieutenant W. O. B. Hoare .	Mr. Wm. H. Haswell .	3	Brazil.
Inconstant .	Captain C. H. Freemantle .	Lieutenant Wm. S. Cooper	36	North America and West India.
Alert .	Commander C. J. Bosanquet.	Lieutenant T. C. Meheux.	6	Coast of Africa.
Albert, <i>steam vessel</i> }	Lieutenant Daniel Woodruffe	Mr. John Thomas . .	3	„
Wasp	Commander Henry Bagot .	Lieutenant C. L. Hockin .	16	North America and West India.

No. 159.

Lord Howard de Walden to the Earl of Aberdeen.

Cintra, September 1, 1843.
(Received September 11.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I addressed to the Minister of Foreign Affairs, under your Lordship's I instructions, contained in your Despatch marked "Slave Trade," of the 2nd ultimo, respecting the Slave Trade carried on at Mozambique.

I add a copy of the answer which I have received from Senhor Gomes de Castro, in which his Excellency states that he has communicated to the Minister of Marine the contents of my note to him on that subject, and that he has requested him to enforce the vigorous acting up to the orders transmitted from that Department for the Suppression of all attempts at promoting the Slave Trade.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

First Enclosure in No. 159.

Lord Howard de Walden to Senhor Gomes de Castro.

MONSIEUR LE CONSEILLIER,

Lisbon, August 16, 1843.

I HAVE been instructed by Her Majesty's Government to bring the following facts connected with the Slave Trade, as carried on at Mozambique, before the Government of Her Most Faithful Majesty.

It appears that at the entrance of Quinzungo there is a baracoon for slaves, and another between it and Quillemane; that at Quillemane there is always on hand a great stock of slaves, so that a vessel arriving in the river can in 24 hours complete her cargo; that they sometimes go into the river for that purpose, at other times take them in outside the bar. The river being well provided with long-boats, they can take a cargo out at one trip.

The Slave Trade is not carried on with any great activity in the channel of Mozambique, but at Quillemane and the smaller ports in its vicinity. At Quillemane slaves are always to be had at about 30 dollars each, and at the shortest notice.

The market at Quillemane is in some measure supplied by the Dows be-
CLASS B.

longing to the territory of the Imaum of Muscat, which bring slaves along the Coast from the interior.

From information obtained from sources entitled to credit, Her Majesty's Government learn that several vessels had been expected this year from Rio Janeiro, previous to the end of May. Two are especially particularised, one barque with a full cargo of merchandise for the purchase of slaves, and one barque empty, their fittings being already at Quillemane, brought by American vessels.

In bringing these circumstances to the knowledge of the Government of Her Most Faithful Majesty, I have the more agreeable duty to perform in expressing to your Excellency the satisfaction with which Her Majesty's Government has learned how much Her Majesty's cruisers have been assisted in their exertions to suppress the Slave Trade by the gratuitous information afforded them in everything connected with this infamous traffic, by a Portuguese merchant, resident at Quillemane, Sr. Azvedo, late Collector of the Customs of that port. It appears, however, that in consequence this gentleman has brought down upon himself the enmity of the Governor, who by no means stands clear of the suspicion of having an interest in the illicit traffic in slaves.

Under these circumstances, I am instructed to express, in the name of Her Majesty's Government, the hope that the upright conduct of Sr. Azvedo, in assisting to carry out the declared intention of the Government of Her Most Faithful Majesty, to put an end to the Slave Trade, may meet with its due reward.

I avail, &c.

(Signed) HOWARD DE WALDEN.
His Excellency Senhor J. J. Gomes de Castro,
 &c. &c. &c.

(Translation.) Second Enclosure in No. 159.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, August 29, 1843.

I received your Lordship's note of the 16th instant, communicating to me, by order of your Government, some circumstances relative to the Slave Trade, and the manner in which it is carried on at Mozambique; and have the honour to acquaint your Lordship, that I have this day communicated to the Minister of Marine the recommendation made by your Lordship, in the name of your Government, in favour of the late Director of Customs at Quillemane, Azvedo and also the rest contained in your Lordship's note, requesting him at the same time to exact the rigorous observance of the orders transmitted from that department for the suppression of that traffic, in any attempts which may be made to promote it.

I avail, &c.

(Signed) J. J. GOMES DE CASTRO.
Lord Howard de Walden, G.C.B.
 &c. &c.

No. 160.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, September 11, 1843.

I HEREWITH transmit to your Lordship, for your information, six copies of an Act of Parliament, passed on the 10th ultimo, for carrying into effect the Treaty of the 3rd July, 1842, between Her Majesty and Her Most Faithful Majesty, for the Abolition of the Slave Trade, and the additional Article thereto concluded at Lisbon on the 22nd October, 1842.

I am, &c.

(Signed) ABERDEEN.
Lord Howard de Walden, G.C.B.
 &c. &c.

No. 161.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, September 12, 1843.

I HAVE to acquaint your Lordship, that Her Majesty has been pleased to appoint Henry William Macaulay, Esq. to be Commissioner, and Charles Pettingal, Esq. to be Arbitrator, on the part of Her Majesty, at the island of Boa Vista, in the Cape Verds; and John Thomas, Esq. to be Commissioner, and Charles Francis Fynes Clinton, Esq. to be Arbitrator, on the part of Her Majesty, at the city of Loanda, in the province of Angola; and Arthur Richard Hamilton, Esq. in the room of James Fitzjames, Esq. deceased, to be Arbitrator, on the part of Her Majesty, at Jamaica, to the Mixed British and Portuguese Commissions to be established in those colonies under the Treaty concluded at Lisbon on the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade.

I have to desire that your Lordship will announce these appointments to the Portuguese Government, and will add, that the Gentlemen above-named will receive directions to proceed immediately to their respective posts, and on their arrival there to enter upon their duties in the Mixed Commissions, of which they are members.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

((Signed) ABERDEEN.

No. 162.

*Lord Howard de Walden to the Earl of Aberdeen.**Cintra, September 9, 1843.**Received September 18.)*

MY LORD,

IN fulfilment of your Lordship's Instructions, received this morning, I have immediately communicated to Senhor Gomes de Castro the circumstances attending the suicide of the Master of the Portuguese schooner "*Andorinha*," detained by Her Majesty's ship "*Persian*," on suspicion of being engaged in the Slave Trade.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 163.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, September 22, 1843.

I HAVE to refer your Lordship to your Despatch of April 13, last, enclosing a copy of a note which, in accordance with the instructions conveyed to your Lordship in my Despatch of March 31, last, you had addressed to the Portuguese Minister for Foreign Affairs.

In that note, your Lordship communicated to Sr. Gomes de Castro a proposal from Her Majesty's Government, as to the mode of carrying into effect Article 12 of the Treaty of July 3, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade.

I have now to instruct your Lordship to present a note to the Portuguese Government, stating that Her Majesty's Government consider it desirable that the Governments of Great Britain and Portugal should, with as little delay as possible, come to some arrangement with respect to the disposal of the crews of slave vessels captured and condemned under the provisions of the above-mentioned Treaty.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 164.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, September 16, 1843.

(Received September 24.)

MY LORD,

I HAVE the honour herewith to enclose a copy of a note which I have received from Sr. Gomes de Castro, stating to me, for the information of Her Majesty's Government, that the Portuguese brigs of war "*Conde de Villa Flor*" and "*Vouga*" sailed from this port on the 5th instant, with instructions to act on the Western Coast of Africa, and at the Cape de Verd Islands and Coast of Guinea, in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 164.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office, September 12, 1843.

By virtue of the 2nd Section of the 3rd Article of the Treaty concluded on the 3rd July, 1842, between Portugal and Great Britain, for the complete Abolition of the Slave Trade, I have the honour to acquaint your Lordship, for the information of Her Britannic Majesty's Government, that the Minister of Marine communicated to me, in notes of the 5th and 7th instant, that on the first of those dates the brig of war "*Conde de Villa Flor*," of 14 guns, Commander the First Lieutenant, P. V. da C. L. e Pinho, and Second Commander the Second Lieutenant, F. de V. e S. Ferrare, and the brig of war "*Vouga*," of 12 guns, whose First Commander is the First Lieutenant, F. d'Assis e Silva, and Second Commander, F. de A. Tavares, left the port of this city with the necessary instructions for impeding the Slave Trade, the first for the Western Coast of Africa, and the second for the Cape Verd Islands and Coast of Guinea; assuring your Lordship that Her Majesty's Government does not lose any opportunity to promote, by all the means in their power, the total Suppression of the Slave Trade.

I renew, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 165.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 7, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's brig "*Cygnat*," on the African station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Signed)

ABERDEEN.

No. 166.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 7, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's sloop "*Acorn*," on the Cape of Good

Hope station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 167.

Viscount Canning to Lord Howard de Walden.

MY LORD,

Foreign Office, October 9, 1843.

HER Majesty's Government having deemed it desirable, in consequence of the establishment of a Court of Mixed Commission at St. Paul de Loanda, that Her Majesty's cruisers on the West African Station should call at that place from time to time; I have to state to your Lordship that instructions to that effect have been issued to the Senior Officer of Her Majesty's ships on that station.

I have to desire that your Lordship will communicate this information to the Portuguese Government, and that you will at the same time state that the Lords Commissioners of the Admiralty are desirous to establish a coal depôt at St. Paul de Loanda; and that Her Majesty's Government trust that the Government of Her Most Faithful Majesty will grant the necessary permission, and will issue orders to the authorities at Loanda on their subject.

I am, &c.

Lord Howard de Walden G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 168.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 14, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's sloop "Fantome," on the Brazil station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 169.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

*Lisbon, October 7, 1843.
(Received October 18.)*

I HAVE the honour to enclose a copy of a note which I have received from Sr. Gomes de Castro, requesting, with reference to the note which, under your Lordship's instructions, conveyed in your Despatch marked "Slave Trade, of the 2nd August. I addressed to his Excellency on the 16th August, the name of the Governor referred to therein, and enclosing me a copy of Instructions under which the Portuguese cruisers are to act, with a view to the Suppression of the Slave Trade.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

First Enclosure in No. 169.

(Translation.)

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, October 3, 1843.

WITH reference to my note of the 29th of last August, and in answer to your Lordship's of the 16th ditto, communicating to me some circumstances relative to the manner in which the Slave Trade is carried on in the province of Mozambique, and recommending the Portuguese subject "Azvedo," for the various information supplied by him with a view to the suppression of the Slave Trade, at which the Governor of Quillemane is suspected to connive, I have the honour to make known to your Lordship that the Minister of Marine, to whom I communicated your Lordship's note, as I had already acquainted your Lordship, informed me on the 12th ultimo that the most positive orders have been forwarded from the Marine Department for putting a stop at once to the Slave Trade in Mozambique and its dependencies; that it is most probable that the presence of the brig of war "*Conde de Villa Flor*," to which the Instructions contained in the two Sections, of which I enclose a copy for your Lordship's information, were given, may contribute towards the punctual acting up to the orders given on this subject; and that he would transmit to that province your Lordship's communication, with a view to frustrate by every method the attempt of the slave traders.

The Minister of Marine adds, that as regards the Portuguese merchant, "Azvedo," whom your Lordship recommends, that he will obtain the necessary information respecting him, and will have him in due consideration. But as to the suspicion of connivance at the Slave Trade on the part of the Governor of Quillemane, his Excellency suggests that it would be desirable that your Lordship should designate the said Governor by name, as the present one was but lately nominated, and suspicion may not possibly fall on him, but on his predecessor: which his Excellency will cause to be investigated, making use of the information contained in your Lordship's note.

I am, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Second Enclosure in No. 169.

Marine and Ultramarine Department—Copy of the Paragraphs, as mentioned below of the Instructions given to the Commander of the brig "Villa Flor," on the 2nd September, 1843.

Marine and Ultramarine Department, September 12, 1843.

7th. THE principal end of your Commission is to suppress, as far as possible, by means of the ship under your command, the iniquitous traffic in slaves in Portuguese or English merchant vessels in our possessions on the Eastern Coast of Africa; and as you are the most responsible person for any omission in the performance of so important a service, you are therefore authorised to cruise in the latitudes between our most northern and most southern establishments on the Eastern Coast of Africa, which you may think most conducive towards repressing the said traffic.

9th. As far as you are concerned you will act up to the Treaty of the 3rd of July, 1842, for the complete Abolition of the Slave Trade (copies of which are enclosed), concluded between Her Majesty the Queen of Portugal and Algarves, and Her Majesty the Queen of Great Britain and Ireland, under which Treaty the Commanders of those ships of war which are employed in the Suppression of the Slave Trade are authorised to visit and search such Portuguese or English merchant vessels as may, upon reasonable grounds, be suspected of being engaged in transporting negroes, for the purpose of consigning them to slavery, or of having been fitted out for that purpose, or of having been so employed during the voyage in which they are met; under the assurance that you are responsible for any omission of duty on this important subject, as it will be considered as an important service, and will render you worthy the munificence

of Her Majesty, if, under the said Treaty, you should capture any Portuguese or English merchant vessels employed in the iniquitous Slave Trade, which you will cause to be taken to the Cape of Good Hope, to be tried by the Mixed Commission.

(Signed) MANOEL JORGE D'OLIVEIRA LIMA.

No. 170.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, October 11, 1843.

(Received October 18.)

MY LORD,

HAVING duly notified to Senhor Gomes de Castro that the warrants supplied to Her Majesty's ships "Illustrious," "Megæra," "Partridge," and "Waterwitch," had been cancelled, and that Her Majesty's ships "Espoir," "Avon," "Bittern," "Spy," "Conway," "Racer," and "Hermes," would be employed in Suppression of the Slave Trade, and having communicated to His Excellency the lists of Her Majesty's ships and Officers which will be employed in the Suppression of the Slave Trade, as enclosed to me in your Lordship's Despatches marked "Slave Trade," of the 12th July and 8th ultimo, I have the honour to enclose copies of the notes which I have received in reply.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

(Translation.)

First Enclosure in No. 170.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, July 20, 1843.

I HAVE the honour to make known to your Lordship that I this day acquainted the Minister of Marine of the communications in your Lordship's notes of the 12th and 15th instant, relative to the cancelling of the warrants issued to Her Majesty's ships "Illustrious," "Megæra," "Partridge," and "Waterwitch," for the Suppression of Slave Trade, and to the conferring of warrants to the ships "Avon" and "Espoir," the first on the North America and West India station, and the second on the coast of Africa.

I avail, &c.

(Signed) J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
 &c. &c.

(Translation.)

Second Enclosure in No. 170.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, August 8, 1843.

I HAVE the honour to acquaint your Lordship that I have made known to the Minister of Marine your Lordship's communication of the 24th of last July, relative to the employment of Her Britannic Majesty's ships "Bittern" and "Spy," in the Suppression of the Slave Trade, on the Cape of Good Hope and coast of Africa stations, under the Treaty concluded on the 3rd of July, 1842, between Portugal and Great Britain.

I also transmitted to the Minister of Marine a copy of the list, enclosed in your Lordship's note, of the Officers now second in command of Her Britannic Majesty's ships employed in the Suppression of the Slave Trade on the several stations.

I avail, &c.

(Signed) JOZE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
 &c. &c.

(Translation.)

Third Enclosure in No. 170.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, August 22, 1843.

I HAVE the honour to acquaint your Lordship that I have this day informed the Minister of Marine of the communications contained in your Lordship's notes of the 16th and 19th instant, relative to the employment of Her Majesty's ship "Romney," "Racer," and "Hermes," in the Suppression of the Slave Trade, on the Cape of Good Hope, Brazil, and North America, and West India stations, under the Treaty of the 3rd of July, of last year, between Portugal and Great Britain.

I avail, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation)

Fourth Enclosure in No. 170.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, September 20, 1843.

I HAVE the honour to acquaint your Lordship that I have this day communicated to the Minister of Marine the list enclosed in your Lordship's note of the 16th instant, of Her Britannic Majesty's ships, which, under the 3rd Article of the Treaty, concluded on the 3rd of July, 1842, between Great Britain and Portugal, will be employed in the Suppression of the Slave Trade on the stations therein specified.

I am, &c.

(Signed)

J. J. GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 171.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 20, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's steam vessel "Avon," in the North America and West India station, authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

(Signed)

ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 172.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 20, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's steam vessel "Hydra," of 4 guns, will be employed on the coast of Africa station, in the Suppression of the Slave Trade under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Hydra," is commanded by Commander H. B. Young, and Lieutenant Thomas Freer is the Officer second in command.

I am, &c.

(Signed)

ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 173.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 23, 1843.

I HEREWITH transmit to your Lordship six copies of a set of Memoranda, containing, 1st, A Series of Rules and Regulations for the Mixed Courts established under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade, framed with the view of guiding the Commissioners in conducting the trial of a case; 2ndly, A Collection to be issued by order of those Courts in the various stages of their proceedings; and, 3rdly, A set of general Interrogatories to be administered by the Registrars of those Courts to the witnesses to be examined from vessels brought in for adjudication.

I also enclose to you a copy of a Despatch which I have addressed to Her Majesty's Commissioners at the Cape of Good Hope, transmitting to them, for their information and guidance, copies of these Regulations, Forms, and Interrogatories.

I have addressed a similar Despatch to Her Majesty's Commissioners at Jamaica.

I send to you, at the same time, a copy of a Despatch which I have addressed to Her Majesty's Commissioners at Loanda, transmitting to them also copies of these documents; and I shall issue to Her Majesty's Commissioners at Boa Vista a similar Instruction.

I have to request that you will communicate copies of these several papers to the Portuguese Government.

You will state that these Regulations, Forms, and Interrogatories, were originally framed at the time of the first establishment of the Mixed Commissioners, in accordance with the course adopted in the High Court of Admiralty, the highest Court of International Law in England; that they have been in use for upwards of 20 years in the several Mixed Courts established at Sierra Leone, and have been found in every respect well calculated to facilitate the speedy administration of justice. They have, since the conclusion of the Treaty of the 3rd July, 1842, been revised by the Judge of the High Court of Admiralty in England, assisted by other persons conversant with the working of the Mixed Courts, and have been adapted to that Treaty.

You will state that Her Majesty's Government are of opinion that the adoption of a uniform code of rules by all Courts of the Mixed Commission established under the Treaty of 1842, would greatly tend to the efficient and proper working of those Courts; and that Her Majesty's Government trust that the Government of Her Most Faithful Majesty will instruct their Commissioners to adopt these Regulations, Forms, and Interrogatories, as the basis of their proceedings.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c. &c.

Enclosures in No. 173.

1. *The Earl of Aberdeen to Her Majesty's Commissioners at the Cape of Good Hope, dated June 15, 1843.*
2. " *to Her Majesty's Commissioners at Loanda, dated Sept. 27, 1843.*

(See Class A. Nos. 250 and 297, pages 338 and 474.)

No. 174.

Lord Howard De Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, October 15, 1843.

I HAVE the honour to enclose a copy of a note which I have received from Sr. Gomes de Castro, in reply to the notes of the 12th April and 6th instant, which, under your Lordship's Instructions, I addressed to his Excellency, with reference to the crews of vessels captured under the Treaty of the 3rd July, 1842,

CLASS B.

for the Suppression of the Slave Trade. His Excellency gives his reasons for objecting to the proposition of Her Majesty's Government, but states that Baron Moncorvo had already declared to your Lordship the readiness of the Government of Her Most Faithful Majesty to adopt any of the measures for the same end that had been agreed upon between the Government of Her Majesty, and other Maritime Powers, with which Treaties for the Suppression of the Slave Trade had been concluded; and further, that your Lordship had acquiesced in this declaration of the Baron Moncorvo, on the part of his Government.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 174.

Sr. Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, October 9, 1843.

I HAD the honour to receive your Lordship's note of the 6th instant, pressing for an answer to your note of the 12th of last April, in which your Lordship proposes, on the part of your Government, the alteration of the 12th Article of the Slave Trade Treaty of the 3rd of July 1842, so as that the two Governments of Portugal and Great Britain be authorised to keep in custody the captain, pilot, crew, and passengers, of any vessel captured on suspicion of Slave Trade during its trial.

Her Majesty's Government is perfectly disposed to concur, as far as possible, in the desire evinced in general by maritime nations to effect the complete suppression of the Slave Trade; of which it has given the most incontestable proof in the very ample stipulations of the said Treaty, which, for so plausible an end, was lately concluded with Great Britain.

Her Majesty's Government cannot, however, overlook the circumstance, that as the lawful trade and navigation of this kingdom and its ultramarine possessions are greatly restricted, and consequently injured, by virtue of the measures of necessity adopted for the total abolition of that inhuman traffic, they would shortly be entirely paralysed, should the rigour of these measures be increased by the provision proposed in your Lordship's note; for it would be difficult to meet with persons who would like to risk their liberty, even for a short time, by sailing in a vessel which might be captured under a wrong interpretation of the Treaties, or under circumstances of which such persons might be perfectly ignorant, that would render it liable to be legally captured: besides which, should the vessel finally be proved to be an unlawful prize, it would be very difficult to arbitrate, and onerous to make, to persons thus captured, a just indemnity, to which they would have an undeniable right.

Stipulations of such a transcendent nature, from the ruinous result which they would infallibly produce, could therefore never be made by Her Majesty's Government, unless for an extraordinary cause; and as such does not exist, there is every reason to fear, under the present circumstances, that these stipulations would be unduly attributed to a want of dignity on the part of the Government, and would place it in a disadvantageous position in the eyes of the nation and of Europe.

Her Majesty has therefore ordered Her Minister at the Court of London, to lay before the Earl of Aberdeen, founded on these reasons, the impossibility of concurring in the proposal made by your Lordship; but to declare that Her Majesty was ready to adopt some other measure, conducive towards suppressing the Slave Trade, which may have been adopted by the principal maritime nations, possessing colonies, with which Great Britain has Treaties or Conventions for the Abolition of the Slave Trade, and not injurious to the internal administration of the ultramarine dominions, or the interests of their lawful commerce; a declaration in which Lord Aberdeen, in his high consideration acquiesced. Which I have the honour to make known to your Lordship.

I avail, &c.

(Signed)

JOZE JOAQUIM GOMES DE CASTRO.

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

&c.

&c.

&c.

No. 175.

*Viscount Canning to Baron de Moncorvo.**Foreign Office, October 27, 1843.*

VISCOUNT CANNING presents his compliments to Baron Moncorvo, and begs to state to him, that in a note addressed by M. Gomes de Castro to Lord Howard de Walden, on the 17th of April last, copy of which was forwarded under the same date to the Earl of Aberdeen, announcing the appointment of the Portuguese Commissioners, Arbitrators, and Registrars, in the Mixed Commission Courts at Boa Vista, and Loanda, the Gentleman appointed Portuguese Commissioner at Loanda, is said to be Senhor Ladislau Benevenuto dos Santos, and at Boa Vista, to be Senhor Euzebio Catella de Lemos Pinheiro Falcao.

But in a Despatch, dated the 6th of June last, Her Majesty's Consul at Boa Vista has announced the arrival of Senhor Ladislau Benevenuto dos Santos, as Portuguese Commissioner in the Mixed Court at that place.

Under these circumstances, Viscount Canning begs to request that Baron Moncorvo will be so good as to furnish him, if it in his power, with the names of the Portuguese Commissioners at Boa Vista and Loanda.

*The Baron Moncorvo,**&c. &c.*

No. 176.

*Baron Moncorvo to Viscount Canning.**London, October 28, 1843.*

BARON DE MONCORVO presents his compliments to Lord Viscount Canning, and in answer to his note of yesterday, begs to enclose the extract of a Despatch he received from Lisbon, containing the names of the Portuguese Gentlemen appointed to the various situations at the Mixed Commissions of Loanda and Boa Vista, in consequence of the Treaty of the 3rd July, 1842.

*The Viscount Canning,**&c. &c.*

Enclosure in No. 176.

Extract of a Despatch, dated Lisbon, 24th of April, 1843, from the Minister and Secretary of State for Foreign Affairs, addressed to Her Most Faithful Majesty's Minister in London.

I HAVE also to inform you that in conformity with the Treaty of the 3rd of July, 1842, concluded between Portugal and Great Britain, Her Majesty has been graciously pleased to name and appoint to the following Commissions that are to be established, the under-named Gentlemen:—At Loanda; Eusebio Catella de Lemos Pinheiro Falcao, Commissioner; José Angelo de Barros, Arbitrator; José Alexander Pinto, Secretary. At Boa Vista; the Captain of the Navy on half-pay, Ladislau Benevenuto Dos Santos, Commissioner; Hippolito José Xavier de Almeida, Arbitrator; Joao Antonio Martins, Secretary.

(True copy.)

(Signed) MONCORVO.

No. 177.

*The Earl of Aberdeen to Lord Howard de Walden.**Foreign Office, November 1, 1843.*

MY LORD,

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to her Majesty's ship "Tweed," on the North America and West India station, authorising her to act under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

(Signed) ABERDEEN.

*Lord Howard de Walden, G.C.B.**&c. &c.*

No. 178.

The Earl of Aberdeen to Lord Howard de Walden.

SIR,

Foreign Office, November 3, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's sloop "Star," of 6 guns, will be employed on the coast of Africa station in the Suppression of the Slave Trade, under the Treaty of the 3d July, 1842, between Great Britain and Portugal.

The "Star" is commanded by Commander R. J. W. Dunlop, and Lieutenant Thomas Etheridge is the Officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 179.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 5, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's ship "Eurydice," of 26 guns, will be employed on the North America and West India station, in the suppression of the Slave Trade, under the Treaty of the 3d July, 1842, between Great Britain and Portugal.

The "Eurydice" is commanded by Captain George Elliot, and Lieutenant James Lowry is the Officer second in command.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 180.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 11, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's ship "Volage," on the North America and West India station, authorising her to act under the Treaty of July 3, 1842, between Great Britain and Portugal for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

Lord Howard de Walden, G.C.B.
&c. &c.

(Signed) ABERDEEN.

No. 181.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, November 8, 1843.

I HAVE the honour to enclose a copy of a note which, under your Lordship's Instructions, contained in your Despatch marked Slave Trade, of the 23rd ultimo, I have addressed to Sr. Gomes de Castro, transmitting to his Excellency copies of a set of Memoranda of Regulations, Forms, and Interrogatories, for the use of the Mixed Commissions established for the Suppression of the Slave Trade, and requesting his Excellency to cause the Portuguese Commissioners to be instructed to adopt them as the basis of their proceedings.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 181.

Lord Howard de Walden to Sr. Gomes de Castro.

MONS. LE CONSEILLER,

Lisbon, November 3, 1843.

I HAVE been instructed to communicate to your Excellency copies of a set of Memoranda, containing, first, A series of Rules and Regulations for the Mixed Courts, established under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade, framed with the view of guiding the Commissioners in conducting the trial of a case; Secondly, A Collection of Forms of Documents to be issued by order of those Courts in the various stages of their proceedings; and, thirdly, A set of General Interrogatories to be administered by the Registrars of those Courts to the witnesses to be examined from vessels brought in for adjudication.

I have also the honour to enclose copies of two Despatches which Her Majesty's Principal Secretary of State for Foreign Affairs addressed to her Majesty's Commissioners at the Cape of Good Hope and Loanda, transmitting to them for their information and guidance, copies of these Regulations, Forms, and Interrogatories.

I am to explain to your Excellency, that these Regulations, Forms, and Interrogatories, were originally framed at the time of the first establishment of the Mixed Commissions, in accordance with the course adopted in the High Court of Admiralty, the highest Court of international law in England; that they have been in use for upwards of 20 years in the several Mixed Courts established at Sierra Leone; and have been found in every respect well calculated to facilitate the speedy administration of justice. They have, since the conclusion of the Treaty of July 3, 1842, been revised by the Judge of the High Court of Admiralty in England, assisted by other persons conversant with the working of the Mixed Courts, and have been adapted to that Treaty.

I am to state to your Excellency, that Her Majesty's Government are of opinion, that the adoption of a uniform code of Rules by all the Courts of Mixed Commission, established under the Treaty of 1842, would greatly tend to the efficient and proper working of those Courts; and that Her Majesty's Government, therefore, trust that the Government of Her Most Faithful Majesty will instruct their Commissioners to adopt these Regulations, Forms, and Interrogatories, as the basis of their proceedings.

I avail, &c.

(Signed)

HOWARD DE WALDEN.

His Excellency Sr. J. J. Gomes de Castro,
 &c. &c. &c.

No. 182.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 16, 1843.

I HAVE received your Despatch of the 7th ultimo, enclosing a copy and translation of a note from Senhor Gomes de Castro, in reply to your note to him of the 16th August last, respecting the connivance of the Governor of Quillimane in Slave Trade; and with reference to the desire expressed by M. Gomes that the name of the accused Governor should be ascertained, I herewith transmit to you, for communication to the Portuguese Government, a copy of a letter received at this department from the Admiralty, stating that Don Fernando Carlos de Costa was the Governor of Quillimane at the period referred to.

I am, &c.

(Signed)

ABERDEEN.

Lord Howard de Walden, G.C.B.
 &c. &c.

Enclosure in No. 182.

Sir John Barrow to Viscount Canning.

MY LORD,

Admiralty, November 4, 1843.

WITH reference to your Lordship's letter of the 2nd instant, requesting to be informed of the name of the Governor of Quillimane, who was stated by Captain Christopher Wyvil of the "Cleopatra," to be suspected of connivance at the Slave Trade, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Aberdeen, that Captain Wyvil's visit to that place is stated to be about the 31st March last, and by the Enclosures to my letter to you of the 18th September 18 sending copies of a letter from Rear-Admiral the Hon. J. Percy of the 5th of June, and other papers, it appears that Don Ferrando Carlos de Costa was Governor of Quillimane on the 24th of March.

I am, &c.

Viscount Canning,
&c. &c.

(Signed) JOHN BARROW.

No. 183.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, November 14, 1843.**(Received November 21.)*

MY LORD,

SR. GOMES DE CASTRO, and Sr. Falcaõ, the Minister of Marine, have both assured me that the Portuguese Government will lose no time in establishing direct intercourse between Great Britain and the Portuguese African Colonies.

I have the honour to enclose a copy of the project of law, the substance of which was reported by me in the summary of the proceedings of the Cortes, enclosed in my Despatch, No. 139 of the general Series, which is now before the Cortes (having been presented at the close of the Session, with a view of giving it precedence), and which Sr. Gomes de Castro has declared to me is to be now pressed forward without loss of time.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 183.

Project of Law.

ARTICLE I.

BRITISH vessels shall be admitted, under the stipulations of the Treaty of 3rd July, 1842, concluded between the Portuguese and British Governments, in the ports of the Portuguese possessions designated in Table I. The commerce of the other ports of the said possessions not mentioned in that Table, will be considered as "cabotagem" coasting trade, and as such may only be carried on by Portuguese vessels.

ARTICLE II.

The importation of the articles mentioned in Table II. is generally prohibited in all Portuguese possessions: the importation into each possession of articles which that possession exports is also prohibited, when such articles are subject to duties in the Portuguese Custom-houses.

§. Articles coming from any other Portuguese possession where their importation is also prohibited, are excepted.

ARTICLE III.

The articles and merchandise shewn in Table III., shall only be admitted into the Portuguese possessions, if of the growth, production, or manufacture of Portuguese dominions, and carried in Portuguese vessels.

ARTICLE IV.

The ships and goods coming from the possessions of the English East India Company, shall be subject, in the Portuguese possessions, to an increase of duties equal to that paid by Portuguese ships and goods in the possessions of that Company.

ARTICLE V.

The exportation of all productions of the Portuguese possessions is permitted, excepting of those which are, or may in future be administrated by the State, or contracted; and both shall be subject to the export duties now in force, or which may hereafter be established in the respective tariff.

ARTICLE VI.

The vessels of those nations with which the liberty of their trading in Portuguese possessions is stipulated, will also be admitted into the ports mentioned in Table I.

ARTICLE VII.

The Government will make the necessary regulations and provisions for the due execution of this law.

ARTICLE VIII.

All legislation to the contrary is hereby cancelled.

TABLE I.—*Ports of the Portuguese Possessions where Foreign Vessels may be admitted.*

CAPE VERD ARCHIPELAGO.

In the island of Santiago, the port of Villa da Praia; in the island of Maio, the port called Inglez; in the island of Boa Vistas, the port of Sal-rey; in the island of Sal, the port of Madama, or Port Martin.

COAST OF GUINEA.

The ports of Bissao and Cacheu.

ISLANDS OF ST. THOME AND PRINCIPE.

In the island of Principe, the port also called Bahia das Agulhas; in the island of St. Thome, the port of the City.

ANGOLA AND BENGUELA.

The port of Loanda, and the port of Benguela.

COAST OF MOÇAMBIQUE.

The port of Moçambique.

PORTUGUESE STATES IN THE EAST INDIES.

The ports of Gôa, Damão, and Diu.

ARCHIPELAGO OF TIMÔR AND TIMÔR.

In the island of Timôr, the port of Delly.

TABLE II.—*Articles, the importation of which is generally prohibited in the Portuguese Possessions.*

Pieces of ordnance, projectiles, combustibles.

TABLE III.—*Articles which may only be imported into the Portuguese Possessions, if of Portuguese production, and carried in Portuguese Vessels.*

Powder, swords, bayonets, and fire-arms; salt, soap, snuff, and all sorts of tobacco in powder; wines of all sorts, except champagne; cordials; spirits;

vinegars ; olive, cocoa, and palm oil ; zuartes' and blue cottons ; scythes ; small scythes ; hatchets ; spades ; nails of all qualities ; hats of felt, fur, wool, or silk ; linen ; pork, smoked or dried.

Brazil brandy is excepted, which will be subject to the present duty, until adequate measures are taken in this trade.

(Signed)

JOZE JOAQUIM GOMES DE CASTRO
JOAQUIM JOZE FALCAO.

Foreign Office, June 27, 1843.

No. 184.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 15, 1843.

(Received November 22.)

MY LORD,

HER Majesty's steam-vessel "Hydra," having on board the British Arbitrator and Member of the Mixed Commission at Loanda, Messrs. Thomas and Fynes Clinton, put into this port on the 11th instant.

I have obtained for these gentlemen facilities in regard to the landing of their effects at Loanda, and letters for the authorities of the place.

I thought it advisable to introduce Mr. Thomas to the Minister of Marine, by whom he was very courteously received, and with whom we had some interesting conversation on the object and operation of the Treaty of the 3rd July.

Her Majesty's ship "Hydra" will proceed on her voyage to-morrow morning.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 185.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 18, 1843.

(Received November 27.)

MY LORD,

HAVING duly applied to the Portuguese Government, according to your Lordship's Instructions, conveyed in your Despatch marked "Slave Trade, of the 9th Oct., for permission for Her Majesty's Government to establish a coal depôt at Loanda, I have the honour herewith to enclose a copy of a note which I have received from S^r. Gomes de Castro, communicating to me the acquiescence of the Portuguese Government in the above request, and transmitting a copy of the "Portaria" which has been issued by the Minister of Marine, pointing out to the Council at Loanda the mode in which this arrangement is to be carried into effect.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

First Enclosure in No. 185.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office, November 16, 1843.

IN answer to your Lordship's note of the 20th of last October, relative to the establishment of a coal depôt in the city of S. Paul de Loanda, I have the honour to acquaint your Lordship, that there is no objection to the establishment of that depôt, under the condition, however, that it shall be established within the city of S. Paul de Loanda, the respective building for that purpose being provided by Her Majesty's Government, and which will be considered as a branch of the Custom-house of that city, and, as such, subject to the regulations of its

ordinary fiscalisation, as shown in the enclosed copy of "Portaria" which, on the 11th instant, was transmitted from the Marine Department to the Government Council in the Province of Angola.

I avail, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c.

&c.

Second Enclosure in No. 185.

Marine and Ultramarine Department.—Ultramarine Section.

(Translation.)

Palace of Necessidades, November 11, 1843.

HER Britannic Majesty's Minister at this Court having communicated, in a note, of which a copy was forwarded to this department from the Foreign Office, in a note of the 25th instant, the desire of the Lords Commissioners of the Admiralty to establish a coal depôt in the province of Angola: Her Majesty ordains, through the Marine and Ultramarine Departments, that the Government Council of that province be made acquainted, for their information and guidance, that she is pleased to permit the establishment of the said depôt in the city of St. Paulo de Loanda, for which the Government Council shall provide the respective building, under the assurance that if there be none belonging to the Custom-house applicable to that purpose, it will be necessary to adapt, without delay, on account of the State, some private building, as the depôt in question will be reputed as a branch of the Custom-house, so that every article entering there, as well as the transports in which they are carried, if not ships of war, shall be entirely subject to the regulations of the ordinary fiscalisation of the said Custom-house, to which the necessary orders on this subject will be transmitted.

(Signed)

JOAQUIM JOZE FALCAO.

No. 186.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 19, 1843.

(Received November 27.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Sr. Gomes de Castro, communicating to me the changes which have taken place in the Portuguese cruisers and their Commanders, which are employed on the West Coast of Africa station, in the Suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of Slave Trade.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 186.

(Translation.) *Sr. Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office, November 16, 1842.

I HAVE the honour to inform your Lordship that the Minister of Marine communicated to me, in a note dated the 9th inst., that the Instructions given to the sloop "Oito de Julho," and to the brig "Audax," to suppress the Slave Trade on the West Coast of Africa station, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain, have been cancelled. That the First Lieutenant, A. S. de Souza, has been appointed Commander of the schooner "Ninfa," in the place of the Second Lieutenant, V. de N. Teive; and the Second Lieutenant, A. P. C. Lopes, Second Commander of that schooner, in the place of the midshipman, J. de S. Soares de Andréa; that the Second Lieutenant, J.

CLASS B.

B. S. Garcaõ, has been appointed Commander of the schooner "*Boa Vista*," in the place of the Second Lieutenant, D. E. da Fonseca Ferreira; and that A. J. F. Pedrosa has been appointed officer second in command; that the midshipman, S. da S. P. S. O. Brito, has been appointed Second Commander of the schooner "*Esperança*," in the place of the Second Lieutenant, G. J. dos Reis, all of them on the above-mentioned station. And, finally, that instructions have been given to the schooner "*Conselho*," of two guns, Commander the Second Lieutenant G. J. dos Reis, and the Officer second in command, the aspirant — Soeiro, to suppress the Slave Trade on the West Coast of Africa station, under the above-mentioned Treaty.

I avail, &c.

(Signed) JOZE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.
&c. &c.

No. 187.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, December 6, 1843.

(Received December 11.)

MY LORD,

I HAVE the honour to enclose a Report of the proceedings of the Cortes during the past week.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 187.

Cortes

Lisbon, December 4, 1843.

CHAMBER OF PEERS.—On a motion of Viscount de Sá, it has been agreed that information be requested of the Minister for Foreign Affairs, as to the measures taken by the Government for the Suppression of the Slave Trade, since the conclusion of the Treaty with Great Britain, and the effects of these measures on the exportation and importation of slaves in Portuguese vessels; and also such information as has been obtained on the present state of exportation of slaves in each of the Portuguese Ultramarine Colonies, and the number of slave vessels captured by Portuguese cruisers since the above-mentioned Treaty was concluded.

No law has been passed in this chamber during the past week, in consequence of the number of Peers generally present being insufficient to form the house.

CHAMBER OF DEPUTIES.—This chamber has been engaged during the past week with, and has passed, a project of law for authorising the Government to re-organize the system of regulations to be observed with respect to the charitable institutions throughout the country.

No. 188.

The Earl of Aberdeen to Baron de Moncorvo.

Foreign Office, December 14, 1843.

THE Undersigned, &c. has the honour to refer the Baron de Moncorvo, &c., to his note of the 13th April last, complaining of the seizure of the Portuguese vessel "*Oriente*," by Her Majesty's ship "*Bittern*," Commander Byron Cary, and demanding, by order of his Government, that she should be immediately released, and an adequate compensation be given for losses and damages to those Portuguese subjects who had suffered by the seizure of that vessel.

The Undersigned has now to transmit herewith to the Baron de Moncorvo, for the information of his Court, a copy of the explanation which Commander Cary has given of his conduct in searching the "*Oriente*," including an extract of a letter addressed to that Officer by his proctor, giving some account of the case as it now stands.

From these papers, it appears that the causes alleged by Commander Cary for seizing the "*Oriente*," were, that he found on board of her a quantity of articles for slave food, not mentioned in the manifest, as well as five extra boilers, and that he captured her under the Act of the 2nd and 3rd Vic. c. 73, which declares that on proof of any one of those circumstances, a Portuguese vessel was liable to be condemned as being engaged in Slave Trade. So far, indeed, as the facts appear, the vessel would have been condemned upon these grounds, if it had not happened, fortunately for the owner of her, although the captor could not be aware of the fact, that at the time of capture, the Act of Parliament had ceased to be in force in respect to Portuguese vessels; while the Treaty of 1842 had not yet come into operation. In this state of things the Court before which the vessel was tried, felt it imperative to release the vessel; and a heavy expense arising from the costs remains yet to be paid by the captor, who, it is stated, contemplates applying to Her Majesty's Government for indemnity under the peculiar circumstances of the case.

From the statement given in, however, the Portuguese Government will perceive that the lady who owns the "*Oriente*," has no just cause of complaint against the seizure of her vessel, or ground for compensation for damages, but that she has rather to congratulate herself that circumstances have favoured the fulfilment of that portion of her application which extends to the release and restoration of the vessel to her.

The Undersigned will at all times be ready to attend to any statements made by the Baron de Moncorvo of alleged vexatious and improper mode of proceeding of British cruisers towards Portuguese vessels carrying on a lawful trade; and has to assure the Baron, that Her Majesty's Government will enquire rigidly into such transactions, and take the steps that may be called for to visit the real offenders with displeasure and punishment, and to prevent a repetition of any abuse of authority which may have occurred; but the Undersigned does not doubt that the Baron will, without hesitation, admit that this case does not appear to be one which would justify such a proceeding.

The Undersigned, &c.

Baron de Moncorvo,
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 188.

Commander Cary to the Secretary to the Admiralty.

SIR,

Paris, Nov. 13, 1843.

IN reply to your letter of the 3rd of October last, calling on me to explain my reasons for detaining the Portuguese brig "*Oriente*," I beg to inform you, for the information of their Lordships, that I detained the said brig under the Act of 1839, 2nd and 3rd of Vic. c. 73. The reasons were these: On examination of the papers and manifest of the "*Oriente*," after having examined her cargo, I found a quantity of articles for slave food, as beans, farinha, &c., not mentioned, as well as five extra boilers on board. As the Act of 1839 declares that any of these circumstances being proved in Court, shall justify the condemnation of any Portuguese vessel, and being fully convinced it was with the intention of deceiving Her Majesty's cruisers, and also that the vessel was engaged in the Slave Traffic, I considered it my imperative duty to send her to Sierra Leone for trial. Their Lordships will observe, that I was perfectly ignorant of the Treaty of 1842 being in force, and that it was on account of that Treaty having repealed the Act of 2nd and 3rd Vic. c. 73, passed on the 24th day of August, 1839, that the said vessel was liberated.

I enclose a letter from the Proctor of the Vice-Admiralty Court at Sierra Leone, to the Agents for Her Majesty's brig "*Bittern*," which will fully explain the proceedings in that Court.

Trusting their Lordships will consider I have done but my duty

I am, &c.

(Signed) BYRON CARY.

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

Sub-Enclosure in Enclosure in No. 188.

Extract of a Letter from Mr. Dougan to Messrs. Stilwell & Sons, dated Sierra Leone, May 8, 1843.

THIS Portuguese brig was detained on the 3rd day of December last, by the Honourable Byron Cary, the commander of Her Majesty's sloop "Bittern," in lat. 12° 30' S., and long. 12° 47' E., under the Act of 2nd and 3rd Vic. cap. 73, passed on the 24th day of August, 1839; but by the Act of 5 and 6 Vic. cap 14, passed on the 12th day of August, 1842, so much of the said Act as relates to Portuguese vessels was repealed, except in respect to such Portuguese vessels as might have been or should be seized or captured under the provisions of the said Act, before the last-mentioned Act should have passed into a law, and the seizer or captor should have had notice thereof; and the 3rd section enacts, "That the said Act shall in nowise continue in force and effect in respect to Portuguese vessels seized or detained on and after the 1st day of December, 1842, at the Cape of Good Hope, and at Cape Horn, and at all places lying eastward of Cape Horn, and westward of the Cape of Good Hope; or in respect to any Portuguese vessels seized and detained on and after the 1st day of February, 1843, at any other place whatever." At the time, however, of the seizure of this vessel, the seizer had not notice of the repeal of the said Act. The vessel was prosecuted in the Vice-Admiralty Court for being equipped and employed in the transport of negroes or others, for the purpose of consigning them to slavery, as the repeal of the Act under which she had been seized and detained had not at that time been notified to the said Commander Cary.

From the evidence taken in the case, it was proved that in the equipment of the vessel there were, amongst other things, no less than five extra boilers on board of her, which was clearly shown by the manifest of the vessel, and a very large quantity also of farinha and Indian corn, which had not been entered on the manifest as part of the cargo for trade; the greater part of it having been inserted therein as provisions generally, instead of specifying particularly the nature of those provisions, which was evidently intended to deceive our cruisers; and as the 4th Section of the Act declares, "That any one or more of these several circumstances, if proved, shall be considered as *prima facie* evidence of the actual employment of the vessel in the Slave Trade, unless it be established by satisfactory evidence on the part of the master or owners, that such vessel was at the time of her detention, employed on some legal pursuit; and that such of the several things above enumerated, as were found on board of such vessel at the time of her detention, or had been put on board on the voyage, on which, when captured, such vessel was proceeding, were needed for legal purposes on that particular voyage.

Condemnation was therefore urged on the part of the seizer, as no satisfactory explanation had been given. The Deputy-Judge, however, by his decree made on the 13th day of March last, restored the vessel and cargo to the claimant, and condemned the seizer in costs of suit and damages. Upon this decree I asserted an appeal; but on the return of the Judge from the Gambia, he directed a rehearing, and on the 15th day of April last, he decreed that the Act of 5 and 6 Vic. cap. 114, made it imperative on the Court to release the vessel from further prosecution, inasmuch as it was seized on the 3rd day of December, 1842, but that from the strange conduct of the master at the time of the detention of the said vessel, as well as the entries in the vessel's manifest, of large quantities of farinha as bags of provisions, he condemned each party to pay his own costs of suit.

The seizer's costs, however, amount to 23*l.* 14*s.* 2*d.* (two hundred and thirty four punds fourteen shillings and twopence).

No. 189.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, December 19, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that Her Majesty's sloop "Sealark," of six guns, will be employed on the West Coast

of Africa station, in the Suppression of the Slave Trade under the Treaty of the 3rd July, 1842, between Great Britain and Portugal.

The "Sealark" is commanded by Commander Thomas L. Gooch, and Lieut. R. D. White is the Officer second in command.

Lord Howard de Walden, G.C.B.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 190.

The Earl of Aberdeen to Lord Howard de Walden.

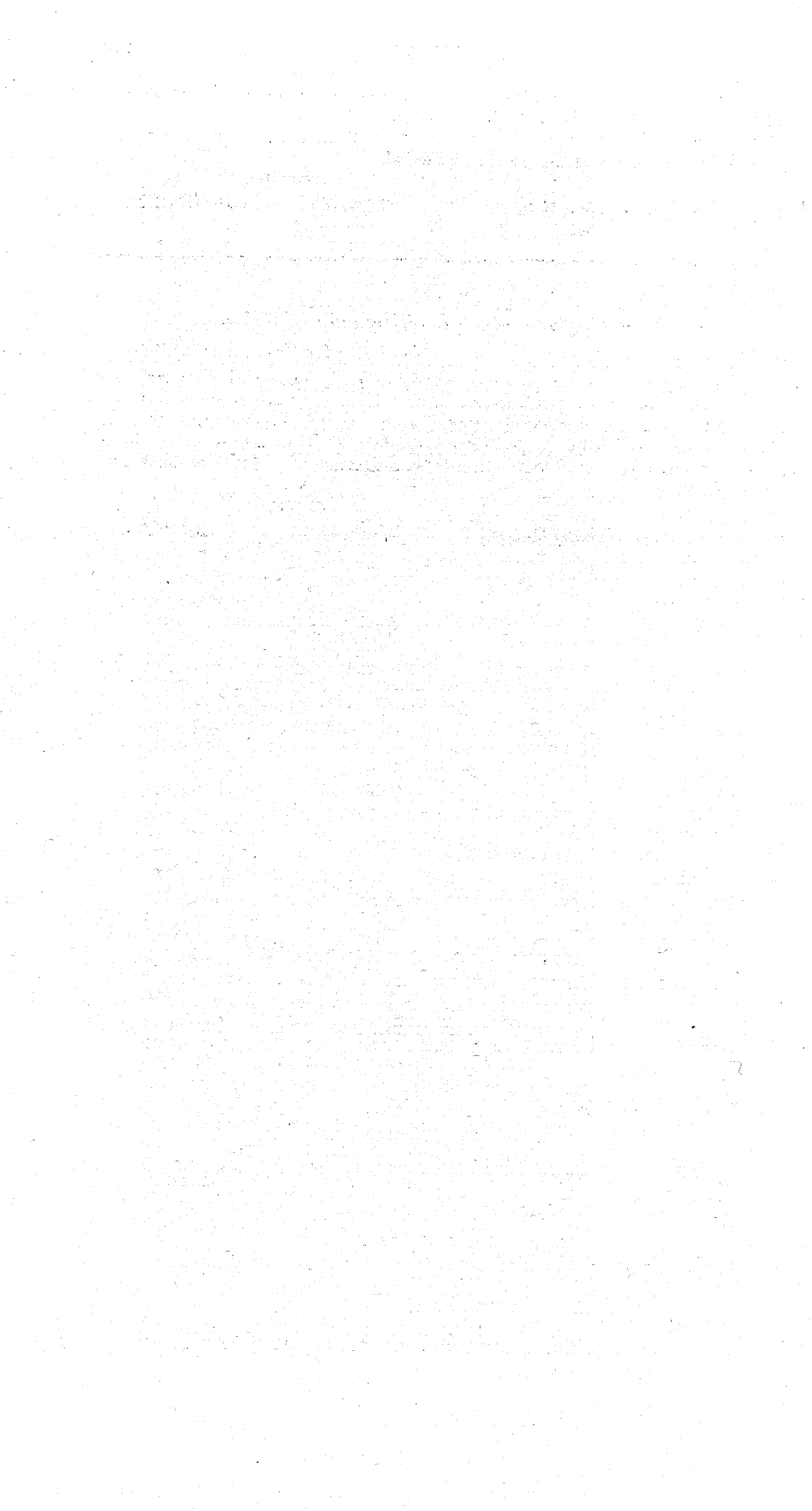
MY LORD,

Foreign Office, December 29, 1843.

I HAVE to desire that you will acquaint the Portuguese Government that the warrant supplied to Her Majesty's sloop "Helena," of 16 guns, on the Cape of Good Hope station authorising her to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

Lord Howard de Walden, C.G.B.
&c. &c.

I am, &c.
(Signed) ABERDEEN.



PORTUGAL. (*Consular*)—*Cape Verds.*

No. 191.

*Mr. Rendall to the Earl of Aberdeen.**British Consulate, Boa Vista, Cape Verds,**December 14, 1842.**(Received January 27, 1843.)*

MY LORD,

I BEG to bring under your Lordship's notice some circumstances that have recently occurred, which involve the authorities of these islands, in favouring the Slave Trade and Slavedealers.

In my letter to Her Majesty's Commissioners at Sierra Leone, of the 31st October last, a copy of which was enclosed by me to your Lordship of the same date, marked "Slave Trade," of the 31st October last, I adverted to proceedings that had taken place at Porto Praia, by the Acting Judge, who quashed all the proceedings in the prosecution undertaken by the suspended Juiz de Directo, against the slave-dealers at that place; and I now beg to add, that I learn from the Juiz de Directo, who is reinstated, that no further proceedings in these prosecutions will take place, unless new Instructions to that effect come from Lisbon. I am told that the guilt of the parties under prosecution, was clearly proved before the said Juiz de Directo was suspended, and that the proceedings altogether of the Ex-Governor Fontes de Mello, and the Acting Judge, were merely to defeat the ends of justice, and to prevent certain matters in slavetrading being made public, that would have come to light, affecting the said Ex-Governor, had the prosecutions of the Juiz de Directo against the parties been concluded under his directions.

If your Lordship, therefore, decides that further steps shall be taken in this matter, it will I presume, be necessary, in the first instance, to move the Government at Lisbon to send fresh Instructions to these islands.

The schooner "*Rosa*," referred to also by me in the before-mentioned letter, has, I understand, been permitted to leave Porto Praia, for the coast of Africa, without the least inquiry being instituted into the charges preferred against her, by Her Majesty's brig "*Heroine*," to the Governor-General of this province, and which was fully detailed to your Lordship, in my Despatch of the 6th September last, marked "Slave Trade." The "*Rosa*" is no doubt, gone for a cargo of slaves, and has the noted slavedealer Santa Anna on board, as captain: this man also holds the appointment of harbour-master of Porto Praia.

In my Despatch, marked "Slave Trade," dated 10th July last, I brought to your Lordship's notice the fact of the brig "*General Portar*," or "*Espartero*," Avillar, master, having gone from these islands with a number of slaves to Maranham. I also mentioned that the case was well known to the authorities here. In fact, the Governor-General told me, that he had ordered a prosecution against a man who had shipped slaves in this vessel; from this information I naturally concluded that if the vessel came again into port, the captain and vessel would be proceeded against; but I am sorry to inform your Lordship, the Governor-General has not thought proper to take that course. The vessel in question came into this port on the 1st instant, and sailed again on the 11th, having been permitted to transact business without the least interruption, or without any public inquiry being ordered into the transactions of the previous voyage; and I must add, that such proceedings received the sanction of the Governor-General, he being on the spot.

There is now here a brig under Spanish colours, lately from Matanzas, in Cuba; the owner, Don Pedro Tito, having purchased, or exchanged it, with a brig schooner, in which he carried 139 slaves from the Rio Pongos,

in April or May last. This schooner, "*Maria*," is the same that Don Pedro Tito was permitted to purchase at Sierra Leone, in about April 1841, for the purpose of carrying away the prisoners from that place, and in which, he came here immediately after landing them at Havana, under the pretence of carrying on a lawful trade between these islands and the coast of Africa; *vide* my letter of the 28th of October, 1841, to Her Majesty's Commissioners at Sierra Leone, enclosed in my Despatch, marked "Slave Trade," dated 1st November, 1841.

There is no doubt that the brig referred to, intends going to the coast of Africa, for a cargo of slaves, and is preparing matters for this purpose; the Rio Pongos is said to be her destination. I hear she proceeds to the island of Sal, the port Don Pedro formerly fitted out from in the schooner, and the same where other slave trading vessels have been permitted to do the like, without the least interruption from the Portuguese authorities of the islands, although they are openly supplied with water casks, &c. Don Pedro Tito, who is a Spaniard, is married to a daughter of a merchant of this place, and consequently possesses great facilities; but his means would be trifling, were the authorities to do their duty.

I learn that a Spanish schooner is at Porto Praia, St. Jago, preparing matters to proceed to the coast of Africa, for a cargo of slaves, and although this fact notorious, yet no impediments are thrown in the way by the Portuguese authorities.

The notorious Kytaneo of Bissao arrived here a short time since, to pay his respects to the Governor-General, and was received in the most attentive and gracious manner. Kytaneo landed in the full uniform of a Portuguese Field-Officer; and as he continued to wear it during the day, and did so since, in the presence of the Governor-General, I conclude he is acknowledged to be on the Staff of this province. I understand his rank to be a Lieutenant-Colonel.

Kytaneo was here again only a few days since, on route to Lisbon, and England, and was continued to be treated in the most marked and attentive manner by the Governor-General, and all the principal authorities; in fact, he was their nightly companion at cards during his stay.

I am thus particular in stating the marked attention that has been paid by the authorities here to this notorious slavedealer, because he made a similar visit a short time after the arrival of the former Governor-General, Fontes de Mello, and was similarly treated, on which occasion he made terms with that Officer, enabling him, Kytaneo, to carry on during that Officer's Governorship in this province, a very extensive Slave Trade, at Bassao, without the smallest interruption from any of the Portuguese authorities.

It is now attempted to make parties believe that Kytaneo gives up the Slave Trade; but I learn from very good authority, that the report is only put forth to deceive, and that during his absence in Lisbon, the trade is to be carried on at Bissao by his nephew.

Kytaneo has discounted some heavy bills for the Government of this province, which were drawn upon Lisbon, and otherwise gave assistance, in which they stood much in need, the high duties upon goods not having filled the coffers of the Custom-houses. For these services, Kytaneo receives the commiseration of the white Portuguese for his losses by English cruisers, and the supposed effect the Slave Treaty is expected to give to the abominable traffic.

I believe the Portuguese Government communicated to the British Government, some time since, that Kytaneo had been deprived of his Commission in the Portuguese service; it will, therefore, no doubt, appear strange that he should have been treated by the Governor-General of this province as an Officer, if such is the fact.

The increase of slaves in these islands within the last twelve months, is, I learn, very considerable, and it is attributed to the facility that has been given by an existing law of the Governor-General, that slaves imported shall only pay 9,600 reis. The existence of this law was reported in my letter to your Lordship, No. 9, of the 10th July last, and has not been withdrawn, although the new Slave Treaty is said to be in force in these islands.

I am sorry to be obliged to report, that I observe the same feeling in the present Government, under Brigadier-General Bastos, as with the late one, under Governor Captain Fontes de Mello, as regards their conduct in Slave

Trade, and treatment of slave dealers. I do therefore hope, that Her Majesty's Government will continue to keep a cruiser in the neighbourhood of these islands, and also one in Bissao.

I have, &c.

(Signed) JOHN RENDALL.
The Right Hon. the Earl of Aberdeen, K.T. H. B. M. Consul.
 &c. &c. &c.

No. 192.

Mr. Rendall to the Earl of Aberdeen.

British Consulate, Boa Vista, Cape Verds,
December 27, 1842.

(Received February 16, 1843.)

MY LORD,

I HAVE the honour to acquaint your Lordship, that it came to my knowledge a few days since of a British seaman having being sent by my agent at Porto Praia, to me at this island, and that the man in question had come ashore from a Spanish slave vessel which was sailing with an American flag and papers, and completely fitted out for the Slave Trade.

The vessel in which this man had been provided with a passage to this place, having arrived without his being on board, it struck me forcibly that he had been kept out of the way by interested parties at Porto Praia, they fearing the consequences of the disclosures he would be able to make before me.

Considering the evidence of such a man of the greatest importance, he being able to prove the vile purposes to which the American flag was about to be made use of, in covering a Slave Trade carried on by Spanish gold and interests, I deemed it my duty to secure his person without loss of time; in the carrying out of which I was obliged to charter a small vessel, to proceed at once to Praia, the extra expense of which amounts to about £6 sterling.

I am now happy to report, that I was able to get the man in question, after some little trouble, and he has made before me the accompanying declaration. He is anxious to join an English man of war; and when Her Majesty's brig "Heroine" comes into this port, it is my intention to permit him to join her; by which it will enable us to find him, should his services as a witness be further required.

I trust the steps I have taken will be approved by your Lordship: to the truth of the document enclosed, I believe every credit ought to be given; in fact, it is a too common practice, for any one portion of it to be doubted; and in the case in question, you will perceive no fear was entertained by these slavedealers of the Portuguese authorities, and that plank was readily found, and permitted to be shipped, at the very head-quarters of the Custom-house of these islands, that is, at Porto Praia, St. Jago, where the American Consul was also present.

I of course transmit a copy of this Despatch to Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed) JOHN RENDALL,
The Right Hon. the Earl of Aberdeen, K.T. H. B. M. Consul.
 &c. &c. &c.

Enclosure in No. 192.

Deposition of Jeremiah M'Carthy.

THE Undersigned, Jeremiah M'Carthy, a native of the Cove of Cork, Ireland, appearing personally before John Rendall, Esq., Her Britannic Majesty's Consul, declares, that he, deponent, shipped as seaman on board the "Syrus," Captain Hill, at the Havana, under the belief that the said vessel was truly an American vessel, as she was represented to be, having the American flag flying, and the captain requiring articles to be signed, which this deponent understood had the cognisance of the American Consul at Havana; and that the said vessel was bound upon a legal voyage, the captain stating, and the Articles expressing, that the vessel was bound upon a trading voyage along the coast of Africa.

CLASS B.

This deponent was, before the vessel sailed from Havana, two days on board, and after getting out to sea, a short distance beyond the fort, a large box was put on board from a rowing boat, which was kept upon the deck: upon enquiry and examination, this deponent found it to contain boilers, and he then began to suspect that matters were not as they had been represented. The vessel continued to have a fair wind for some days, when a gale of wind came on, which lasted two days and two nights; during this time, this deponent heard some conversations of the captain, that his voyage was for slaves, that he was to land his cargo at Cabinda, take in water and provisions, and to make a few alterations, when he was to start with his return cargo of slaves for Havana, or to the States. The intention of keeping the box containing the boilers on the deck of the vessel, was to have it ready to throw overboard if searched by an English man of war. The vessel was loaded with rum, wine, powder, muskets, cloths, cutlery, &c.

The crew consisted of the captain, who had an American protection, but who was a Spaniard, and had been for some time engaged in the Slave Trade; the mate, an American of the name of Wheeler; and six hands before the mast, a Swede, a Dutchman, and two Danes, an American, and he, this deponent. There were also six passengers on board, four Spaniards, who messed with the captain, and two black men, one was a cooper, and the other worked with the cook.

When the vessel approached the Cape de Verd islands, it was stated that the rats had eat the casks, and caused nearly all the water to be lost; it was then decided to run for Porto Praia, St. Jago, which was entered with caution, as it was declared that if an English man of war had been found at anchor, they would have borne away. The vessel consequently anchored, and this deponent availed himself of the first opportunity to get away, which he did in about a week after her arrival. The vessel hoisted the American flag in port, as she also did when she left Haana. At Porto Praia the vessel took in about 30 or 40 boards, and plank, as also water and refreshments. In fact, the vessel landed 15 pipes, containing rum and wine, to pay the expenses incurred on shore. The captain reported himself to the American Consul upon his arrival at Porto Praia, and transacted all his business with him. This deponent states, that it was no secret on board the "*Syrus*," that she was Spanish property, or that the captain was anything but a Spaniard, as the captain himself told the mate (Wheeler) that the vessel had been bought in Havana, and that he was a Spaniard, and this intelligence the mate freely communicated to the crew; conversations were also heard between the passengers and the captain, which made the fact more clear.

At Porto Praia, it was known amongst all the people that the "*Syrus*" was a slaver, as the first question put to this deponent upon coming ashore, was, "Do you come ashore from the slaver in the harbour?" referring to the vessel he had left.

The mate, Wheeler, also quitted the "*Syrus*" at Porto Praia, and left in the barque "*Gentleman*," for New York.

During the time the "*Syrus*" was at Porto Praia, no visits were made on board by any of the authorities in the way of search, nor did the American Consul come on board; but there were always two guards from the Custom-house, who must have observed the boilers in the box upon the deck.

The rate of wages to a common seaman, as appeared by the Articles, was 20 Spanish dollars per month.

The Spanish passengers were seafaring men, and were no doubt to be used as officers upon the return of the vessel with slaves.

Witnesses to the enquiry,	JEREMIAH X M'CARTHY.
(Signed) JOHN RENDALL, JUN.	his mark.
H.B.M. Vice-Consul.	
ANTONIO A. MONTEIRO.	

The foregoing declaration was made before me this day, as witness my hand this 26th December, 1842.

(Signed) JOHN RENDALL,
H.B.M. Consul.

No. 193.

*Mr. Rendall to the Earl of Aberdeen.**British Consulate, Boa Vista, Cape Verds, January 12, 1843.**(Received February 16.)*

MY LORD,

I HAVE the honour to enclose herewith, copy of a letter from the Governor-General of this province, with my reply to the same, touching a complaint made against Her Majesty's brig "Heroine," Lieut. Stewart, commander.

The facts of the case, as I understand them from Commander Stewart, were, that the "Urumea" was at anchor at the island of Sal, when the "Heroine" also anchored there; that the Spanish vessel did not hoist colours, although the Shore, and other vessels in the harbour, paid the compliment. Commander Stewart then sent an Officer ashore to enquire of the Governor what vessel it was acting in such an unbecoming manner; and the officer learning that she belonged to Don Pedro Tito, denounced him as being a notorious slavedealer, and of having just returned from Havana, after landing a cargo of slaves from the river Pongos, having previously fitted out in the port of Sal for that purpose.

The Governor made no objections to the vessel being visited, and accompanied himself the Officer of the "Heroine," that the visit should be legal, and properly carried into effect: meaning, of course, that by his being present, the visit was made by him, and not by the Officer of Her Britannic Majesty's brig "Heroine."

The flag of the Spaniard, I understand, was not hoisted until after the visit had been made, and the parties left, and then two flags were shown in derision of the proceedings that had taken place.

It is right I should here mention, that this Don Pedro Tito is the individual I spoke of in my confidential letter to your Lordship of the 14th ult., and that the authorities here have shown him the most glaring favours, by permitting his sugar, coffee, rum, &c., to come ashore under circumstances that would never have been conceded to the lawful trade of Great Britain with the Portuguese colonies.

I have, &c.

(Signed)

JOHN RENDALL,

*H.B.M. Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 193.

(Translation.)

Governor-General Bastos to Mr. Rendall.

SIR,

January 7, 1843.

I BEG to acquaint you that the Commander of the English brig of war "Heroine" searched the merchant Spanish brig "Urumea," when at anchor in a Portuguese port, at the island of Sal, of this province; and also required the Military Commandant of the said island to search the aforesaid vessel, which, in order to avoid disputes, he felt himself obliged to conform to. As I cannot but consider such a proceeding as insulting to the independence and the dignity of the Portuguese flag, and at the same time it being a flagrant violation of the 4th Section of the 3rd Article of the Treaty of the 3rd July, 1842, I beg to acquaint you, that I am about to bring this affair to the knowledge of Her Most Faithful Majesty's Government, and that I have issued the necessary orders to all the Military Commandants of the different islands, that they do not tolerate such abuses, in conformity with the aforesaid Section of the said Treaty, and also, it being your duty to give notice to the Commanders of the men of war of your nation, that they will not be allowed to make these searches within the ports of this province, as the Portuguese Government is firmly resolved to maintain at all costs the dignity and decorum of their flag.

(Signed)

FRAN^{co}. DE PAULA BASTOS,*Brigadier and Governor-General.**John Rendall, Esq.*

&c. &c.

Second Enclosure in No. 193.

*Mr. Rendall to Governor-General Bastos.*SIR, *British Consulate, Boa Vista, Cape Verds, January 11, 1843.*

I HAVE the honour to acknowledge receipt of your Excellency's letter of the 7th instant, having reference to a transaction of Her Britannic Majesty's brig, "Heroine," Lieutenant Stewart, commander, at the island of Sal, a short time since.

I must acquaint your Excellency, that the vessel in question is one of Her Britannic Majesty's cruisers, appointed for the Suppression of the abominable Slave Trade, and therefore sailing under particular instructions, and that Commander Stewart is amenable only in this country, to the Senior Naval Officer of the Station.

Your Excellency's reference to the new Slave Trade Treaty, cannot, I believe, apply to the acts of Commander Stewart, to the present date, as I heard he had not yet received these new instructions, and is consequently sailing under those that were previously in existence.

Of the act complained of by your Excellency, I have no written report; but I avail myself of this opportunity to acquaint your Excellency, that the circumstances relating to it, which were communicated to me, conveyed an impression that Commander Stewart had considered the British flag to have been most grossly insulted by the Captain of the Spanish vessel, and that it was in consequence of this flagrant act, that Commander Stewart communicated with the Governor of Sal, of whom the Commander spoke in the highest terms, not only of his politeness and urbanity, but also as evincing a most ready disposition to make search where the parties suspected were notorious slavedealers, and who had only a few months previously fitted out from the same port for the coast of Africa, and from thence had carried a cargo of slaves to Havana.

I shall lay before Commander Stewart, when he touches here, a copy of your Excellency's communication to me, that he may prepare upon the spot, a correct statement of facts, for the information of the Commander of the Station, and of his own Government.

I have, &c.

(Signed)

JOHN RENDALL.
H.B.M. Consul.*His Excellency Governor-General Bastos,*
&c. &c. &c.

No. 194.

*Mr. Rendall to the Earl of Aberdeen.**British Consulate, Boa Vista, Cape Verds, February 28, 1843.*

MY LORD,

(Received April 10.)

I REGRET that for want of opportunities I am unable to report to Her Majesty's Commissioners at Sierra Leone upon Slave Trade matters, in sufficient time to make my communications to them at all available. This inconvenience was of little moment during the period when one of Her Majesty's vessels was cruising upon this station; but the brig of war "Heroine," Lieutenant Stewart, commander, left this on the 8th ultimo for Sierra Leone, on account of the illness of the Commander, and has not since returned.

I have therefore the honour to report direct to your Lordship upon these matters.

The Spanish brig "Urumea," which was the subject of my last Despatch, took in a cargo of salt at the island of Sal, called here, and landed Don Pedro Tito, and then sailed, supposed for the coast of Africa, to take a cargo of slaves to Matanzas.

An American brig called the "Angelina" of New Orleans came in here on the 9th instant, consigned to Don Pedro Tito, (the Spaniard concerned in the before-mentioned brig "Urumea") last from Matanzas, with an assorted cargo, adapted for the purchase of slaves, and sailed on the 15th, with the said Don Pedro Tito on board, said to be bound to the river Pongos, on the coast of Africa, and there to take in a cargo of slaves for Matanzas, after changing the flag from American to Spanish.

A felucca under Spanish colours, of about 200 tons, with at least 90 men, and well armed, having two guns on a pivot on board, put into the island of Brava on the 6th instant, for water, where she lay some days, and was seen six days since, off the island of St. Antonio. The sails of the vessel were of an immense size, and her sailing qualities of the first order. There were Kroomen on board, and Kroo canoes, consequently she has been on the Coast, and perhaps driven off by the cruisers: this slaver, or pirate, was treated as any other vessel would be coming for supplies, the authorities taking no notice of her suspicious appearance.

A Spanish brig was in the offing of this island a few days since, but got some intelligence, and directly steered away; she was a brig of a large size, well armed, and with a great many men on board.

A Spanish schooner from Matanzas, was at Zarrafal, in the island of St. Antonio, three weeks since, where she took in water, and repaired, and then sailed for the coast of Africa for a cargo of slaves.

I have, &c.

(Signed)

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

JOHN RENDALL,
H.B.M. Consul.

No. 195.

The Earl of Aberdeen to Mr. Rendall.

Foreign Office, May 30, 1843.

Queries as to Slave Trade and Slavery in the Cape Verde Islands.

(See Class A. No. 212, page 301.)

No. 196.

Mr. Rendall to John Bidwell, Esq.

*British Consulate, Boa Vista,
Cape Verds, April 7, 1843.*

SIR,

I HAVE the honour to enclose herewith copy of a communication which I have just received from Captain Foote, R.N., commanding Her Majesty's Naval Forces on the Western Coast of Africa, touching the matter of the Portuguese authorities having hauled down the English flag, and substituted their own at the island of Bulama.

I beg to state that I have forwarded to Lord Howard de Walden a copy of this communication.

I have, &c.

John Bidwell, Esq.
&c. &c.

(Signed)

JOHN RENDALL,
H.B.M. Consul.

First Enclosure in No. 196.

Captain Foote to Mr. Rendall.

SIR,

"Madagascar," Boa Vista, April 4, 1843.

I BEG to transmit for your information the accompanying copy of a letter addressed to his Excellency the Governor-General of these islands, in reference to the proceedings of the Governor of Bissao having ordered the British flag at the island of Bulama to be hauled down, and replaced by the Portuguese, and his Excellency's reply thereto.

I am, &c.

John Rendall, Esq.
&c. &c.

(Signed)

JOHN FOOTE,
Captain, and Senior Officer commanding.

Second Enclosure in No. 196.

Captain Foote to the Governor-General.

SIR,

"Madagascar," Porto Praya, St. Jago, March 27, 1843.

I HAVE the honour to address your Excellency on the subject of a most unwarrantable aggression committed by the Governor of Bissao in January last, in having ordered some Portuguese soldiers to land on the British island of Bulama, and haul down the English flag, which has been flying there since the 23rd May, 1842, when it was taken formal possession of in the name of Her Britannic Majesty, Queen Victoria, by order of the British Government addressed to me.

I should have been fully justified if I had landed at the town of Bissao, and in retaliation for this act have hauled down the Portuguese flag, and substituted that of England; but in consideration of the long existing friendship between our nations, I have not thought proper to have recourse to such strong measures; but being about to proceed to these islands in the prosecution of my duty as Senior Officer on the West Coast of Africa, I have preferred remonstrating with your Excellency on this most unwarrantable proceeding, trusting that your Excellency may give such directions to the Governor of Bissao as shall prevent a recurrence of such conduct, so likely to end in the most serious consequences; for I shall feel myself obliged, after this remonstrance, to take very serious measures against any repetition of these hostile steps. In the meanwhile I have transmitted an account of these proceedings to my Government, and have every reason to believe that orders will very shortly be given to colonise this island.

If the Governor of Bissao considered that this island belonged to Portugal, he should have protested against our taking formal possession of the same in May, 1842, and not suffered the British flag to fly there for eight months without taking any steps on the subject; but I suspect he has been influenced to commit himself in this matter by that noted piratical slavedealer Caetano, who has been so long fostered by the said Governor, and who well knows that should Bulama be colonised by the British, the Slave Trade will be at an end in the Bissaos.

I have, &c.

(Signed) JOHN FOOTE,

*Captain, and Senior Officer commanding.**His Excellency the Governor-General,*

&c. &c. &c.

Third Enclosure in No. 196.

The Governor-General to Captain Foote.

(Translation.)

SIR,

March 28, 1843.

I ACKNOWLEDGE receipt of your letter of yesterday's date, having reference to one of the objects of the conference which I had with you on the 9th instant. In the said letter you say that there was committed an unjustifiable aggression against the rights of your country upon the island of Bulama, in consequence of some Portuguese soldiers having been ordered to land there in January last, to take away the English flag that had waved there ever since the 23rd May, of last year, at which period it was taken possession of on the part of the British Government. To which I have to answer, that the Portuguese soldiers of whom you speak, formed a detachment which went to relieve the one that existed there on the 23rd May last, and who continued to exist upon the same spot after it was occupied by the English. As also, this detachment had before relieved another; and you will understand that it is clear that the Governor of Bissao, in sending this detachment to Bulama, a Portuguese possession from time immemorial, did no more than to preserve a force in one of the Portuguese dominions; which, by no means can be considered an act of aggression, as you think.

As to your saying that the English flag was taken, it cannot be but a mistake, as you are not ignorant that the Portuguese flag had there waved for many years

previous to the 23rd May; and therefore the Governor of Bissao did no more than to replace the Portuguese flag to the place that it used to occupy, and which was violently lowered on the before-mentioned day by the crew of an English man of war, who also removed the small Portuguese detachment that existed there.

You further say, that in consequence of this act of the Governor of Bissao, you would have done right had you gone to that place, and taken the Portuguese flag that waved there, and substituted the English. To which I answer, that if you had succeeded in committing such an unheard-of act of hostility, you could not by that show that the island of Bulama belonged to the English, but you would make yourself responsible for such consequences as might have arisen between two friendly and allied nations, for the simple reason that the regular duties of the service had been performed. But you preferred, as you say, coming to represent to me this event, that I might give to the Governor of Bissao some orders. To which I have to say, that I have no orders to give upon that subject, because I approve completely the proceedings of the Governor of Bissao, who did his duty as a soldier and as a Governor.

You proceed by threatening that you are going to take very serious measures to prevent the repetition of such proceedings, which you call hostile, having reason to believe that your Government intend giving orders to colonise the island of Bulama. But I must insist in declaring, on the part of the Governor of Bissao, that there is no hostility, because such a meaning cannot be applied to acts necessary to be performed in a Portuguese colony. I make you responsible for any proceedings that may hereafter alter the actual and old situation of that Portuguese island, and upon which the Government of Her Most Faithful Majesty and that of Her Britannic Majesty have to decide.

You conclude by saying, that if the Governor of Bissao had considered that the island of Bulama belonged to Portugal, he ought to have protested against the occupation of it by the English forces, and not have suffered the British flag to have waved there. To take you from this mistake, in which rests all the force of your argument, I have to say that the Governor of Bissao protested against that occupation, and I also protested with the Government Council, and made the proper reports to the Government of Her Most Faithful Majesty; and it is probable that the same August Lady sent the competent claims to the Government of Her Britannic Majesty. In the case also concerning the English flag being substituted by that of the Portuguese nation, by the Governor of Bissao, who also sent the detachment there, I have also reported to my Government.

Permit me to observe to you, that if the island of Bulama was English, there would be no occasion to take possession of it by a force of the same nation; or if that solemnity was thought necessary, it ought not to have been left for the year 1842.

As to the accusations concerning the traffic in slaves with which you pretend to involve me, in so distinct a manner, it is my duty to observe to you that these allegations are destitute of proof, and absolutely inadmissible.

God preserve, &c.

(Signed)

FRANCISCO DE PAULA BASTOS,

Brigadier and Governor-General.

*The Commanding Officer of the British
Frigate "Madagascar."*

No. 197.

Mr. Rendall to the Earl of Aberdeen.

British Consulate, Boa Vista,

Cape Verds, April 24, 1843.

(Received June 12.)

MY LORD,

I HAVE the honour to enclose herewith, for your Lordship's information, copy of a communication which I have just received from Captain Foote, R.N., commanding Her Majesty's Naval Forces on the Western Coast of Africa,

having reference to the searching of a Spanish Slave Trading brig, at the Island of Sal, Cape Verds, by one of Her Majesty's cruisers.

I beg to state that I have forwarded to Lord Howard de Walden a copy of this communication.

I have, &c.

(Signed)

JNO. RENDALL,

H.B.M. Consul.

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

First Enclosure in No. 197.

Captain Foote to Mr Rendall.

Her Majesty's ship "Madagascar,"
At Sea, off Bonavista, March 15, 1843.

SIR,

LIEUTENANT STEWART, commanding Her Majesty's brig "Heroine," under my orders, has transmitted to me a report of his having boarded and searched a Spanish brig called the "Urumea," Don Pedro Tito, owner, in the roadstead of the Isle of Sal, on suspicion of her being engaged in Slave Trade, and this with the concurrence of the Governor of that island, who seems to have grossly neglected his duty in not having searched this vessel before the arrival of the "Heroine," which circumstance has highly displeased his Excellency the Governor-General Bastos, he considering it as a proceeding insulting to the independence and dignity of the Portuguese flag, and at the same time being a flagrant violation of the 4th Section of the 3rd Article of the Treaty signed on the 3rd July, 1842.

I have to acquaint you, that having given this affair my most earnest attention, I highly approve of the conduct of Lieutenant Stewart, he having acted under the Instructions in existence previous to the 3rd July, 1842, and in strict obedience to my orders.

I observe that in your letter to the Earl of Aberdeen you complain of the authorities at the Cape de Verds showing Don Pedro Tito the most glaring favour, by permitting his sugar, coffee, rum, &c., to come on shore under circumstances that would never have been conceded to the lawful trader of Great Britain with the Portuguese colonies; a sufficient proof in my mind that the Governor-General, in concert with the Portuguese authorities at the Cape de Verds connive at the Spanish vessels fitting out for the Slave Trade there. And may I take the liberty of asking whether you have remonstrated with the Portuguese Governor on this head, as in your absence I certainly should do so, in the strongest possible manner?

I should have admired the Governor-General Bastos for his conduct in endeavouring to uphold the dignity of the Portuguese flag, if he deemed it to be insulted by any nation. But, Sir, he should take especial care that he be not the first and principal to sully the dignity and honour of this flag himself, bound as that flag is by a solemn Treaty with Great Britain not to deal in, or connive at dealing, or to permit its Governors, or chief authorities, or others, of its colonies, to aid or abet in the accursed Slave Trade, which it is but too evident this Governor has been guilty of. Then, Sir, that being the case, Lieutenant Stewart's conduct in searching this vessel was not an insult to the Portuguese flag, but an earnest endeavour to uphold its dignity, and not to suffer it to be degraded by the Governor of Sal, no doubt with the secret approbation of the Governor-General himself.

If, however, Lieutenant Stewart had boarded this vessel without the knowledge of the Governor of Sal, then, indeed, he might have been said to have insulted the Portuguese flag; but he not only gained the permission of the Governor of Sal, but he, the Governor, actually took the lead in the affair, by going on board the "Urumea" himself, and hoisting her Spanish colours, previous to the "Heroine's" boat boarding her at all; and, therefore, I consider the Governor-General's complaint entirely groundless, and shall so instruct the Board of Admiralty, under whose orders I have the honour to be acting.

In conclusion, Sir, I say most emphatically that it is not to be borne that, after the solemn Treaty that Portugal has entered into with Great Britain for

the total Abolition of the Slave Trade, that the Governor of the Cape de Verds should foster and give especial countenance to both Spanish slave vessels and those carrying the Portuguese flag, going for or coming with slaves from the Bissaos, the river Nimes, Pongos, and the adjacent rivers, into the different harbours of the Cape de Verd Islands; and that because a British man of war perceives slavers anchored in its harbours, and after asking permission of the authorities to search them, that he, the Governor, should turn round and exclaim, "You are insulting the Portuguese flag." Why, Sir, does not the Governor, by his disobedience of his Queen's and country's orders, by his fostering these accursed vessels, does *he* not disgrace the Portuguese flag? And is he worthy to maintain his situation of Governor-General? Certainly not: and I shall not fail to give my strong remonstrances against his proceedings, and hope that it may lead to his dismissal, and that a Governor-General may be sent out whose sense of honour and rectitude of principle will place him, and the authorities under him, far above such illegal practices; and that he will, as in duty bound, so far from giving any countenance to the slave dealers, drive them from the presence of the Portuguese flag. Then, indeed, will that flag fly in the Cape de Verd Islands, for the first time, free as the air that wafts it, uncontaminated by the breath of the accursed Slave Trade, and honoured and respected by the whole world; and that this may be the case I most ardently pray.

I am, &c.

(Signed) JOHN FOOTE,
Captain and Senior Officer commanding.

John Rendall, Esq.
&c. &c.

Second Enclosure in No. 197.

Captain Foote to Mr Rendall.

SIR,

"Madagascar," Boa Vista, April 4, 1843.

I BEG to transmit, for your information, the accompanying copies of a correspondence that has taken place between his Excellency the Governor-General of these islands and myself on the subject of the proceedings of Lieutenant Stewart of the "Heroine," in boarding and examining the Spanish brig "Uruca," at anchor in the port of Sal, with the consent of the Military Governor of that island.

I am, &c.

(Signed) JOHN FOOTE,
Captain and Senior Officer commanding.

John Rendall, Esq.,
&c. &c.

Third Enclosure in No. 197.

Extract from a letter from Lieutenant T. D. Stewart, commanding the "Heroine," to Captain Foote, dated at Sierra Leone, January 25, 1843.

I PROCEEDED to sea on Sunday the 15th December, and anchored at Boa Vista on the 20th, when I was confined to my cabin by illness, but not severe. The Consul was good enough to wait on me next day, informing me that a notorious slavedealer, named Dom Pedro Tito, a Spaniard, who had married into the principal family of these islands, had returned with a brig instead of a schooner, in which he had successfully carried 139 slaves from the Pongos to Matanzas; and that the brig was at the island of Sal, where the Governor-General was then making a temporary visit. We proceeded to the island of Sal without delay, with the intention of searching her, if permitted. The Governor-General, however, returned to Boa Vista while we were on our passage. On anchoring close alongside the Spaniard, she showed no colours, although the Shore, an English brig, and Bremen barque hoisted theirs. We first boarded the English brig, and I then sent Mr Hudson, the mate, to wait on the Portuguese Governor, to acquaint him with my illness as apology for not waiting on him, and to enquire what the brig was without colours. The Governor replied she

was a Spanish brig which had been there four days, was going to take in salt, and the captain was on shore. Mr. Hudson then explained, that the fact was, that we had heard of Don Pedro's brig being at the port of Sal, and that we had come expressly to search her as a suspicious vessel, if the Governor would sanction it. Pedro Tito now made his appearance, and showed a perfect readiness to proceed to the search immediately; and the Governor assented to go on board himself. Mr. Hudson instantly returned to me, and while giving him instructions, the Governor and Pedro Tito got on board the Spanish brig and hoisted the colours; I instantly sent Mr. Hudson, accompanied by the second master with the cutters's crew, to search the brig; and the whole business appears to have been conducted with becoming strictness and mildness, and the brig was quitted with apparent satisfaction to all parties, as nothing disagreeable occurred. Pedro Tito made apology for the colours not being hoisted, saying if he had been on board they certainly would have been.

We waited for the ship's company to dine before we weighed, in the course of which (the Spaniard's first ensign shown being very small) a larger ensign was hoisted, also a mast-head flag with the name "*Urumea*" on it. What motive there was for this it is impossible for me to say.

I am drawn into this minute detail, on account of Mr. Rendall's reply to a letter from the Governor-General on this subject, and his Report to Lord Aberdeen, copies of which having been supplied me by the Consul when I called at Boa Vista on the 13th instant, seriously ill, and incapable of attending to them, I have found the affair incorrectly described.

I would account for this by stating that my Report to Mr. Rendall was but verbal; and as both the Governor of Sal and Pedro Tito, the captain, who is a superior description of man, behaved with becoming respect to the Officer I sent on the search duty, and there appeared no likelihood of complaints, the Consul had nothing to refer to in my absence, when he received the Governor-General's letter.

In consequence of this affair being seriously represented to the two Governments, I beg leave to inclose copies of Mr. Rendall's letter and its enclosures, excepting the Portuguese letter, which no one on board can well enough decipher, but of which there is a translation of the body of the original, being all that is absolutely necessary.

Fourth Enclosure in No. 197.

Captain Foote to the Governor-General.

SIR,

"*Madagascar,*" *Porto Praya, St. Jago, March 27, 1843.*

I HAVE the honour to acquaint your Excellency that Lieutenant Stewart, of Her Britannic Majesty's brig "*Heroine*," has transmitted to me an account of his having boarded the "*Urumea*," Spanish brig, while at anchor in the port of the Isle of Sal, together with a correspondence that has taken place between your Excellency and John Rendall, Esq., British Consul, on that subject, in which you state that "*Lieutenant Stewart required the Military Governor of the island of Sal to search the aforesaid vessel, which, in order to avoid disputes, he felt himself obliged to conform to, and that you consider such a proceeding as an insult to the independence and dignity of the Portuguese flag, and a flagrant violation of the 4th Section of the 3rd Article of the Treaty of the 3rd July, 1842; I would beg to call your Excellency's attention to the latter part of the said 4th Section, where it states—'But should such suspected vessel be met with in any such port or roadstead, due representation of the same is to be made to the authorities of the country, requesting them to take the necessary measures to prevent the violation of the stipulation of this Treaty, and the said authorities shall proceed to take effectual measures accordingly.'*"

Now, Sir, although at the time Lieutenant Stewart requested the Military Governor of Sal to assist him in searching the "*Urumea*," he was not in possession of the Treaty of the 3rd July, 1842, yet, he appears to have acted strictly up to it; and I therefore think, upon a more careful review of this transaction, you will see that Lieutenant Stewart did his duty faithfully to his own country, and with all due deference to the flag of yours; at least, I am convinced that both your Government and my own will so decide, upon a statement of the

real facts of the case being made to them. And here I must be allowed to say, in reply to your statement; that Lieutenant Stewart required the Military Governor of Sal to search the aforesaid vessel, which in order to avoid disputes, he felt himself obliged to conform to; that I should conceive the Governor of Sal, being a soldier, would strictly obey the orders given to him by you, and not be likely to swerve from them to avoid disputes with a Foreign Officer, who was at that moment confined to his bed from severe illness. This, Sir, would be of little moment were it not that you have represented this transaction to your Government in a totally different light than can be borne out by facts, and quite at variance with Lieutenant Stewart's account of it, a copy of which I send you herewith.

It therefore becomes my imperative duty to contradict them, lest your Government may be led to believe that any British Officer would offer the slightest indignity to the flag of Portugal, England's oldest and most faithful ally.

It only remains for me to explain to your Excellency what I had the honour to do at my interview with you, that I shall follow up the exact meaning of the 4th Section of the 3rd Article of this Treaty, in my proceedings in these islands, and shall give directions to the vessels under my orders to do the same; and if I find that, after complying with its instructions, the Military Governors of these islands do not seize vessels which are proved to be slavers, and fitted for the reception of slaves, I shall consider that the Governors have broken the terms of the said Treaty, and shall act accordingly.

I cannot, in the faithful performance of my duty, however painful it may be to me, refrain from acquainting your Excellency that I have the most correct information that very glaring favours have been shown lately to Don Pedro Tito, the most noted slaveowner and dealer in these islands, by permitting his sugar, coffee, rum, &c. to come on shore, under circumstances that would never have been conceded to the lawful trader of Great Britain with the Portuguese colonies; and that upon the arrival of the most noted slavedealer of Bissao, Cartano, at Porto Praya, your Excellency and Staff have given him the greatest possible encouragement, and that he has been seen at your public levees dressed in the uniform of a Portuguese Brigadier-General, to which I am told he has no title. The inference to be drawn from these two circumstances I will not presume to offer, although they must be obvious to your Excellency.

I beg that your Excellency will receive this communication in the spirit in which it is written, namely, with all due respect to your Excellency, as Governor-General of these islands, but with the firmest determination to do my utmost to put an end to the countenance afforded to slaveowners and their vessels in these islands, which is a duty I dare not shrink from in obeying the orders of my Government.

I am, &c.

(Signed)

JOHN FOOTE,

His Excellency the Governor-General,
&c. &c. &c.

Captain and Senior Officer
Commanding.

Fifth Enclosure in No. 197.

(Translation.)

The Governor-General to Captain Foote.

SIR,

St. Jago.

I ACKNOWLEDGE receipt of your letter of the 27th instant, enclosing a report from Lieutenant Stewart, commanding Her Britannic Majesty's brig "Heroine," reporting his searching the merchant Spanish brig "Urumea," at the port of the island of Sal; to which I have to answer, that this affair being already made known to my Government, I shall, by the first opportunity, send to Lisbon a copy of your communication, with the papers on this subject, and also those respecting the island of Bulama.

FRAN. DE PAULO BASTOS.

The Commander of H.B.M. Frigate "Madagascar."

No. 198.

*Mr. Rendall to the Earl of Aberdeen.**British Consulate, Boa Vista,
Cape Verds, May 22, 1843.
(Received June 12.)*

MY LORD,

It becomes my pleasing duty to report, that since the date of my last communication upon the subject of Slave Trade (28th Feb.), I have only heard of one slave trading vessel being near these islands, and that was a sloop of thirty tons, belonging to this place, having landed some slaves, brought from the neighbourhood of Bissao, upon the coast of the island of St. Jago.

I attribute this happy state of affairs to arise from the excellent arrangements made by Captain Foote, R.N., in keeping a cruiser in this neighbourhood, as also in Bissao and the adjacent coast.

Events have proved my assertion, "that a cruiser kept in these islands would frighten all slavedealers, and clear the neighbourhood of them." I therefore trust that the present arrangement of a cruiser upon the station, will not be dispensed with for some time to come.

I have, &c.

(Signed) JOHN RENDALL,
*H.B.M. Consul.**The Right Hon. the Earl of Aberdeen. K.T.
&c. &c. &c.*

No. 199.

*Mr. Rendall to the Earl of Aberdeen.**British Consulate, Boa Vista,
Cape Verds, August 14, 1843.
(Received September 28.)*

MY LORD,

I TAKE leave to enclose herewith copy of a letter which I addressed the Governor-General of this province, in reference to a notorious slavedealer having been permitted to enter this port, and fit out a vessel for the Slave Trade, which he had a short time previously purchased at Sierra Leone.

Captain Foote, commanding Her Majesty's squadron upon the coast of Africa, ordered here in April last the steamer "Albert;" but that vessel having met with a disaster, has, I understand, been condemned, and these islands have consequently been left without an English cruiser for these four months past.

The Portuguese Government have no vessel here, or in Bissao, on the African coast, that acts in any shape as a cruiser.

Under these circumstances, the islands are left destitute of any check upon the nefarious Slave Trade, which is sure to be revived by parties engaged in that traffic the very moment they find the Coast clear of British cruisers.

The facilities, however, that have for some years past been granted to slave vessels in these islands are so well known to your Lordship, that it is not necessary for me here again to particularise; but, nevertheless, I feel it my duty to bring the matter to your Lordship's particular consideration, in the hope that something may be done to impress upon the authorities of these islands the necessity of the greatest caution being observed in giving protection to persons calling themselves in distress when the facts are otherwise.

The part which the Governor-General of these Islands took in the case of the "*Urumea*," a Spanish slaving vessel, as detailed in my Despatches to your Lordship, of the 12th January and 24th April of the present year, has, I have little doubt, been the cause of giving the Spaniards an idea that they can again come with impunity to these islands; for, in addition to the present vessel, the "*Clio*," I understand another Spanish brig is at the island of Sal, and, of course, not there for any real legal purpose.

I lament that I have no means at my command to afford this information to our cruisers upon the African coast, particularly as I am well informed that the "*Clio*" intended taking her human cargo at the Portuguese settlement of

"Cacheo," on the African coast, which is a dependency of these islands, and consequently under the Government of General Bastos.

I have, &c.

(Signed) JOHN RENDALL,
H.B.M. Consul.

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

Enclosure in No. 199.

Mr. Rendall to the Governor-General.

British Consulate, Boa Vista,

Cape Verds, July 24, 1843.

SIR,

YOUR Excellency was pleased, under date of the 7th January last, to address me upon the occasion of Her Britannic Majesty's brig "Heroine," searching a suspicious vessel under the Spanish flag at the island of Sal, and complaining that in such a proceeding the flag of Her Most Faithful Majesty had been insulted, and that you called therefore for my interference, in consequence, with the Commanders of Her Britannic Majesty's cruisers, to prevent such occurrences for the future; and your Excellency further acquainted me that you had given special directions to the Lieutenant-Governors and Commandants of the several islands upon this very important subject.

The receipt of this communication induces me to relate to your Excellency the arrival and departure of a more than suspicious vessel here the other day.

The clipper brig "*Clio*," under Spanish colours, came into this port on the 9th June last, and it was reported to be in consequence of stress of weather, being bound from Sierra Leone to Cadiz in the month of June. The brig was commanded by a notorious slavedealer, who had been frequently in these islands, and is the same person who commanded the "*Feliz Rey*," a Spanish piratical clipper schooner, and who at Porto Praia St. Jago, waylaid at night and attempted to kill the captain (Seagram) and officers of Her Britannic Majesty's brig "*Termagant*," as they were about embarking in their boats to go on board; and the affair was not only a subject of much correspondence between myself and the late Governor-General, Captain Fontes de Mello, but also between the Governments of England and Portugal. This clipper schooner and slave captain had committed an act of piracy towards a British vessel a few hours before entering Porto Praia, but at the time it was unknown to the officers of the "*Termagant*." Upon leaving Porto Praia the same schooner proceeded to Cacheo, intending to take a cargo of slaves from that settlement, but she was lost in attempting to enter the river. The captain then returned to St. Jago, *via* the Gambia, and Boa Vista, in an English vessel to receive from some persons a sum of money which he had left in their charge subsequent to his affair with the "*Termagant*." The captain, after receiving this money, again proceeded to the Portuguese settlement of Cacheo, and managed to arrive safe at Porto Rico, in the West Indies, with a full cargo of slaves which he had carried from that place.

The brig "*Clio*" had come from Sierra Leone, where she had been condemned in the British Mixed Commission Court for slave practices. The brig, consequently, when she came here, was without papers to show her nationality, as the laws of Sierra Leone prohibit a prize in any of the Mixed Courts to be sold to a foreigner. The only official papers the brig could have was a clearance from the Custom-house, and by law the Collector of Customs could not refuse granting such a document.

I have been thus particular in detailing at length the well-known character of the captain of the "*Clio*," to show that he had Slave Trade stamped upon his forehead the first day he arrived here. If anything, however, further was wanting, the irregularity of papers was sufficient to create suspicion; but besides all this there was the contrabandist appearance of the craft, and the absurd plea of distress, coming as the vessel did in the height of summer.

In spite of every cause for suspicion, the brig was allowed to take her time in this harbour, to strip the masts entirely, and to give a thorough fit-out from stem to stern, no difficulty being experienced in supplying wants from the shore. In fact, she was permitted to occupy this harbour for 43 days, having left here only on the 21st instant, being just the period currently reported it was neces-

sary to remain in the islands before the human cargo ordered would be ready upon the Coast.

I have been in daily expectation of the arrival here of one of Her Britannic Majesty's cruisers, and I regret exceedingly that she did not come during the presence of the "*Clio*;" but I trust it will not be long before she makes her appearance, as I have been confidentially informed of the destination of the "*Clio*;" and I fervently hope that her abominable occupation of dealing in human flesh will be frustrated.

Conceiving that the authorities here, during your Excellency's absence, act upon the instructions which your Excellency told me in January last you had issued, I deem it my duty (particularly under the peculiar circumstances in which I am at present placed) to bring to your Excellency's serious consideration the necessity of curtailing this unlimited assistance) which in the case of the "*Clio*," as well as numberless other instances, have been granted to suspicious vessels in the harbours of these islands, and more particularly to those under the Spanish flag.

I am quite satisfied that if your Excellency would prohibit the entrance of suspicious vessels to the harbours of these islands (unless they could show good cause for acting to the contrary) it would be the means of considerably retarding the plans of the slavedealers, and in many cases the capture of the vessels employed. The great importance which the harbours of these islands have been to numberless vessels concerned in the Slave Trade is well known and estimated by British cruisers; and I do therefore hope that your Excellency will deem it a subject worthy of an early and a very particular consideration.

I have, &c.

(Signed) JOHN RENDALL,
H. B. M. Consul.

His Excellency the Governor-General,
&c. &c. &c.

No. 200.

Mr. Rendall to the Earl of Aberdeen.

*British Consulate, Boa Vista,
Cape Verds, June 6, 1843.
(Received October 10.)*

MY LORD,

I HAVE the honour to report to your Lordship the arrival here on the 3rd instant of the Portuguese Commissary-Judge, Sr. Ladislao Benvenuto dos Santos, from Lisbon. The Portuguese Arbitrator and the Secretary to the Mixed Commission were upon the spot to meet this officer, the former having been a resident for many years, and the latter born in the islands.

I beg to enclose a copy of a letter I received from the Commissary-Judge, and to acquaint your Lordship that I yesterday attended the Court as requested, and witnessed the Secretary being sworn in the manner pointed out by the Treaty.

I have, &c.

(Signed) JNO. RENDALL,
H. B. M. Consul.

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

(Translation.)

Enclosure in No. 200.

Sr. Dos Santos to Mr. Rendall.

Boa Vista, June 4, 1843.

THE Portuguese and English Secretary of the Mixed Commission being sworn to-morrow at 11 o'clock, according to the 1st Article of the Treaty of the 3rd July last, I find it my duty to acquaint you, on account of the absence of the British Commissioners, who ought to make part of the referred Commission, perhaps you will find it convenient to appear for them in the said act. I shall much esteem it, that your presence may give it a higher consideration. The place for the Commission not having yet been determined, I accepted the offer of the Arbitrator, H. P. H. Almida's house, for the referred to purpose.

LADISLAO BENVENUTO DOS SANTOS,
Commissary of the Mixed Commission.

John Rendall, Esq.
&c. &c.

BRAZIL.

No. 201.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, November 26, 1842.
(Received January 17, 1843.)*

MY LORD,

I HAVE the honour to acknowledge the receipt on the 31st ultimo, by Her Majesty's packet "Express," of your Lordship's Despatches dated July 19th and August 17th; and on the 11th instant, by Her Majesty's steamer "Salamander," of the Circular of the 16th August, all of the Slave Trade series.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

No. 202.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, November 26, 1842.
(Received January 17, 1843.)*

MY LORD,

WITH reference to your Lordship's Despatches respecting the complaints brought by the Brazilian Government against Her Majesty's ships of war, the "Fair Rosamond" and "Wizard," which had severally detained and visited the Brazilian merchant schooner "*Amalia*," I have the honour to forward, for your Lordship's information, copy of the correspondence which has passed between Her Majesty's Legation and the Brazilian Government, since my last Despatch to your Lordship on the subject, dated the 22nd February.

But I must beg to draw your attention more particularly to the note of Sr. Aureliano, Enclosure No. 3, wherein he again refers to the sum of money in specie, over and above the 56 doubloons, which was taken out of the "*Amalia*" at the time of her first detention by the "Fair Rosamond," and has not been restored to the owner.

The first-mentioned sum amounting to Rs.5,256,730 is claimed by the proprietors of the "*Amalia*," the house of Viana and Co.; the 56 doubloons belonged to a passenger on board her.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 202.

*Mr. Hamilton to Sr. Aureliano.**Rio de Janeiro, June 29, 1842.*

ON the 7th January last Sr. Aureliano, &c., addressed a communication to the Legation of Her Britannic Majesty, declaring that the Brazilian Government will not consider as satisfactory, for reasons therein assigned, the explanations which had been offered by it, under directions from Her Majesty's Government, on

the circumstances attending the detention of the Brazilian schooner "*Amalia*" by Her Majesty's ship "*Fair Rosamond*," and concluding with a complaint of still further obstructions offered subsequently to the same schooner by Her Majesty's ship "*Wizard*."

Having forwarded this communication to the Earl of Aberdeen, presiding over the Department of Foreign Affairs in England, the Undersigned, &c., has been instructed to acquaint Sr. Aureliano that ten half doubloons, being the balance between the sum which was received fraudulently by a British seaman from the Brazilian passenger, and the sum which was afterwards found in the possession of that seaman, and restored to the rightful owner, shall be paid to the Brazilian Consul in London.

The Undersigned has been further instructed to state, that with respect to the due punishment of the individual who was the culprit on this occasion, it cannot be doubted, looking to the strict discipline observed in Her Majesty's navy, that such punishment has already been inflicted: that enquiry, however, shall be made without delay into this particular fact, in order that, should he have succeeded in evading it hitherto, he may do so no longer. That with respect to the boarding of the "*Amalia*" at Bahia, by the Commander of the "*Fair Rosamond*," it is to be observed that the offence arose from a want of knowledge on the part of the said Commander; and the Earl of Aberdeen trusts, therefore, that the Commander's personal apology, coupled with the deep regret which Her Majesty's Government do not hesitate to express at such an event, will be considered by the Brazilian Government as a sufficient satisfaction for this unintentional act of wrong.

And with respect to the conduct of the Commander of Her Majesty's brig "*Wizard*," in boarding and examining the "*Amalia*" at Pernambuco, which forms another cause of complaint on the part of the Imperial Government, that Her Majesty's Government are not at present prepared to give any opinion, no report of this transaction having as yet been received; but that the Government of Brazil may rest assured no precaution shall be wanting on the part of Her Majesty's Government to ensure Brazilian vessels against any abuse of authority by Her Majesty's cruisers; and that whenever it shall be proved such abuse has, from inadvertence or some other cause, unfortunately taken place, becoming reparation will at once be offered to the Government of His Imperial Majesty.

The Undersigned &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Continho,
&c.

&c.

&c.

Second Enclosure in No. 202.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, August 27, 1842.

THE Undersigned, &c., begging to call the attention of Sr. Aureliano, &c., to his Note No. 53, dated June 29, respecting the conduct alleged to have been pursued towards the Brazilian brig "*Amalia*," and her crew and passengers, by officers and men belonging to Her Majesty's cruisers "*Fair Rosamond*" and "*Wizard*," has the honour, by order of the Queen's Government, again to address his Excellency on the same subject, to the following effect:—

First, with respect to the affair in which the "*Fair Rosamond*" was concerned:

That the Lords Commissioners of the Admiralty have directed the Accountant-General of the Navy to pay to the Consul of the Brazils resident in London, the ten half doubloons which remained due to the Brazilian passenger on board the "*Amalia*" out of the sum wrongfully kept from him by a seaman belonging to the "*Fair Rosamond*."

That the seaman in question, Theodore Boirie, having been called upon to account for his taking and retaining the money, replied, that the passenger gave the money to him to take care of while the Brazilian vessel was searched; that he brought it on board the cruiser, and that when the search was ended he was

prevented from restoring the money to the Brazilian passenger by being ordered up to the mast-head.

That this statement not having been deemed satisfactory, Theodore Boirie was put in irons; and orders were given that he should be punished according to the practice of the Navy in such cases, and then discharged from the service with disgrace. But his irons having been temporarily loosened in the night for some necessary purpose, he escaped, by dropping over the ship's side and getting ashore.

And, secondly, with respect to what concerns the "Wizard:"

That orders have been given to institute an enquiry into the conduct of the Commander of that vessel in boarding the "*Amalia*" in Pernambuco, and that so soon as the result of that enquiry shall have reached Her Majesty's Government it shall be duly communicated.

And the Undersigned is also instructed to add the assurance of Her Majesty's Government, that they are desirous to give to the Brazilian Government every satisfaction which the justice of the case shall require.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Continho,
&c. &c. &c.

Third Enclosure in No. 202.

(Translation.)

Sr. Aureliano to Mr. Hamilton.

Palace of Rio de Janeiro, October 25, 1842.

THE Undersigned, &c., acknowledges the receipt of the note dated the 27th of August last, which Mr. Hamilton Hamilton, &c., addressed to him, in which, calling the attention of the Undersigned to his former note, No. 53, relative to the detention of the brig-schooner "*Amalia*," by the English schooner of war "*Fair Rosamond*," he communicates having received an order from his Government to acquaint the Undersigned that an order had been given to deliver to the Brazilian Consul in London the ten half doubloons which belonged ("deiraõ") to a Brazilian passenger on board of the "*Amalia*," and which, says Mr. Hamilton, were wanting to complete the sum fraudulently taken from on board the same vessel by an English seaman belonging to the crew of the "*Fair Rosamond*."

In reply to the note, No. 40, dated the 2nd of December, 1841, the Undersigned had signified to Mr. Hamilton, on the 7th of January last, that the Imperial Government could not consider satisfactory the decision transmitted by Mr. Hamilton, by order of his Government, with respect to the detention of that brig-schooner, and the circumstances attending the same; in view of the existing documents relative to the sum of Rs. 5,256 \$730 in money, belonging to the owner of the "*Amalia*," which was taken from on board the same brig-schooner; and he requested, at the same time, that Mr. Hamilton would lay this answer before his Government, which certainly would not fail to do justice to the claimants. Having thus again appealed to the acknowledged rectitude of Her Britannic Majesty's Government, the Undersigned hoped to have seen this claim shortly attended to, which without doubt appeared to deserve the attention of that Government, as the Undersigned sufficiently demonstrated in his said note of the 7th of January last; and it was therefore with regret that the Undersigned, in reading Mr. Hamilton's note, No. 76, in which he communicated the delivery to the Brazilian Consul in London of the ten half doubloons belonging to a passenger on board the "*Amalia*," did not find one single word relative to the above-mentioned claim.

This omission, which the Undersigned has already observed in the note, No. 53, from Her Britannic Majesty's Legation, being equivalent to a formal refusal on the part of Her said Majesty's Government to acquiesce in the claim for indemnity made by the House of Vianna & Co., obliges the Undersigned to communicate immediately to the said Vianna & Co. the result of the correspondence between the Undersigned and Mr. Hamilton on the subject, in order that they, being cognisant that nothing further can be done in a diplomatic way,

may make use of such means as may appear to them proper in order to justify their rights, and to obtain the indemnity which they claim from those who may be responsible.

The Undersigned, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

(Signed) JOZE AGOSTINHO BARBOZA, JUN.

*Interpreter to the Mixed Brazilian and British Commission,
and Acting Public Translator, duly sworn.*

Fourth Enclosure in No. 202.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, Nov. 17, 1842.

THE Undersigned, &c. has had the honour to receive the note, No. 73, addressed to him on the 25th ultimo, by Sr. Aureliano, &c., in answer to the notes No. 53 and 76 of the Undersigned, which relate to circumstances connected with the detention of the Brazilian schooner, "*Amalia*," on two different occasions, by Her Majesty's ships "*Fair Rosamond*" and "*Wizard*." But his Excellency's note refers more particularly to the sum of Rs. 5,256 \$730, in gold coin, belonging to the owner of the "*Amalia*," which had been abstracted from that vessel at the time of her detention by the "*Fair Rosamond*;" and as the Undersigned has not received any other instructions on this particular than have already been communicated to Sr. Aureliano, it only remains for him to assure his Excellency that the note in question shall be transmitted to his Government without delay.

Referring Sr. Aureliano to his two notes above mentioned, Nos. 53 and 76, respecting the other circumstances which marked the detention of the "*Amalia*" by the "*Wizard*," namely, the visit and search to which she was then subjected, and the opening of a Despatch bearing the seal of the Custom-house of Pernambuco, the Undersigned has the honour to submit to his Excellency, by order of his Government, the following observations:

Adverting, in the first place, to the circumstance above mentioned, it appears, from the statement presented by Lieutenant Somerville, late Commander of the "*Wizard*," that the ship's papers of the "*Amalia*" having been presented to the Boarding Officer, in a sealed packet, he had no means of ascertaining what those papers were but by opening the packet said to contain them; and that he accordingly did open it for that purpose, and, after examination, sealed it up again, and wrote upon it a memorandum stating the facts.

In explanation, however, of the view which Her Majesty's Government take of this circumstance, the Undersigned would refer Sr. Aureliano to the observations which, in obedience to their instructions to that effect, he had the honour to make to his Excellency on the 15th August, in his note No. 71, in answer to a complaint of a similar nature, on the part of the Brazilian Government, in the case of the "*Bom Fim*;" to which communication no reply has yet been made by his Excellency. The cases are identical; and the arguments applicable to the one are equally applicable to the other.

With regard to the other heads of complaint brought against the "*Wizard*," Her Majesty's Government were led to suppose, from the statement of Sr. Aureliano, that the search of the "*Amalia*" had taken place in the port of Pernambuco; and Her Majesty's Government freely admit that this would have been a proceeding of which the Brazilian Government could, with justice, have complained, and for which redress would promptly and willingly have been given. But they are glad to find that the occurrence referred to took place four leagues from Pernambuco. They are glad to find, also, that no want of courtesy was shown, or complained of, during the search; and that the only object of remonstrance at the time was that the hatches were opened; but this is a proceeding, the right of which cannot be contested, and which becomes necessary when there exists any doubt as to the character of the vessel or cargo: and it was well known that the "*Amalia*" was constantly employed in the Slave Trade.

But for the more perfect comprehension of the real facts of this case, the Undersigned encloses to Sr. Aureliano a copy of Lieutenant Somerville's letter to the Board of Admiralty on the subject, and he takes advantage, &c.

(Signed) HAMILTON HAMILTON.

Sr. Aureliano,
&c. &c.

No. 203.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, November 26, 1842.

(Received January 17, 1843.)

MY LORD,

IN my Despatch, No. 85, which announced the rejection by the Brazilian Government of the Project I had presented for a new Commercial Treaty between Great Britain and Brazil, I expressed my apprehension that the draft of the Article supplementary to the Convention of November 23, 1826, for the Suppression of the Slave Trade, would not meet with a better fate than the former had done. The fact, I am sorry to say, has verified the conjecture. The draft has been returned to me in the note which I have the honour to enclose.

After a review of all which had passed between Her Majesty's Legation and the Brazilian Government on this important matter, after the Emperor's majority was declared, Sr. Aureliano, replying to my note of the 11th April last, makes the following observations:—

That the Project presented by Sr. Lopez Gama, is essentially altered in the one which I had been instructed to offer, and is as objectionable as the additional Articles signed by Messrs. Fox and Alvez Branco; and that these alterations are not borne out or justified by what is stated in the preamble of the said Project, to be the object of the contracting parties, viz., the effective and complete abolition of the traffic in slaves.

That on divers occasions payment has not been made to the parties interested, of the indemnification due for losses incurred through the unjust detention of vessels which, captured by British cruisers on suspicion of fraudulent transactions in slave traffic, had been liberated by award of the Mixed Commission Court in Rio de Janeiro; and that certain opinions had recently been broached by Her Majesty's Commissary-Judge, Mr. Samo, tending to vindicate these repeated acts of injustice; against which opinions and acts his Excellency protests, as he also protests against the non-fulfilment of certain other sentences pronounced by the Mixed Commission Court of Sierra Leone.

That, taking these circumstances into consideration, and however desirous the Government of His Imperial Majesty may feel to bring about the abolition, it is not possible for them, consistently with their duties to Brazilian subjects, to adopt the Project.

And, finally, that seeing what rapid progress the abolition has recently made; that so few individuals are now disposed to risk their capital in the trade; that the efforts made by the Queen's Government to impede it on the coast of Africa, have proved so successful, His Imperial Majesty's Government do not consider any other provisions necessary to a total extinction of the traffic, than such as are already in full operation.

Your Lordship will not fail to perceive that Sr. Aureliano's note is open to a great deal of comment. On this task I was preparing to enter when Mr. Ellis arrived; but, under the circumstances of his mission, it has been considered not advisable to forward any reply at present.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 203.

(Translation.)

Senhor Aureliano to Mr. Hamilton.

IMMEDIATELY after the declaration of the Emperor's majority, Mr. Ouseley, then Her Britannic Majesty's Chargé d'Affaires in this capital, urged the Undersigned, &c., to expedite the Ratification of the additional Article to the Convention of the 23rd of November, 1826, on the Slave Trade, signed on the 27th of July, 1835, by Messrs. Alves Branco and Fox; which Articles had been forwarded by the Imperial Government, during the Regency, to the Chamber of Deputies, because, in conformity to the law which regulates the attributes of the Regency, it could not ratify the said Articles without the approbation of the Legislative Body. The Undersigned, immediately after the majority, required the said Articles from the Chambers, and submitted them to the first Ministry of the Emperor, of which he (the Undersigned) was a member, for their information and consideration; and they decided that these Articles could not be ratified as they then stood, because, under the pretext of putting a stop to the illicit traffic in slaves, they tended, or might tend, to disturb and annihilate the lawful commerce of the empire, seeing that different cases were laid down in the same, any one of which, by itself alone, was considered *primâ facie*, as a proof that the vessel suspected of being about to be engaged in the traffic, ought to be condemned by the Mixed Commission, *except* (said these Articles) *the master or owner of the vessel can give a satisfactory proof* that she was not destined for that traffic; a proof which, nevertheless, is not defined, and, perhaps, would never be taken as such by the Mixed Commission, in the same manner as up to the present time has been found no *satisfactory substitute* to supply the place of the British Conservator, treated of in the 6th Article of the Treaty of Commerce of 1827. Other dispositions of the said Articles, which it would take a great deal of time to analyse at present, were the cause of the Imperial Cabinet resolving not to ratify them as they then stood, and of its proposing to Mr. Ouseley to modify them in such a manner as to prevent the traffic in slaves, but, at the same time, to avoid all which might impede or oppress the lawful commerce of the subjects of the empire. Mr. Ouseley declared to the Undersigned that he did not hesitate to consent to a modification in the above-mentioned sense; and as the Undersigned had delayed the proposed modification, contrary to Mr. Ouseley's wish, the said Mr. Ouseley suggested the idea of naming, on the part of the Imperial Government, a Plenipotentiary with whom he might come definitely to an agreement.

This proposal was agreed to, and the senator, Senor Lopes Gama was nominated Plenipotentiary *ad hoc*, and to negotiate *ad referendum*, and instructions were given to him to that effect. On his meeting Mr. Ouseley, in conference, the latter declined presenting and exchanging his full powers, to enable them to proceed, in due and valid form, to some arrangement, declaring at last that he had no such powers. Of this the Brazilian Plenipotentiary informed the Imperial Government, consulting it, and delivering to it a Project which he had framed to serve as a basis for the discussion. On the same occasion Mr. Ouseley, on the eve of his departure for London, addressed to the Undersigned a note, in which he complained bitterly of having been deceived by the Imperial Government; inasmuch as the Brazilian Plenipotentiary did not choose to treat with him. The Undersigned then sent to him the answer contained in the note of the 26th of August 1841, to which Mr. Hamilton Hamilton &c. refers in his of the 11th of April of the present year, No. 35, to which the Undersigned now proceeds to reply; not having been able to do so earlier, both on account of an illness under which he was at that time suffering, and because of the political events which have since taken place in the empire, and which, with other objects, have absorbed all the cares and attention of His Imperial Majesty's Cabinet, which, in an affair of so much importance, thought it essential to review and examine, with great caution, the Project of a Convention respecting the traffic, which Mr. Hamilton, by order of the Government of Her Majesty the Queen of Great Britain, had submitted to the consideration of His Majesty the Emperor.

And in the first place, it is the duty of the Undersigned to thank Mr. Hamilton in the most positive manner for the declaration made in his said note, that "in compliance with the wishes of the Undersigned" (that is to say with the arguments with which he had the honour of replying to Mr. Ouseley's representations), "Her Majesty's Government would refrain from urging further on the

Brazilian Government the adoption of the draft of Treaty drawn up in 1839 on the Memorandum sent in by Sr. Candido Baptista de Oliveira." Such was the confidence the Undersigned had, and has, in the rectitude which governs the British Cabinet, and particularly as regards the salutary principles of the law of nations, that he never could persuade himself that the resolution of the Government of Her Majesty the Queen would be different.

With regard, however, to the new Project offered by Mr. Hamilton, it is the duty of the Undersigned, first of all, to observe that the one which was presented by Sr. Lopes Gama, to serve as a basis for the discussion between him and Mr. Ouseley, and which the Undersigned sent to that gentleman in order to prove the good faith of the Imperial Government, and of its Plenipotentiary, is essentially altered, and objectionable on the same grounds (*labora no mesmo vicio*) as obliged the Imperial Government to decline ratifying the additional Articles signed by Messrs. Alves Branco and Fox; that is to say, it threatens to oppress and annihilate the lawful commerce of the empire; does not in any manner modify those Articles in the sense of hindering the traffic, but of giving at the same time protection and assistance to the subjects of the empire who may be trading in a lawful way; nor are its dispositions in any manner justified by the reason which Mr. Hamilton gives in his said note, namely, that *the only alterations made in the Project (of Sr. Lopes Gama) are such as are considered necessary in order to ensure the fulfilment of what in the preamble of the said Project is stated to be the object of the contracting parties, viz. the effective and complete Abolition of the Traffic in Slaves.*

In truth, when the dispositions of the new Project are compared with those of the additional Articles, and with those of Sr. Lopes Gama's Project; when it is considered that the Mixed Brazilian and English Commission at Rio de Janeiro has released, as bad prizes not a few vessels taken by British cruisers, on suspicion of being about to engage in the traffic; when it is considered that none of the proprietors of these vessels have as yet received indemnification for the losses caused by the unjust detention; when, lastly, it is seen that the present English Commissary-Judge, Mr. Samo, has just broached in the Commission an opinion, according to which the owners or masters of these vessels adjudged bad prizes cannot find justice in the Commission, in order to their obtaining the indemnities to which they are entitled by Treaty, and even by the sentence of liberation pronounced by the Commission an opinion against which the Undersigned, in his note of the 6th of October of the present year has just appealed and protested; (as he also avails himself of this opportunity of again appealing and protesting against the non-fulfilment of a great many of the sentences of the Mixed Commissions at Rio de Janeiro and Sierra Leone, as well recent, as of an anterior date, by which non-fulfilment many Brazilians have suffered most heavy losses, although possessing an incontestable right, founded on the solemn adjudication of the competent tribunal, to be suitably indemnified for the losses which they have illegally unstained;) when all this is taken into consideration, it is not possible that the Government of His Majesty, the Emperor, desirous as it is to concur in bringing about the abolition of a commerce at once inhuman and prejudicial to the future state of Brazil, but being at the same time obliged by the most sacred of its duties to protect the lawful commerce and the rights and liberty of its subjects, it is not possible, says the Undersigned, that this new Project can be adopted.

And seeing that the cause of the abolition of the traffic has of late made such rapid progress; that they are now so few who have courage to risk their capital, by sending it to Africa to be employed in the traffic in blacks; that the measures taken by the Government of Her Majesty the Queen of Great Britain to impede it on the coast of Africa are such that the Imperial Government not only considers that other dispositions besides those which already exist are now unnecessary, in order to its (the traffic's) total extinction, but also regards it as prudent now not to adopt any others; trusting that, through perseverance, prudence, and the exact observance by both parties of the stipulations in force, the political and philanthropic object which the two friendly states have in view, will be completely accomplished.

The Undersigned, in consequence thereof, and by order of His Majesty the Emperor, has the honour to return to Mr. Hamilton the Project of the Convention which was entrusted to him, as it does not appear necessary, nor is it convenient for the Imperial Government to give effect to it in the manner which is usual in

such negotiations, in order that an arrangement obligatory on the two contracting parties might result therefrom; and he takes this opportunity &c.

(Signed)

AURELIANO DE SOUZA E OLIVIERA COUTINHO.

(A true Translation.) (Signed) JOZE AGOSTINHO BARBOZA, JUN.
*Interpreter to the Mixed Brazilian and British Commission,
 and Extra Public Translator, duly sworn.*

*Hamilton Hamilton, Esq.,
 &c. &c.*

No. 204.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, January 27, 1843.

I TRANSMIT herewith to you, for your information, the copy of a letter which has recently been addressed, under my directions, by one of the Under Secretaries of State for this Department, to the Secretary of Her Majesty's Treasury, upon the subject of the damages awarded by the Mixed Court at Rio in the case of the seizure of the Brazilian vessel "*Castro*," by Her Majesty's ship "*Grecian*," in the year 1841.

I am, &c.

*Hamilton Hamilton, Esq.
 &c. &c.*

(Signed) ABERDEEN.

Enclosure in No. 204.

Viscount Canning to the Secretary to the Treasury.

SIR,

Foreign Office, January 26, 1843.

I HAVE received and laid before the Earl of Aberdeen your letter of the 17th instant, referring to a demand which has been made upon Her Majesty's Treasury by Mr. Durham, for payment of the damages awarded in the case of the seizure of the Brazilian vessel "*Castro*," by Her Majesty's ship "*Grecian*," and requesting to know the opinion of Lord Aberdeen as to the terms in which it may be expedient to reply to this application.

I am directed by his Lordship to request that you will acquaint the Lords of Her Majesty's Treasury, in reply, that this case having been referred to Her Majesty's Advocate-General, that officer has reported it to be his opinion that Her Majesty's Government has no alternative but to pay the amount awarded by the Commissioners; their decision upon the point being, by the terms of the Treaty, without appeal.

I am, &c.

The Secretary to Her Majesty's Treasury.

(Signed) CANNING.

No. 205.

Mr. Hamilton to the Earl of Aberdeen.

(Extract.)

Rio de Janeiro, December 22, 1842.

(Received February 11, 1843.)

I REGRET it should be my duty to draw your Lordship's attention to another manifest and most unscrupulous violation, on the part of certain Brazilian authorities, of the letter and spirit of the Conventions between the two Crowns, for the Suppression of Slave Traffic.

The occurrence to which I allude is briefly as follows:—

The boats of Her Majesty's brig "*Partridge*," Lieut. Nott, drove on shore at Macahé, on the 26th November, after a long chase from without gunshot, the Portuguese brig "*Leopoldina*," having a cargo of Africans. An officer commanding in the boats, when nearing the brig, not with the intention of boarding

her, but merely to reconnoitre her as she lay under the battery, was hailed therefrom by a Brazilian officer, who threatened to fire on the boat and sink her unless her officer landed immediately; and soldiers were observed preparing to carry the threat into execution. The officer of the boat, when about to go on shore, was summoned to take off his sword, but this he refused to do. Being conducted to the authorities of the place, he represented to them what had passed, calling for satisfaction for the insults offered to the boats; protesting against the landing of the negroes, which was then going forward, and requiring the co-operation of the authorities for the seizure of the brig and her cargo. This requisition was attended to only with respect to the taking charge of the vessel when all the negroes and the crew also had been landed; the *Juiz de Paz* affirming that to prevent this landing was not in his power. The boats then returned to the "Partridge."

In the course of the afternoon, Lieut. Nott also landed and communicated with the authorities; but his endeavours to obtain redress and the delivery of the vessel, were as unavailing as those of his officers. Falling in subsequently, however, with the Brazilian brig of war "*Tres de Maio*," Lieut. Nott made all these circumstances known to her commanding officer, and the "*Leopoldina*" has since been brought by that brig into Rio de Janeiro harbour.

For more minute details of this affair, I must refer your Lordship to the accompanying documents; but sufficient has been mentioned here to exhibit the most glaring participation on the part of the Brazilian authorities, both civil and military, at Macahé, in these mal-practices, and the very slender chance which exists that the most assiduous exertions of Her Majesty's Legation in Brazil, or of Her Majesty's squadron on the Coast, will ever be able successfully to carry out the stipulations of the compacts entered into by the two countries for the suppression of the detestable commerce in question.

With regard to the supineness with which such notorious derelictions of duty are witnessed by the Supreme Government, or rather to their own direct participation therein, if any doubt could before have been entertained, it must be wholly removed now, after perusal of Sr. Aureliano's note, Enclosure No. 2.

Several of my late communications must have satisfied you, my Lord, of the little value to be set on any disclaimers of this Government on affairs connected with this inhuman contraband. This last-mentioned note of the Ministry affords another most irrefragable evidence to this point. It is there stated that the "*Leopoldina*" entered the roadstead of Macahé because she had sprung a-leak and needed repairs, and that she had no indications of being employed in the Traffic of Slaves; and yet, many hundred negroes were seen by the officers and crews of the "Partridge's" boats thrown over the gunwale of the "*Leopoldina*" into boats alongside, manacled together in pairs; and of these some even were seen by the Brazilian authorities themselves, as they were being landed from those boats, under the very windows of the room where the said authorities were then assembled; while the "*Leopoldina*" has still on board her leaguers and other unquestionable indications of the iniquitous service to which she was dedicated, and is perfectly sound and water-tight. However successful the Brazilian Government might be in showing themselves innocent of the great offence of conveying these negroes from Africa, they have, at least, clearly proclaimed themselves, by the acts above recited, accessories after the fact.

The answer returned by me to Sr. Aureliano was very brief. Experience had shown the complete inutility of discussion on matters of this kind; but more than this, I have been sincerely desirous to avoid every protracted correspondence, of which the effect might be to augment the irritation felt and expressed by this Government towards Great Britain, and with that the difficulties likely to beset Mr Ellis's negotiations. My note, then, was confined to the transmission of the Report made by Lieut. Nott to Commodore Purvis; to a very slight comment on the discrepancy observable between the two statements; and to an assurance that I could not reply to the observations and demands advanced in his Excellency's note, until I should receive specific Instructions from my Government on the subject.

It will probably not be in my power to communicate by the present opportunity what definitive measures may be taken by the Government with respect to the "*Leopoldina*," whether as a vessel detained for unlawful practices, or as one to which no such suspicions can attach; but it will be seen by Enclosure No. 6, that I have called on the Government to carry her before the competent tribunal, where alone all concerning her can be properly investigated.

Although after the "*Leopoldina*" ran on shore she hoisted Portuguese colours, and is called a Portuguese vessel by the Minister of Foreign Affairs, there is good reason to consider her the property of a Society in this capital, of which the noted José Bernardino de Sà is the chief. She was fitted out at Pernambuco, whence she sailed for Benguela; there she was sold; and returning to Brazil, brought away as many as 860 negroes, of whom several were drowned, as is shown in Lieut. Nott's Report, in the act of being landed at Macahé.

There is likewise transmitted herewith, for your Lordship's information, a statement made to Commodore Purvis by Commander Foote of Her Majesty's brig "*Curlew*," concerning the Portuguese slaver "*Tejo*," which, after landing recently her cargo of slaves in the vicinity of Santos, had taken shelter in the Bertioga River; together with a letter from the British Vice-Consul at Santos, relating to the same event. On the occurrences, however, there alluded to, I have not as yet received an official communication from the Government. But Commodore Purvis has reiterated his instructions to Her Majesty's cruisers on the Brazilian coast, to desist for the present from detaining or visiting any slavers or vessels suspected of being such, within gunshot of the batteries.

P.S.—Since the above was written I have received from the Minister of Foreign Affairs the enclosed communication (marked No. 9,) respecting the affair at Santos. My reply will be limited to the simple transmission to his Excellency of the counter Reports of Commander Foote and Mr Vice-Consul Whitaker.

First Enclosure in No. 205.

Lieutenant Nott to Commodore Purvis.

SIR,

*Her Majesty's brig "Partridge."
Rio de Janeiro, November 30, 1842.*

I HAVE the honour to report for your information the circumstance of a gross insult offered to the flag of our Most Gracious Sovereign on the morning of the 26th November, 1842, by the Commandant of the Fort and Mayor of the town of Macahé; and you will, no doubt, Sir, deem it proper, from the accompanying statements, to put before Her Majesty's Minister their extraordinary conduct and supineness in permitting to be landed in open day a cargo of slaves from a vessel driven in by the brig and her boats under my command.

On the 25th November, whilst standing in for the shoals of S. Thomé, I observed a rakish brig on my weather-bow back her main-topsail for some time. I immediately made all sail in chase, when the stranger filled, and stood in for the shore. About two hours afterwards, I observed a tent on the beach, and apparently the remains of a wreck close around it; a man was on the top of the tent, waving a red flag, evidently as a signal to us. Although in chase of a very suspicious sail, and one of my officers having remarked to me that this was most likely a *ruse* of some persons connected with the Slave Trade to favour the escape of the chase, I, fancying it to have been made by shipwrecked seamen in distress, and seeing, from the position of the chase, she could not pass me to seaward, considered it my duty to examine into the cause, which I did by sending a boat on shore, although there was a very heavy surf on. On her return, the officers acquainted me they could get no satisfactory answers from the persons found in the tent, but, from their being armed, and stating that the vessel ahead had been standing off and on on the previous day, my suspicions were strengthened that she was a full slaver preparing to land. I resumed the chase, having lost about six miles. By this time the wind falling light, I, at half-past eight p.m., hoisted the cutter and gig out, armed them, and sent them away under the command of Mr. G. E. Murray, Midshipman, and Mr. G. F. Turner, Clerk in Charge, who volunteered his services to intercept her in shore; whilst I intended myself to stand on in the brig, and prevent her escaping to seaward, should she attempt it with the land wind. For the proceedings of the boats I refer you to the statements Nos. 1 and 2.

About 12 o'clock the 26th inst., I anchored off St. Anne's Islands, observing the boats coming out of Macahé. When they came on board, I received the Officers' statement verbally, desiring them to commit the same to paper.

I immediately weighed in the brig, and stood in as close as possible to the town with safety, when I came to with springs on my cable. I then went on shore, accompanied by Mr. Turner, with the ensign and pendant, totally unarmed, for the purpose of expostulating with the authorities upon their conduct in allowing so decided a breach of the Treaty, they being spectators of the most inhuman act of throwing the slaves into the boats, and causing loss of life to the unfortunate Africans.

I proceeded to the Fort, when I met at the entrance to it the Commandant, in full uniform, followed by a guard. He said it was entirely impossible I could enter it. When I asked for the Juge de Paix he offered me a guide to his house, but appeared exceedingly alarmed on my still advancing towards the Fort, when he placed himself directly in my path, bowing to the ground, calling himself a "Pauvre diable," and repeated several times he was the victim of others, and altogether evinced the greatest distress. I followed his guide along the beach towards the house of the Juge de Paix, attended by numerous rabble. On arriving abreast of where the brig lay aground, she hoisted a *Portuguese ensign* (the first time she had shown any colours) and a gun was fired from the shore in my rear at the same time, not from the Fort, but from one of the guns landed from the slaver.

I found the house of the Juge de Paix crowded: from 20 to 30 persons were present; amongst whom was the Portuguese Consul, evidently prepared for my visit. I demanded at once satisfaction for the insult offered to my boats, and what the authorities had to state in explanation of their conduct in allowing a *Portuguese* slaver to land her slaves under their protection? His answer was, he had no power to prevent it; and he had nothing to do with the Fort. I then asked why he did not accept the proffered services of my boats? and told him he must account to his Government for every slave landed from her; that he ought to take charge, for his Government, of the vessel and gear; which he at first appeared willing to do; but as I observed him frequently called aside, and whispered to by the persons about him, and their behaviour generally being most insulting towards us, a numerous rabble collecting outside, and seeing clearly they were trifling with me, I at once demanded an acknowledgment in writing of my boats having driven the brig on shore, and also a certificate that I had protested against the landing of the slaves, which himself, as well as the Commandant of the Fort, had witnessed. On my retiring, he told me I had better have a pass, as the people were much excited. My reply was, I considered him responsible for the acts of the people; which might probably draw the fire of Her Majesty's brig on the town, if any act of violence was committed towards British seamen.

On going off to the "Partridge," I went alongside the slaver to ascertain her name. She was at this period in the hands of the Brazilian authorities, in consequence of my remonstrances, stating that if they did not I should report them at Rio Janeiro the next morning. I considered it my duty to avoid, if possible, the use of force, the result of which must have been an immense loss of life; and I resolved to report the circumstance to you, to be laid before the Imperial Government, and accordingly weighed the same evening, and gained the anchorage under St. Anne's Islands, from whence I weighed the next morning in chase of a suspicious sail, which proved to be the Imperial brig of war "3rd of May." Considering it right to communicate with any of the Commanders of the Brazilian cruisers I might meet, I addressed Captain Broom on the subject. A copy of my letter is enclosed, No. 3; and on his acquainting me he intended to act on my communication, I returned, in company with the "*Tres de Maio*," to the anchorage off Macahé.

Captain Broom having acquainted me he had possession of the slaver, I visited her the next morning, and found her afloat again off the Battery, where she evidently had been removed for the purpose of sinking her in deep water, as a hole was newly cut in the lining below the water line, (the leaguers having been removed for it,) with the intention of scuttling her. She is a very fine brig, called the "*Leopoldina*," upwards of 300 tons, with eight broadside ports; her length is 104 feet. She was entirely dismantled and cleared out, except her leaguers. Her spars, guns, and in fact everything was landed, except one

gun, a nine-pounder, loaded nearly to the muzzle, and primed with *fresh powder*. She was well armed, having landed 40 stand of arms, and reported to have been manned by a crew of 40 men.

The facts, Sir, contained in the statements of my Officers, Nos. 1 and 2, are so indisputable, that they require no comment from me.

The forbearance and steady discipline of all parties in the boats deserves the highest praise; but their mortification is extreme in being deprived of that inward satisfaction a Briton always indulges in when rescuing from the bonds of slavery a fellow-creature, and which was attributable to the aid received from the shore under the eye of the authorities of a Government bound by the most solemn Treaty for the abolition of it.

I have, &c.

(Signed)

JOHN THOMAS NOTT,
Lieutenant Commanding.

Commodore Purvis,
&c. &c.

First Sub-Enclosure in Enclosure in No. 205.

Mr. Turner to Lieutenant Nott.

*Her Majesty's brig "Partridge,"
St. Anne's Bay, November 26, 1842.*

SIR,

IN obedience to your orders, I have the honour to state the particulars of the insult offered to Her Majesty's flag this morning by the Commandant of the Fort at Machaé, and the violation by the authorities of that place of the Treaties existing between Great Britain and Brazils for the Suppression of the Slave Trade.

At daylight this morning I discovered, close under the land, the brig we were in chase of last evening, about 12 or 14 miles from us. We were then some distance from the cutter, who was in chase of a barque standing towards Cape Busios. Observing the brig apparently making for Macahé, I made the best of my way in chase of her, pulling and sailing. About half-past six I observed several large boats towing the chase; at eight, closing her fast, and drawing in with the shore, I hoisted my pendant and ensign, and prepared the arms for boarding her. I now perceived her to be sweeping as well as towing, and making every exertion to gain the anchorage, which she succeeded in doing (in consequence of a breeze springing up from the N.E.) at ten minutes to nine o'clock, and immediately ran on shore under all sail, the gig being then within pistol-shot of her.

On observing her take the ground under the protection of the Battery, I gave up all idea of boarding her by force, (*in consequence of your orders not to infringe or violate Brazilian territory,*) and stowing the arms away out of sight, I laid in the oars, and was sailing leisurely into the harbour, with the intention of going round the brig to endeavour to ascertain her true character, (*she having shown no colours,*) when I was hailed by an Officer from the Fort, asking what boat that was? I pointed to my colours, and answered she belonged to the British man of war brig in the bay. He then ordered me to come under the Battery, or he would fire into my boat, (and soldiers stood by each gun, waving lighted matches.) Observing, that by doing so, the guns would be unable to bear on the boat, I pulled close under it, when six or eight soldiers mounted the parapet, armed with muskets, and I was ordered to land immediately under where they were drawn up.

My attention was drawn by a loud and triumphant cheer from the brig, the boats that had been towing her, and a number of persons on the beach, when I observed two large lug-sail boats alongside her, into which she was throwing her slaves, shackled two together, over her gunwales, some head foremost, in the most brutal manner possible.

The brig was then ashore, stern on to the Battery and my boat; her stern ports were triced up, and two guns, nine or twelve pounders, pointed through them. The Officer at the Fort still continued loudly hailing me, threatening to sink the boat if I did not land directly; whilst a number of other persons were abusing us in the most gross manner. The slaver all this time was rapidly landing her slaves.

At a quarter-past nine the brig let fly her top-gallant, and royal sheets and haliards. I observing the cutter pulling in, deferred landing until she joined

me, not knowing the motives for being ordered to do so ; and being unwilling to place my boat and crew in the power of men who, although nominally Government authorities, I considered but little better than pirates, and who had just allowed a most fragrant breach of the existing Treaty in permitting a vessel without any *colours* to enter the port, and openly discharge her cargo of slaves within pistol-shot of the Fort, where the Brazilian colours were flying, and directly under the windows of the chief authority ; whilst a British boat, with her ensign and pendant flying, and the Officer in uniform, was detained and insulted ; and also bearing in mind the capture of Lieutenant Campbell and the "Rose's" pinnace at Campos.

On the cutter coming up, I stepped into her, to communicate with Mr. Murray, when the Commandant of the Fort again hailed that if the Officer did not land instantly in the small boat he would sink them both. I returned to the gig, and pulled into the beach, by the side of the Fort, the cutter remaining off to protect the gig, if necessary. I was received at the beach by the Commandant of the Fort, the Mayor, a guard of soldiers, and several persons. On stepping out of the boat, I was directed to take my sword off, and leave it in her ; which I refused to do, stating that I did not wear it as an arm, but as part of my uniform as a British officer, and I would part with it for no one. After some demur, I was permitted to land with it. I ordered the gig to lay off on her oars ; and should I not return in an hour, to request Mr. Murray to go on board and report to you what had taken place. The Mayor requested me to accompany him to his house, which I did, after stating that unless the soldiers were removed I should not quit the beach. My request was complied with : they were ordered to return to the Fort. I directed James Knight, A.B., to attend me as a witness.

On arriving at the Mayor's house, he sent for the Municipal Judge (who spoke English) and who informed me that the Mayor considered I was in fault in entering the harbour, which I had no business to do. I replied, that Great Britain was an ally of Brazil, and the boats of either nation, with their colours flying, were consequently entitled to enter each other's ports, in a friendly manner, at all times ; but that I considered the right unquestionable in the present instance, as it was my duty to report to the proper authorities what I had witnessed in respect to the slaver, and whose duty it was to co-operate with me in the Suppression of the Slave Trade. He asked to what vessel I alluded, as he knew of none having arrived ? I took him to his window, and close under it lay the brig a-ground, in the act of landing : one boat reaching the shore at this moment, and the slaves were thrown out of it on the beach like pieces of firewood, 30 yards (as I have since measured the distance) from where we were standing. He merely said he could not help it, and turned away in evident confusion.

Being incensed at so gross a falsehood, I demanded, in direct terms, satisfaction for the insult offered Her Majesty's flag, acquainting him that a British man of war neither allows herself or her boats to be fired into with impunity, and that had he done so, I should have immediately stormed the Fort in the boats, as my force was quite equal to it ; that it was not the fear of the Fort, but respect for the flag, that prevented me from entering the harbour in defiance of his guns ; that I wished to protect them against the unjustifiable conduct of the authorities in protecting the landing of the slaves, in direct violation of their own duty and of all Treaties existing between the two countries. He told me he should not allow me to protest there. I replied, it was immaterial, as I should do so at Rio Janeiro ; and, as he had stated it was not in his power to prevent the landing the slaves, I offered the services of the boats to do so, and demanded his permission to board and take charge of the brig as my prize, as I had chased her on shore within pistol-shot of my boat, and under the protection of their flag, *which protection* she could not have gained, but for *the assistance of the boats of the town*, as, without it, I should have been enabled to board her before eight o'clock, *out of gunshot of the Fort* ; and pointing out to him that had it not been from respect to the Imperial flag, and my confidence that the Brazilian authorities would prevent the landing, and co-operate with me in bringing the offenders to justice, I should have boarded, and taken possession by force of the vessel, although on shore on Brazilian territory ; as

I could not imagine the Imperial Government would lend the protection of their flag and forts to cover an act of PIRACY.

The Mayor refused either to allow me to board or even to pull round her, when I told him that I considered that both he and the Commandant of the Fort were most culpable from the share they had taken in the transaction, and that their conduct would sanction my taking the brig out; but as I observed the "Partridge" about six miles off, standing into the anchorage, I should defer acting further until communicating with you.

I demanded the name of the slaver, where she was from, and other particulars; when I was refused all information on the subject, and the Mayor hinted that I had better be silent about her, as the people were much exasperated against us, and I should most likely be insulted by them. I told him I should hold him responsible to his Government if I were molested, and I demanded his company to the beach, to ensure my quietly reaching my boat. On my way to the boat, the Mayor informed me he had sent a party of soldiers to take charge of the slaver, *her slaves having been all landed, and her crew having left her.*

On my rejoining the cutter, and communicating with Mr. Murray, we both stood out for the "Partridge." I beg leave, Sir, to report to you, that during the whole time the steady cool behaviour of the gig's crew far exceeded my expectations, as they were naturally much excited at finding the prize snatched from them at the moment of capture, and at the insult of the cheering when they perceived that the Fort had detained us; and, coupled with the inhuman way in which they were throwing the slaves into the boats, I was only surprised that it was possible to restrain men with arms within reach, from revenging themselves. In fact, Sir, *nothing but your orders to respect the Brazilian flag prevented me from following the dictates of my feelings, in performing what I considered a duty to humanity, in boarding at once in the gig, without waiting for the cutter, to put a stop to the cruel mutilation of our fellow-creatures; for many limbs must have been broken and lives lost by drowning, from the way in which they were loading the boats.*

Trusting, Sir, that my proceedings in this affair will meet with your approbation,

I have, &c.

(Signed) CHARLES FOX TURNER,
Clerk in Charge, and Officer in command of the Gig.

Lieutenant Nott,
&c. &c.

Second Sub-Enclosure in First Enclosure in No. 205.

Mr. Murray to Lieutenant Nott.

*Her Majesty's Brig "Partridge,"
Off Macahé, November 26, 1842.*

SIR,

IN obedience to your orders I have the honour to acquaint you, that after leaving Her Majesty's brig on the night of the 25th, at 8h. 45m. P.M., I pulled along the shore with the boats under my command, in the direction of the chase, until 2h. 30m. A.M., when we ceased pulling. Feeling certain that we had not passed her, and the moon being very bright, I made sail to a light land wind which then sprang up, and steered S. W. for the passage between the island of St. Ann's and the main. Shortly after daylight we observed a sail close outside the islands, and, there being no wind, pulled after her. About 6h. we saw another sail close in shore, which we made out to be a brig, and from the rake of her masts, had no doubt of her being our chase. We were then close to the other vessel, which proved to be an American whaler; and, on getting a glass on board her, I perceived five or six large boats come out of Macahé, then distant 6 or 7 miles, and take the brig in tow, she likewise sweeping. I immediately made all possible despatch to cut her off from Macahé, towards which she was steering. On nearing her I perceived the gig, which we had out-pulled, coming up fast astern of the brig. As we rounded the point off the town of Macahé, on part of which is a small battery, I saw the brig let fly her royal and top-gallant sheets and haliards, having run herself on shore, and the gig about a pistol-shot from her, laying too under the Fort, where they had their matches lighted, and were threatening to fire into her if she proceeded further, and also ordering the Officer to land. On pulling in to her assistance, they also threatened to fire into the cutter, although we had shown no disposition to interfere with the slaver after she grounded.

On communicating with Mr. Turner, seeing that they were rapidly landing the slaves (every assistance being given), I determined he should land and remonstrate with the Juge de Paix, on the act of piracy he and the other authorities were committing; to urge on them their violation of every Treaty between Great Britain and the Brazils; likewise to demand an apology for the insult offered our flag in threatening to fire into our boats, and at the same time to offer our assistance and co-operation in preventing the landing, and taking possession of the vessel. We then concealed what arms were visible, and he pulled into the beach with the gig. After much delay, and being ordered to take off his sword, which he refused to do, he, with one man, was allowed to land; I then pulled in in the cutter, and lay on my oars, about 50 yards from the slaver, but did not interfere with the landing in any way, although very trying to the steadiness of the boat's crew, from the shout of derision and repeated insults to which we were exposed. The slaves were landed in such haste, from our close chase and expected interference, that they were mostly thrown headlong in pairs into the boats, without the slave irons being taken off, and from this cause I have no doubt many were drowned, whose bodies we afterwards saw floating about. I am enabled to state from personal observation, that the number landed exceeded 500, and some were landed before I came up. After they were nearly all landed, Mr. Turner returned, the Brazilian authorities having refused to allow us to assist them, or to give me up the vessel; I then pulled out towards Her Majesty's brig "Partridge," standing into the bay. It would, Sir, have perhaps been easy for me, under the confusion and disorder, after she grounded, to have carried her by boarding, with small loss, and prevented the landing of more than a small portion of the slaves; but having yourself, Sir, in addition to our usual orders, shown me those of Commodore Purvis, to the effect of boarding *no vessel* within gunshot of a Brazilian territory, I did not think I should be borne out in so doing, as the Fort, although very inefficient, had the Brazilian flag flying.

I have, &c.

(Signed) A. G. E. MURRAY,

Midshipman.

Lieutenant Nott,
&c. &c.

Third Sub-Enclosure in First Enclosure in No. 205.

*Commander Nott to Captain Broom, commanding the Brazilian Brig of War
"Tres de Maio."*

Her Majesty's brig "Partridge,"

St. Ann's Bay, November 27, 1842.

SIR,

I CONSIDER it my duty to address you on the subject of an insult offered to the flag of Her Britannic Majesty, and an open violation of the Treaties existing between the Government of His Imperial Majesty and that of the Queen of Great Britain, by the Government authorities at the port of Macahé; as also to charge them with being guilty of an act of piracy, under the provisions of the Treaty above referred to.

On the 25th instant, whilst standing in for the shoals of S. Thomé, I observed a brig back her main-topsail for some time; I immediately made sail, in chase, at 1h. 20m. P.M., when the stranger filled and stood on. At 2h. 10m. I observed a tent erected on the beach, with a red flag on a staff, at one end of it, apparently hoisted as a signal; whilst close to it were strewed about the remains of a wreck, namely, large spars, casks, and other articles.

Although in chase of a very suspicious sail, I could not resist the dictates of humanity (conceiving this signal to have been made by shipwrecked seamen in distress). I therefore instantly hove to, lowered a boat, and sent on shore to examine the cause. The Officers reported to me on their return, that they found what appeared to be the remains of the wreck of an English vessel, whilst the men found there, were evidently in some way connected with the landing of the slaves; and from their conversation, there could be no doubt but that the vessel we were in chase of was a full slaver, about to land, and that this signal had been made to prevent our coming up with her. I immediately resumed the chase, and, the wind falling light, hoisted out and armed the boats, at about half-past eight, and sent them to intercept her. They observed and chased her the next morning, when she was taken in tow by several boats

from the town of Macahé, and towed into that port, which she was permitted to enter without any colours, and ran on shore under all sail. The gig of the "Partridge" was then within musket range of her, nearly abreast of the Fort, with her ensign and pendant flying, when the Commandant of the Fort loudly hailed her, demanding what boat that was, when the Officer in command of her, answered, the British man of war brig's boat that they saw outside. He was then ordered to pull under the Fort, or he would be fired into, which he complied with. At the same moment a loud cheer arose from the brig, the boats and the people on shore, and slaves were seen thrown over the brig's gun-wales into the boats alongside her; the Officer in the gig was then ordered to come ashore, or they would sink the boat. On the cutter joining the gig, the Commandant again hailed if the Officer did not land instantly in the small boat, he would sink them; whilst soldiers were waving lighted matches over the guns of the Fort.

Mr. C.F. Turner landed in the gig. Before leaving the boat he was ordered to take his sword off, which he of course refused to do; and after some altercation, was permitted to land with it. He was taken to the house of the Chief Authority, where he was told by him that he had no right to enter the harbour; he remonstrated, stating, that Great Britain and Brazil being allies, the boats of either nation had a right to enter each other's ports at any time, on friendly visits; but on the present occasion that right was much stronger, as it was his duty to make an official complaint of a vessel being allowed to land her slaves in a port of Brazil under the protection of the Imperial flag and forts, and within pistol-shot of British boats. The Mayor was also shown by this Officer, the slaver, from his own windows, and a boat full of slaves landing close under them. As the Mayor stated he could not prevent it, Mr. Turner offered the services of the boats to prevent the landing, and demanded that the brig should be given up as the "Partridge's" prize, he having chased her into the port, where the authorities stated they were unable to prevent an act of piracy. He also demanded satisfaction for the insult offered in threatening to fire on the British flag. With respect to the vessel, it was peremptorily refused; in fact, he was not even allowed to visit her to ascertain her name, and other particulars; and previous to his leaving the shore, he was acquainted by the Mayor that he had sent a party of soldiers to take charge of her, *after* the slaves and crew had landed.

On the return of the boats, I stood in in the brig, and landed myself, demanding the restitution of the vessel, or a document stating that she had been driven on shore by my boats, both of which were refused; and some hints were thrown out, of the impolicy of making any observations about her, from the excited state of the people, when I replied, "if I was insulted or injured, and did not return to my brig within an hour, she would open her fire on the town, as I had left orders to that effect, and she was then lying with springs on her cable, her broadside bearing on it." Finding I could not attain my object without force, and wishing to respect the Imperial flag, I returned on board, and first acquainting the authorities that I should make a proper statement of their conduct to their Government. I have omitted to mention, that on my landing and walking past the brig, on the beach, she hoisted a Portuguese ensign, and a gun was fired on shore just abreast of her; this was the first time any colours had been hoisted on board of her. On my return to the brig, I pulled over in my boat the bodies of negroes who had evidently been drowned by being thrown overboard from the vessel.

I understand the slaver's name is the "*Hercules*," from Benguela, and some of her men stated she had on board at the time of leaving the Coast, 800 slaves; and that she landed in the bay over 700.

It is my intention to proceed to Rio Janeiro, immediately, for the purpose of laying the affair before my Commander in Chief. I, therefore, make this statement to you, Sir, in the full confidence that you will assert the dignity of the Imperial flag, which has been dishonoured by being made the cloak to cover a piratical act, and that you will make such enquiries as may enable you to satisfy your Government of the justice of my appeal.

I have, &c.

(Signed) JOHN THOMAS NOTT,
Lieutenant Commanding.

Captain Broom, Commanding Brazilian Brig of War
"Tres de Maio."

Second Enclosure in No. 205.

(Translation.)

*Sr. Aureliano to Mr. Hamilton.**Palace of Rio de Janeiro, December 6, 1842.*

THE President of the Province of Rio de Janeiro informed the Government of His Majesty the Emperor, in a Despatch of the 29th November last, of an occurrence which unhappily augments the number of the complaints and claims of the said Government against the abuses practised by some Officers of the British Navy, employed on board of the cruisers on the coast of Brazil. Brazil. More than once the Undersigned, of the Council of his Imperial Majesty, Senator of the Empire, Minister and Secretary of State for Foreign Affairs, has had to perform a painful duty, addressing Her Britannic Majesty's Legation at this Court, and begging its intervention, in order that such abuses, manifestly practised against the letter of the Treaties for the Abolition of the (Slave) Traffic, may cease; abuses which Mr. Hamilton Hamilton, Envoy Extraordinary, &c., of Her said Majesty, cannot fail to recognise in the exposition of the above-mentioned occurrence, which the Undersigned, with reference to the information given by the said President, is about to make, and which the Imperial Government regards as an outrage upon the national dignity and rights.

On the 26th of last month, at eight o'clock in the morning, a brigantine called "*Leopoldina*," with a Portuguese flag flying, stood in for the port of the town of Macahé, and came to an anchor under the batteries of the fortress, which (fortress) there serves as a registry. After she was within the port, an English man of war's boat was observed pulling for the beach of the town. The Commanding Officer of the fortress spoke the boat, in the most civil manner possible, saying that she ought to direct her course to the fortress and not to the shore, as she was doing. The boat then laid on her oars, and made rapid signals to her brig, which was the "*Partridge*;" immediately on this an armed launch, and with greater force, followed, in order to join the before-mentioned boat; and the fortress, where the national colours were flying, still insisting that they should approach it, was after some time obeyed.

The Municipal Judge, delegate of the police, having heard of this occurrence, went immediately to the beach to await the landing of the Officer who was in the boat, and conducted him to his residence, where he treated him most civilly, causing the officer to see, as it belonged to him (the Municipal Judge) in his quality of local authority to do, that in virtue of the existing laws and orders it was necessary to proceed on shore, as might be most convenient with respect to the occurrence. The said Officer then desired that he might be allowed to take the vessel in question, which was supposed to be engaged in illicit commerce, and carry her to where the above-mentioned brig "*Partridge*" was. The Brazilian authority did not consent to this, showing and citing what regulations the said Officer ought to follow in this case, because it is unlawful for a British cruiser to take cognisance of, and carry by main force, a vessel which was at an anchor in a Brazilian port.

The officer, who is said to be called Charles Fox Turnet (Turner), having heard the Municipal Judge, appeared, on his leaving, to be convinced that he had nothing further to do with the business, and that he could not carry into effect that which he wished, seeing that the competent authority had already taken due cognisance of the matter. At three o'clock in the afternoon he (the Officer) returned to the shore, accompanied by his Commander, Captain Nott, and went to the residence of the said Judge; there, in the presence of many respectable people of the town, Captain Nott said to the Municipal Judge, that he required immediate satisfaction for his not having allowed the boat and launch to apprehend the vessel anchored in that place. On this occasion, the Brazilian Magistrate used the greatest prudence possible towards the Officer in question, who, in a furious manner declared, that if they did not immediately deliver up the vessel, he would not only fire upon the town, but would take it (the vessel) by force; then threatening the Brazilian Magistrate in a loud voice, saying that his passport was in his sword, which he drew half out of its scabbard.

This occurrence is coupled with circumstances of so aggravating a nature, being practised within a port of Brazil, by an Officer of Her Britannic Majesty's Navy, and is of itself so glaring, that she Undersigned cannot but claim Mr. Hamilton's most serious attention, begging that he will consider how far these flagrant and continued abuses practised by the Officers employed on board of the

British cruisers, may be influential as to the continuance of the friendly relations and good understanding which exist between the two countries, if, per chance, Mr. Hamilton does not adopt some measure repressive of such abuses, which emanate from the fulfilment of Instructions, either badly understood, or which must be greatly modified by the illustrious administration which at present presides over the destinies of Great Britain, energetically interposing itself, in order that the like occurrences, manifestly in defiance of the dignity and in dependence of the Brazilian nation, be not repeated.

The Undersigned finds himself, with the most profound regret, under the necessity of laying before Mr. Hamilton the exposition of the disagreeable occurrence above referred to, which took place with regard to the brigantine "*Leopoldina*," which (vessel), as appears by the examinations made by the Brazilian authorities in the town of Macahé, does not even present indications of having been employed in the traffic in slaves, she having put into that port to repair a leak which she had sprung, all which is seen by the protest made by the captain.

In reference, therefore, to what has been stated, the Undersigned has the honour to declare to Mr. Hamilton, that he has received an order from His Majesty the Emperor, to claim due satisfaction for the act practised by the British cruiser in the above-mentioned town, an act, the repetition of which, may perhaps bring on disagreeable consequences, which ought to be anticipated and avoided, Mr. Hamilton interfering in such a manner as to cause the immediate cessation of such acts of abuse of jurisdiction, which (jurisdiction) the Officers of the British Navy wish unjustly to take upon themselves, attempting, contrary to the stipulations contained in the Second Article of the Instructions annexed to the Convention of the 28th July 1817, between Brazil and Great Britain, for the Suppression of the Slave Trade, to capture vessels within the reach of the batteries on shore; acts against which the Undersigned will never cease to protest in the most energetic manner possible, because they may not only have an influence, as they have already powerfully had, in prejudicing the lawful commerce of Brazil, but also may alter the good understanding and reciprocal friendship which happily exist between the Crowns of Brazil and Great Britain, and which His Majesty the Emperor desires to maintain inviolable.

The Undersigned renews to Mr. Hamilton, &c.

(Signed)

AURELIANO DE SOUZA OLIVEIRA E COUTINHO.

(Signed)

JOZE AGOSTINHO BARBOZA, Jun.

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly Sworn.*

Hamilton Hamilton, Esq.

&c.

&c.

Third Enclosure in No. 205.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, December 7, 1842.

THE Undersigned &c., has had the honour to acknowledge receipt of the Note, No. 84, which Sr. Aureliano, &c. has addressed to him, stating certain occurrences at Macahé, respecting the Portuguese brig "*Leopoldina*."

The Undersigned has the honour likewise to transmit herewith to his Excellency, the statement furnished to Commodore Purvis by the Commander of the "*Partridge*" brig of war, of the same occurrences.

Sr. Aureliano cannot fail to perceive the utter discrepancy prevailing between these two statements; his Excellency, however, assuming at once the absolute truth of the statement made by the Brazilian authorities, has offered certain observations and made certain demands of a most grave nature, which must deeply affect the future relations of the two countries.

These observations and demands, it will be the duty of the Undersigned to forward to his own Government, at the earliest moment; but he cannot pretend to reply to them till he shall have received specific Instructions on the subject.

The Undersigned avails, &c.

*Sr. Aureliano,
&c. &c.*

(Signed)

HAMILTON HAMILTON.

Fourth Enclosure in No. 205.

Commodore Purvis to Mr. Hamilton.

SIR,

"Alfred," in Rio de Janeiro, December 11, 1842.

UNDERSTANDING the Brazilian Minister for Foreign Affairs has made a complaint to your Excellency, that Lieutenant Nott of Her Majesty's brig "Partridge," had visited at or near Macahé, a vessel engaged in legal trade; and the dates given by his Excellency of such occurrence corresponding with those of the circumstance related in my letter to you, dated December 3, 1842, relative to that Officer having chased on shore the brig "*Leopoldina*," under Portuguese colours, and laden with human beings—

I have much pleasure in informing you, that the "*Tres de Maio*," Brazilian brig of war, Captain Broom, has arrived in this harbour with a slaver, and Captain Broom has stated to Captain Wright of this ship, whom I directed to ascertain the particulars, that the brig is the same Lieutenant Nott denounced to him, after chasing her on shore; that she landed a cargo of slaves, and has on board 70 odd leaguers, with all the equipment of a slaver, and under Portuguese colours.

I have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed)

J. B. PURVIS, *Commodore.*

Fifth Enclosure in No. 205.

Commodore Purvis to Mr. Hamilton.

SIR,

"Alfred," in Rio de Janeiro, December 14, 1842.

HAVING seen the Commander of the Brazilian brig of war, "*Tres de Maio*," on the subject of the slave vessel chased from seaward 40 miles, into the port of Macahé, by Her Majesty's brig "Partridge," that Officer informs me, he has brought into this harbour the identical brig; that she is the same denounced to him by Lieutenant Nott, and pointed out as having landed a cargo of slaves in presence of the authorities and British Officers, the Brazilian authorities not being able or willing to prevent this abuse of the existing Treaty between Great Britain and Brazil.

On referring to your letter enclosing the complaints which the Brazilian Minister for Foreign Affairs has thought proper to make against Lieutenant Nott in particular, and the Officers of the British Navy generally, I deem it but an act of justice on the part of his Excellency, that he should cause this vessel to be immediately brought before the competent tribunals established under the Slave Trade Conventions, which alone are empowered to decide upon the merits of the case, and thus elucidate whether this vessel was actually engaged in legal commerce, as represented by Sr. Aureliano, and who gives information of the Captain having protested to *that effect at Macahé*, a copy of which important document, it is presumed, his Excellency can have no objection to furnish you with.

I have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed)

J. B. PURVIS, *Commodore.*

Sixth Enclosure in No. 205.

*Mr. Hamilton to Sr. Aureliano.**Rio de Janeiro, December 15, 1842.*

WITH reference to the note which Sr. Aureliano &c. addressed to the Undersigned, &c. on the 6th instant, regarding the brig "*Leopoldina*," under Portuguese colours, which, on the 26th ultimo, was chased into the port of Macahé by the boats of Her Majesty's brig of war, "Partridge," on suspicion of being engaged in Slave Trade, but which vessel, according to the statement of

Sr. Aureliano, entered that port because she had sprung a-leak, and needed repairs, and, moreover, did not present indications of being concerned in the illicit commerce; and with reference, likewise, to the reply of the Undersigned, dated the 7th instant, transmitting the Report of Lieutenant Nott, commanding the "Partridge," on the same subject—

The Undersigned has the honour to forward herewith to his Excellency copies of two communications from Commodore Purvis, the first notifying the arrival in this harbour of the "*Leopoldina*," still presenting on board abundant and satisfactory proof that she had been employed in the contraband traffic in question; the second, calling on the Brazilian Government, through the medium of the Undersigned, that the "*Leopoldina*" should, without delay, be carried into the Court competent to adjudicate respecting her.

Trusting to the promptitude of his Excellency for receiving an early intimation that this has been done, the Undersigned requests, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano,
&c. &c.

Seventh Enclosure in No. 205.

Commander Foote to Commodore Purvis.

Her Majesty's brig, "Curlew," Santos Bay,
November 28, 1842.

SIR,

I HASTEN to inform you of the circumstances attending the seizure by the authorities of Santos, of the slave vessel, "*Tejo*." I obtained information on the 14th instant, of the expected arrival of the "*Tejo*," (a Portuguese brig) from Quillimane, which I was assured would disembark negro slaves at the small island of Palmos in the bay of Santos. On the 17th instant, however, I was led away in chase of a brig, which, on boarding, proved to be laden with troops for Rio Grande. The "*Tejo*" arrived on the same day, but disembarked her slaves at a point called Perregue, distant from Moela lighthouse N.N.W. 13 miles, and therefore some distance from the cruising ground I assumed off Santos Bay. I had two motives for taking up the position between Moela lighthouse and Point Taypa: firstly, because I have every reason to believe the information I had received correct; and secondly, because I wished to blockade a notorious slaver called the "*Coquette* (of Bahia), at anchor in Santos harbour, and only waiting my absence to proceed to Benin for slaves. Having obtained information that the "*Tejo*" had disembarked 600 slaves, my next object was to endeavour to intercept her entrance to the river Bertioga, where I knew she would, if possible, take refuge; the Brazilian authorities being invariably bribed by the slavedealers to give protection to slavers, and allow them to enter Santos by that channel; two vessels having lately entered, previously, disembarking slaves, viz. the "*Coquette*," above mentioned, and the "*Maria Segunda*" brig, which vessel was actually in the river Bertioga, when the "*Fantome*" was here, and has since sailed for the Coast of Africa. I accordingly despatched the boats of this brig under the charge of Mr. Thomas Davies, mate, to proceed down the river Bertioga to its mouth (a copy of the orders I gave this officer is herewith enclosed), whilst I proceeded with the "*Curlew*" round the Moela lighthouse, towards the mouth of the Bertioga. By these means I had hoped to cut off the brig, on her way from Perregue to the river Bertioga. I beg leave to refer you to the Chart, in explanation of this proceeding, remarking, however, that it is an incorrect outline of the coast, and that the mouth of the Bertioga ought to be placed six miles farther N.N.W. and the Bay of Perregue placed where the Chart marks Bertioga river. An account of the proceedings of Mr. Thomas Davies, mate, being a copy of a letter addressed to me on the subject, is herewith enclosed.

I have, &c.

Commodore Purvis,
&c. &c.

(Signed) JOHN FOOTE,
Lieutenant and Commander.

First Sub-Enclosure in Seventh Enclosure in No. 205.

Lieutenant Foote's Directions to Mr. Davies.

*Her Majesty's brig "Curlew," Santos Bay,
November 28, 1842.*

(MEMORANDUM.)

IT is my direction that you proceed in the cutter and gig of Her Majesty's brig to the river Bertioga, and descend to its mouth, to search for a brig said to have lately landed slaves near that position. Should you find the brig at the mouth of the river, *beyond* gunshot of the batteries on shore, you will detain her, and proceed in search of the "Curlew," which you will find endeavouring to reach the mouth of the river by the outward or Moela Passage; but should she be *within* gunshot of the batteries, you are not to visit her.

*Mr. Thomas Davies,
Mate, H. M. brig "Curlew."*

(Signed)

JOHN FOOTE,
Lieutenant, Commander.

Second Sub-Enclosure in Seventh Enclosure in No. 205.

Report of Mr. Davies to Lieutenant Foote.

SIR,

Her Majesty's brig "Curlew," November 28, 1842.

IN pursuance of your orders, on the morning of the 25th of November, to proceed to the mouth of the river Bertioga, in search of a brig said to have landed slaves at Perreque—

I have to state that on my way down the river, I fell in with a brig answering her description; that I went on board, and found only a few fishermen, who said they did not belong to her, nor did they know who owned her. Her Portuguese ensign was lying on the taffrail; she was deserted, and in every way equipped for a slaver, and the slaves could not have left her many days.

I then immediately proceeded to the Bertioga Fort, and acquainted the Commandant of the circumstance; who replied he knew nothing about it, nor did he know she was there. I then returned to the brig, to pick up the cutter which I had left there, intending forthwith to proceed on my way to meet the "Curlew;" that soon after my arrival on board the said brig, the Brazilian authorities arrived from Santos and took possession.

On my arrival at the fort at the mouth of the river Bertioga, the Commandant would not allow me to pass out to sea, to join the "Curlew" in the offing, but obliged me to return, which I accordingly did, and went out by the Santos Passage.

I have, &c.

*Lieutenant Foote,
&c. &c.*

(Signed)

JOHN DAVIES, *Mate.*

Eighth Enclosure in No. 205.

Mr. Whitaker to Mr. Hesketh.

SIR,

British Vice-Consulate, Santos, November 30, 1842.

SINCE my communication dated 21st instant, other circumstances connected with the Slave Trade have taken place in this harbour and neighbourhood, which threatened at one period to be accompanied with serious consequences to me and the crews of two boats from Her Majesty's brig "Curlew." I hasten to place the facts before you, for the purpose of calling the immediate attention of Her Majesty's Minister to this station, where the slavers increase daily; and the presence of one vessel, or even *two*, is inadequate to guard the various depôts between this harbour and St. Sebastian's. Lieutenant Foote, Commander of Her Majesty's brig "Curlew," having received positive information of a Portuguese brig having landed a cargo of slaves on the "Perreque" estate, and that she had proceeded to Santos by way of Bertioga; he despatched two boats up the Santos river, with orders to descend the Bertioga to its mouth, and intercept the said brig before she could reach the fortress; the distance however being very great,

the boats were too late, they met her in the river, a considerable distance inside the fortress; she had Portuguese colours flying, but none of her crew on board, and was known to be the Portuguese brig "*Tejo*," from Quillimane. The appearance of the boats having been perceived by the slavedealers, various reports were instantly circulated, and credence given to them by the authorities, who, under pretence of defending their national dignity, commissioned the "*Ypiranga*" steamer to tow the Imperial brig "*Irivi*," two boats from the Arsenal, and about 50 volunteers, besides sailors from various slavers in this harbour, to rescue the "*Tejo*" from the English boats, who, they said, had already butchered several of the crew, and placed others in irons. At the moment of leaving, proposals were made to come to my house with armed men, and take me with them, and, in case of the "*Curlew*'s" boats making any resistance, to assassinate me; they, however, thought better of it, and proceeded under the directions of Commander Rosas, Imperial brig "*Irivi*."

On arrival alongside the "*Tejo*," they found the Portuguese flag flying, and the Officer and men from the "*Curlew*" in the act of leaving her, which they did immediately, proceeding down the river to join the "*Curlew*;" but from considerable forces being collected at the fort, who refused to allow them to pass, the Officer consequently turned back, in order to find a passage by way of the Santos entrance, but was there also prevented from passing. Meanwhile, the Commander of the "*Curlew*" being apprehensive about his boats, sent the purser, Mr. Lance, in search of them in another boat, which entered the Bartiago river, and arrived here at my office, when I informed him of impediments the boats had met with, and their detention at the "*Barra Grande*," to whence he proceeded with a certificate of mine, declaring who he was, and the public duty he had to perform; but even that did not carry him through; but the "*Curlew*" having sailed from the Perreque station, to meet her boats, appeared off the harbour about the time, and they were then allowed to proceed; and things now appear tranquil, though I doubt whether the "*Tejo*" will be even examined by the authorities, who all appear to share equally in this abominable traffic.

The "*Curlew*" continues to cruise off the harbour, while vessels are landing cargoes at St. Sebastian's and other intermediate places, and others clearing out for a new trip, with every apparatus necessary, and without the least disguise or impediment from the authorities. The "*Coquette*," Captain Netto, who landed 400 slaves at Perreque in September is ready for sea, and all her apparatus ready; she goes well manned, and has one or two guns mounted; she takes Spanish doubloons to buy her cargo with on the Coast.

In consequence of an official communication received on the 28th instant from Lieutenant Foote, I addressed a note to the Military Governor, complaining of the odious distinction made by the Commanders of the forts Bartiago and Barra Grande, respecting British men of war's boats being impeded in the execution of their duty, with their colours and pendant flying, which is a practice never exercised with boats belonging to other friendly powers that frequently visit this port. I also remarked to the Governor the flagrant violation of the Instructions that accompany the Treaty of 1826; to which I have not yet received a reply.

I have, &c.

Robert Hesketh, Esq.
&c. &c.

(Signed) W.M. WHITAKER.

Ninth Enclosure in No. 205.

Sr. Aureliano to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, December 12, 1842.

THE President of the province of St. Paul's, in Despatches dated the 2nd and 7th of the present month, covering others from the authorities of the city of Santos, informs the Government of His Majesty the Emperor of the following occurrence.

On the 16th of last month, a Portuguese merchant brigantine, said to be called the "*Amizade Constante*," compelled by the wind, or from some other motive,

and without having been seen or chased by any ship of war, entered the bar of the River Bartioga, where there is a fort, and went up the said river to seek the anchorage, which is in front of the city of Santos. Before, however, arriving at the said anchorage, she got aground in the mud, and her crew, assisted by people from that city, worked to get her off, when on the 25th, (nine days after her entrance) one of her Britannic Majesty's cruisers, the brig of war "Curlew," wrongly informed that the said brigantine had been employed in the traffic of Africans, hoisted out a launch and other boats, with men armed, who pretending to wish to fish, and avoiding the fort, passed it at night, and went to the city of Santos, whence, on their return, they boarded the vessel aground, kept the people who had gone to assist in getting her off prisoners on board, hindering the canoes from going up the river by firing, and they prepared to carry the above-mentioned vessel away as a prize. The knowledge of this occurrence, which spread itself in a few hours over Santos, irritated the populace to such a degree, that they armed themselves, calling out in the streets against the insult offered to the Brazilian nation, and preparing to depart in order to revenge themselves, which obliged the authorities to assemble, and agree to go on board the vessel, armed, in order to show the crew of the brig "Curlew," the irregularity of their proceeding. Happily not only the inhabitants of Santos showed themselves obedient to the authorities, notwithstanding the great irritation and tumult which existed among them; but also the crew of the brig "Curlew" gave way to the said authorities, confessing that they had deviated from their duties, and abandoning the vessel of which they had taken possession.

The Undersigned, of the Council of His Majesty the Emperor, Senator of the Empire, Minister and Secretary of State for Foreign Affairs, regrets very much to be obliged to bring this new occurrence under the cognisance of Mr. Hamilton Hamilton, Envoy Extraordinary, &c., of Her Britannic Majesty; he (the Undersigned) having so lately referred to that which took place at the town of Macahé. This fact speaks as much for itself as the occurrence at Macahé did. The Undersigned having read the letter which the Honourable Minister of Her Britannic Majesty, Lord Aberdeen, addressed a short time ago to the Lords of the Admiralty calling their attention to the abuses which the cruisers of Her said Majesty have committed on the coast of Africa; and inviting them to adopt such measures as may prevent the like abuses, and not make the noble cause which the Government of Her Majesty has so much at heart, odious, cannot but be convinced that the continued abuses committed by the British cruisers on the coasts of Brazil, which have been the objects of repeated claims on the part of the Government of His Majesty the Emperor, certainly are not the result of Instructions given by the Government of the Queen, which (Government) could not have given them, contrary to the stipulations existing between Brazil and Great Britain, but they are the result of a misconstruction of them (the Instructions). By those stipulations, more than once referred to by the Undersigned, cruisers cannot chase and take a slave vessel within cannon-shot of the shore, but they ought to give information of the same to the local authority, in order to his proceeding in conformity to the laws; and much less can they take a vessel aground within a port of the empire. The act committed by the crew of the brig "Curlew," in the River Bartioga, was a real infraction of the Treaty, and of the instructions annexed thereto for the abolition of the traffic; it was an insult to the public authority in Brazil; an attempt against the nation, for which the Undersigned, in the name of his Government, claims from Mr. Hamilton the necessary and due satisfaction; begging once more that he will effectually interfere, in order that such abuses may cease, which (abuses) may bring on most serious consequences, which the Undersigned so much wishes to avoid, and which he is certain Mr. Hamilton does not less desire.

In the present instance these consequences were on the point of breaking out, on account of the popular feeling occasioned in Santos, by the information of the above-mentioned insult which was accompanied by aggravating circumstances. If, however, the resolution taken by the authorities, and the prudence with which they executed it, prevented most serious consequences, one thing, however, took place, and that was an increase of the indisposition and irritation which produces in the feelings of the Brazilians the conviction which they still entertain, that there exists on the part of the authorities and subjects of Her Britannic Majesty a disposition to undervalue the rights and the dignity of the Brazilian

nation ; and the necessity of destroying this conviction, which is so much for the interest of the two friendly Crowns, must be evident to the illustrious mind of Mr. Hamilton.

The Undersigned takes the opportunity, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

(Signed)

JOSE ÁGOSTINHO BARBOZA, Jun.,

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

Hamilton Hamilton, Esq.

&c. &c. &c.

No. 206.

Mr. Hamilton to the Earl of Aberdeen.

(Extract.)

Rio de Janeiro, December 22, 1842.

(Received February 11, 1843.)

I HAVE the honour to transmit herewith, for your Lordship's information, copy of a correspondence which has passed between me and the Minister of Foreign Affairs, with reference to a Report made to the Brazilian Government by the President of the Province of St. Paul's, tending to implicate certain subjects of Her Majesty the Queen, though in a way somewhat indefinite and indirect, in acts of a piratical character assumed to have been perpetrated at Ubatuba, a small seaport to the south of Isla Grande.

I was from the first convinced that this qualified accusation was altogether gratuitous.

This conviction was strengthened by the satisfactory assurances I received from Commodore Purvis, fully exculpating all of Her Majesty's ships of war under his command ; and I consider it my duty, therefore, when replying to Sr. Aureliano's first note on the subject, to animadvert in very strong language on the license and impunity allowed by the Brazilian Government to its subordinate authorities.

The reproof was certainly felt by his Excellency, although, as you will perceive by the notes of later date, the allegation was not wholly relinquished. At the same time, the statement given in my last communication, as to the respective stations of the ships of the squadron, about the period when it was asserted the occurrences had taken place, must, I conceive, set the question at rest.

First Enclosure in No. 206.

(Translation.)

Sr. Aureliano to Mr. Hamilton.

Palace of Rio de Janeiro, October 11, 1842.

THE President of the Province of St. Paul's acquaints the Imperial Government, on information received from the authorities of the town of Ubutuba, that a vessel had arrived at the said town which had been captured by one said to be English : but it was suspected that she was not one of the English cruisers, because her crew was composed of men of different nations, and also because it appeared that the captors had sold some of the said Africans.

And further, that the said captors, in the act of capturing the vessel and Africans, landed, and beat and wounded several inhabitants of that city and neighbourhood.

I beg, therefore, that Mr. Hamilton will be so good as to furnish me with any official information he may possess on this matter.

The Undersigned, &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Hamilton Hamilton, Esq.

&c. &c.

the information necessary for becoming cognisant of it, so as to be afterwards enabled to address Mr. Hamilton in an official manner.

In reference to that which I have adduced, Mr. Hamilton will be convinced that there was not the slightest intention, on the part of the Imperial Government, to make any insinuation in its communication.

I have, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

(Signed) JOSE AGOSTINHO BARBOZA, JUN.,
*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

Hamilton Hamilton, Esq.
&c. &c.

Fourth Enclosure in No. 206.

(Translation.) *Sr. Aureliano to Mr. Hamilton.*

SIR, *Palace of Rio de Janeiro, November 22, 1842.*

IN conformity with the desire which Mr. Hamilton Hamilton, Envoy Extraordinary, &c., of Her Britannic Majesty, expressed to me yesterday, wishing to ascertain, in reference to the correspondence with the President of the Province of St. Paul, to which I referred in my notes of the 11th of October last, and 18th of the present month, the date on which it is said that a slave vessel was captured at Ubatuba, by a vessel supposed to be English; I have the honour to inform Mr. Hamilton that, in relating the fact in the said correspondence, the day on which the same took place is not precisely mentioned; but the word "*lately*," and the phrase "*has just occurred*," &c., are used. And as the first Despatch, in which the Military Commander of Ubatuba gave an account of the fact to the President, is dated on the 17th of September, in which he (the Military Commander) declared, that three days before, the crew of the capturing vessel had been on the island, offering some of the captured Africans for sale, it may be supposed that the fact took place about the beginning of September.

The dates of the Despatches from the President of the Province of St. Paul, are the 27th of September last, and the 2nd of the present month of November. Thus Mr. Hamilton's note, No. 103, is answered.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

(Signed) JOSE AGOSTINHO BARBOZA, JUN.,
*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

Hamilton Hamilton, Esq.
&c. &c.

Fifth Enclosure in No. 206.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, December 3, 1842.

WITH reference to preceding correspondence between Her Majesty's Legation and the Brazilian Government, regarding occurrences at Ubatuba, the Undersigned, &c., has the honour to acquaint Sr. Aureliano, &c., that having communicated again with Commodore Purvis on the subject, he is enabled to assure his Excellency that none of the cruisers belonging to the squadron under his command were in the neighbourhood of Ubatuba at the time alluded to in his Excellency's note, No. 79, of September 22; that, in fact, they were all, with exception of those to the north of Cape Frio, and of those in the river Plate, in this harbour, from the 3rd September until after the date assumed in Sr. Aureliano's note aforesaid.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. O. Coutinho,
&c. &c. &c.

No. 207.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, December 22, 1842.**Received Feb. 11, 1843.*

MY LORD,

I HAVE the honour to bring under your consideration a correspondence between Her Majesty's Legation, the British Commissioners in the Mixed Court, and the Brazilian Minister of Foreign Affairs, relating to certain irregularities in the mode of procedure followed by Brazilian tribunals, with regard to the payment into Court of the proceeds of sale of ships condemned by the Mixed Commission, for practising in Slave Trade.

These irregularities are at once infractions of the compacts to which the two Governments are parties for the Suppression of this Trade, and prejudicial to their mutual interests; and it is through a laudable anxiety to correct them that Her Majesty's Commissioners have sought the co-operation of Her Majesty's Legation and of the Brazilian Government,

The correspondence consists of two series; one relating to the "*Maria Carlota*," the other to the "*Aracaty*."

The first-named vessel was sentenced in the Court of Mixed Commission on the 13th September, 1839, and through procrastinations without end, the proceeds were not placed in Court before the end of October last, a period of three years. The delays in the case of the "*Aracaty*" were less tedious, that vessel having been adjudged a good prize on the 16th July last, and the proceeds brought in the 10th September only, eight weeks after; still the delay was highly irregular.

With a view to prevent in future all such mischievous procrastination, a certain Formula, or Rule of Court, was suggested for its adoption by the British Commissary-Judge. His Brazilian Colleague demurring to that, I called on the Government for its interference, or to take such other remedial measures as in their wisdom might be deemed advisable. The latter alternative was preferred, and an Imperial decree forthwith promulgated; but, I am sorry to say, without having as yet produced any ostensible advantage, or received from the legal authorities to whom it was addressed, the deference which is due.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c. &c. &c.

P.S. I have the honour further to enclose hèrewith the accompanying note received by me from Sr. Aureliano after the above Despatch had been written.

H. H.

First Enclosure in No. 207.

Her Majesty's Commissioners to Mr. Hamilton,

SIR,

Rio de Janeiro, Sept. 29, 1842.

A PETITION has recently been presented to this Commission upon the subject of the proceeds of the slave vessel "*Maria Carlota*," sentenced on the 13th September, 1839.

This case, your Excellency, is the same referred to in No. 107 of the printed Parliamentary Papers, Class B, further Series, 1840, and No. 76, Class A, of the same Series.

The proceeds in question still remain in the hands of the Brazilian authority, no account whatsoever having hitherto been rendered to this Court, as to the sum realised by the sale of the vessel and cargo.

We have every reason to believe that the proceedings in the Court of law, commenced in the case of the "*Maria Carlota*," and alluded to in the Despatches above mentioned, are still persisted in.

The Brazilian Commissary-Judge declines to join Her Majesty's Judge in giving an order to the Municipal Functionary charged by the Commission with the sale of the property, to bring the proceeds into the Registry.

CLASS B.

We are, therefore, compelled to address ourselves to your Excellency for assistance in recovering possession of the proceeds of the vessel in question, in order that the Commission may divide the same agreeably to the provisions of the existing Treaties between Great Britain and Brazil.

We have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) JOHN SAMO.
FRED. GRIGG.

Second Enclosure in No. 207.

Mr. Hamilton to Sr. Aureliano.

SIR,

Rio de Janeiro, October 2, 1842.

A PETITION has recently been presented to the Mixed Commission Court, on the subject of the proceeds of the slave vessel "*Maria Carlota*," sentenced in that Court, on the 13th September, 1839.

But the proceeds in question still remain in the hands of the Brazilian Authority, charged by the Commission with the sale of the property; no account whatever as to the sum realised thereby having hitherto been rendered to the said Court.

In order to put an end to this very irregular mode of proceeding, the British Commissary-Judge has invited his Brazilian Colleague to unite with him in giving an order to the Municipal Functionary to bring the proceeds of the sale into the Registry; but this the Brazilian Judge declines to do; probably because (as there is reason to believe is the case) the proceedings commenced in the Court of Law in the case of the "*Maria Carlota*" are persisted in.

In this difficulty the British Commissioners have had recourse to the intervention of this Legation, and the Undersigned, &c. hastens, in consequence, to solicit the assistance of Sr. Aureliano, &c., for the recovery of the proceeds of the sale of the "*Maria Carlota*," and an instruction that they be deposited in Court without longer delay; to the end that the Commission may divide the same agreeably to the provisions of the existing Conventions between Great Britain and Brazil.

It must be unnecessary for the Undersigned to observe to Sr. Aureliano, that the Slave Trade Convention is, to all intents and purposes, an integral part of Brazilian law; that the Court of Mixed Commission was constituted by it, having its own special powers and jurisdiction; that, like the other supreme tribunals of the country, the Court enjoys the attribute also of giving sentence without appeal. And yet, in the face of these facts, the Brazilian Minister of Justice appears to have granted a writ or mandate, directed to the Municipal Judge, commanding that functionary to retain in his possession the whole of the proceeds of the "*Maria Carlota*," although one moiety of that money belongs to the British Government, and, in fact, is British property: the said writ or mandate of the Brazilian Minister being a virtual annulment of the attribute above mentioned, and, therefore, a positive violation of the Convention, and the law from which it emanates.

It now remains to be seen whether the Brazilian Government will persist in supporting this erroneous decree of its Minister—a decree by which property is unjustly withheld from its lawful owners.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Aureliano de S. e O. Coutinho,
&c. &c. &c.

Third Enclosure in No. 207.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

Rio de Janeiro, October 15, 1842.

SINCE our communication to your Excellency of the 29th ultimo, we have received copies of the account sales and other particulars from the Municipal Judge relative to his proceedings in the case of the condemned slave vessel "*Maria Carlota*."

Herewith we have the honour to transmit to your Excellency a copy of the Minute of a Session held this day, at which Her Majesty's Commissary-Judge presented some remarks incidental to the conduct of the Municipal Judge and other Brazilian law authorities.

It is gratifying to observe that the Brazilian Commissary-Judge admits the justice of the above remarks, and as that Officer intends to lay the same before the Imperial Government, we hasten to transmit such Minute to your Excellency.

We have, &c.

His Excellency the British Minister,
&c.

(Signed)

JOHN SAMO.
FRED. GRIGG.

Sub-Enclosure in Third Enclosure in No. 207.

Session of the 15th October, 1843.

IN consequence of the copies of the accounts of the sale of the barque "*Maria Carlota*" and her cargo, which were forwarded to the Commission at its request, the British Commissary-Judge offered to his Colleague the following remarks:—

The return of the Municipal Officer charged with the execution of the sentence of this Court in the case of the slave vessel called the "*Maria Carlota*," has received the careful attention of the British Commissary-Judge.

The documents now submitted to the Court for the first time, have been most unaccountably kept back since March, 1840.

The British Commissary-Judge feels it is duty to make some remarks in a spirit of friendly remonstrance upon the proceedings of the Municipal Judge, for whom he entertains proper respect and consideration.

It is with pain and surprise that Her Majesty's Judge has perused the accounts of the "*Maria Carlota*" now laid before him; and at the proper time he will advert to the proposed deductions from the amount and value of the confiscated property which the Municipal Judge claims for himself and his officers.

It cannot appertain to that functionary (who is the executive officer of this Court), to grant an embargo, and thus impede the division between the two Governments of property which has been entrusted to him in virtue of his employment by this Commission; and his having allowed that embargo without the knowledge of the Judges of this Tribunal, must have been from a mistaken view of his paramount duties.

The sentence of the Mixed Brazilian and British Commission is declared final by the Conventions, and is declared so by the laws of Brazil. Its decrees, therefore, must be respected and obeyed by all other authorities of this empire. It is inconceivable upon what principle the Municipal Judge has deviated in this instance.

Her Majesty's Judge is of opinion that those encroachments of the Brazilian Law Courts which have interrupted the execution of functions entrusted to the Mixed Commission, should be resisted with firmness and dignity. He further entreats his Honourable Colleague and the other two members of this Commission, to join in an earnest and strong representation of this continued violation of the existing Conventions between Brazil and Great Britain.

(Signed)

JOHN SAMO.

To which, after some explanations, the Brazilian Commissary-Judge replied that he considered them, the remarks, just; but that he would limit himself to the laying of them before his Government, because he is aware that the said Government has already taken the necessary measures, and he will communicate the answer of his Government to his Colleague.

(Translation.)

Fourth Enclosure in No. 207.

Sr. Aureliano to Mr. Hamilton.

SIR,

Palace of Rio de Janeiro, October 20, 1842.

IN answer to the note, No. 86, which, under date of the 2nd of the present month, was addressed by Mr. Hamilton Hamilton, &c. &c. on the subject of the proceeds of the sale of the vessel "*Maria Carlota*," sentenced by the Mixed Brazilian and English Commission, on the 13th September 1839, in regard to which proceeds a question of right of preference has been moved before the Judicial Power—

It is the duty of the Undersigned, &c. &c. to inform Mr. Hamilton, that, desiring on his part to remove the doubts which have impeded the entire execution of the sentence of that tribunal, he has applied repeatedly, and at different periods, to the Department of Justice, which, after having collected the necessary information from the judges and tribunals before which those preferences have been brought forward, and after having heard upon the subject the Attorney-General Fiscal of the legislation of the country; having, by order of his Majesty the Emperor, consulted thereon the Section of Justice, and of Foreign Affairs of the Council of State: inasmuch as the Judicial Power was of opinion that, in conformity to the laws, it is not prohibited to the same, but that, on the contrary, it is its duty to take cognisance of, and to decide such questions of preferences and of embargoes brought in by third parties in regard to the execution of sentences, even of those which are given by the Mixed Commission: and the said Section of the Council of State being of the opinion which is shown by the enclosed copy, No. 1, and to which His Majesty the Emperor was pleased to accede, the said Minister of Justice has just forwarded to the President of the Court of Law (*Relação*) of this capital, and to the Municipal Judges of the same, the Instruction in copy No. 2, in which it is ordered that the Tribunal and those Judges do proceed in conformity with that opinion.

It is therefore to be hoped that the doubts which have occurred with the judicial authorities being thus now removed, in regard to the abovementioned question, the sentence upon which they were based may receive its complete execution.

The Undersigned hopes that Mr. Hamilton will see in this proceeding of the Imperial Government, both the respect which it ought to pay to the decisions of the Judicial Power, as also the desire which animates it, that the stipulations of the Treaties to which it is bound be religiously observed.

The Undersigned, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Hamilton Hamilton, Esq.

&c. &c.

Sub-Enclosure in Fourth Enclosure in No. 207.

(Translation.)

SIRE,

Palace, September 9, 1842.

YOUR Imperial Majesty ordered, by communication from the Office of the Secretary of State for the Affairs of Justice, under date of the 14th June of the present year, that this Section of the Council of State should give its opinion upon the questions relative to the barque "*Maria Carlota*," and set forth in the papers which accompany the present Report.

Sire, Prizes are acts of hostility, real conquests, permitted by the law of nations in case of war, or by conventional right in cases stipulated by Treaties. The usage generally received among modern nations is that of considering the jurisdiction of the belligerent state (*forum arresto*) as that competent for adjudicating on the lawfulness of prizes; but, when these are authorised by Conventions, it appertains to the contracting Powers to institute the tribunals in which the same ought to be adjudicated. In this, as also in the first case, these tribunals are exceptional tribunals; their acts, the form of the process, and the

means of their execution, are regulated "administratively," and are only subject to the immediate action of the Government. According to those principles, it is not permitted to annul, modify, or obstruct in any manner the execution and the effects of the sentences given by the Mixed Brazilian and English Commission established by the Convention of 1817, for the Adjudication of the Prizes concerned in the Traffic in Slaves. The civil and distributive justice of the State can alone intervene in the execution of the sentences of that tribunal, without any other process than that which is necessary and legal for the realising the proceeds of the same prizes, which are to be deemed a political property, entirely different from civil and ordinary property, the legality of which latter may be disputed by any persons interested either in the course of the cause or in the process of execution; and even after rescinding action (*acçãõ rescissoria*), when, according to Article 4 of the *Alvará*, of 26th January, 1818, the execution of the sentences of the Mixed Commission was assigned to the ordinary tribunals, the jurisdiction of the executive Judge was not extended to other acts than those having in view such execution; nor was any recourse allowed other than that occasioned by the mode of proceeding therein.

The discussion of the right of preference presupposes an ordinary debtor, presupposes proofs of debts, requires sentences in controverted suits; in fine, it is a new stage for taking cognisance of the rights of creditors, arising from contracts and obligations regulated by civil law. No such thing takes place in respect to the captor; he has nothing to do with the right which this or that individual may have to the things captured; the criminal acts of the freighters or owners is the origin, is the title of his right, and the creditors of the same owners cannot in any way recover that which by them was lost in perpetuity, such as by shipwreck, fire, or any other similar occurrence. If the discussion of the right of preference to the proceeds of prizes were admissible, the Treaties authorising such discussion would be stipulations unworthy of the contracting parties, inasmuch as no vessel would be employed in a prohibited traffic without her being hypothecated by her owners.

It is therefore the province of the Government to put an end to the irregular and arbitrary proceedings which have obstructed the execution of the sentence which adjudged the barque "*Maria Carlota*" to be a good prize, issuing the most decisive orders, to the end that the ordinary tribunals may refrain from any act tending to the taking cognisance of the pretended preference. Such being the regulations and the instructions by which the same Government has established the form of process in such causes, this Section deems it a measure worthy of the sovereign approbation of your Imperial Majesty.

(Signed)

LOPES GAMA.
BISHOP OF ANEMANIA.
CARNEIRO LEAO.

(A true Copy.)

(Signed)

JOAO CARNEIRO DE CAMPOS.

Sr. Paulino to Sr. de Aguilar.

Palace, October 13, 1842.

His Majesty the Emperor, agreeing with the opinion, of which the annexed is a copy, of the Section for the Affairs of Justice and for Foreign Affairs, of the Council of State, to the principles of which the Dezembargador Attorney for the Crown, Finance, and National Sovereignty agrees, and the which is relative to the admission of claims of right of preference in sentences of the Mixed Brazilian and English Commission,—commanded me to send the same to you, in order that you make it known to the Tribunal of "*Relaçao*" of this capital, to the end that it conform thereto.

God preserve, &c.

(Signed)

PAULINO JOSE SOARES DA SOUZA.

Sr. José Verneque Ribeirido e Aguilar.

Fifth Enclosure in No. 207.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

Rio de Janeiro, November 30, 1842.

WE hasten to transmit to your Excellency a translated copy of the Minute of a Session of the Mixed Commission, held the 29th instant.

The Imperial decree of October 13th last is entirely despised by the law authorities, inasmuch as the appeal against the sentence of the slave vessel "*Maria Carlota*" is proceeding with all the usual sluggish forms of the Brazilian Courts of Law.

We are informed that, from the judgment of the Court of the "*Relação*," a further appeal can be made to the Superior Tribunal of Justice.

Under these circumstances Her Majesty's Judge at the above-mentioned Session thought it advisable, with the consent of his Brazilian Colleague, to record his protest against these unjustifiable acts.

We have, &c.

(Signed)

JOHN SAMO.
FRED. GRIGG.*His Excellency the British Minister,*
&c. &c.

Sub-Enclosure in Fifth Enclosure in No. 207.

Copy of a Minute of Session of November 29, 1841.

THE following petition was presented to the Commission:—

(Translation.)

Rio de Janeiro, November 25, 1842.

Illustrious Commissary-Judges of the British and Brazilian Mixed Commission:

Robert Hesketh says that in September last he laid before you, Gentlemen, in his capacity of Proctor before this Commission, for the captor of the barque "*Maria Carlota*," a petition requesting to know the amount realised by the sale of the hull, cargo, &c., of the said vessel, in conformity to the sentence of the Court.

The said petition not being yet despatched (despachado), but, on the contrary, the petitioner having been cited to appear before the Tribunal of the "*Relação*," in consequence of circumstances connected entirely with the execution of the said sentence, the petitioner considers it his duty to forward to you, Gentlemen, the said citation, as he deems it to be of such a nature that it belongs solely to this Commission to decide upon the course to be followed, and the result of such an appeal to the "*Relação*."

He begs you to take the above into your consideration,

(Signed)

ROBERT HESKETH.

(The Despatch and copy of the document above referred to follow.)

SIR,

Rio de Janeiro, November 23, 1842.

I HAVE the honour to enclose herewith a certified copy of a petition and "Despacho" (order), so that you may be cognisant that the process of the barque "*Maria Carlota*," adjudged by the Mixed Brazilian and British Commission, has been carried, by appeal, to the Court of "*Relação*," at the request of Manoel Ventura Rodriguez, Faro Verqueiro, and Co.; and I have to beg that you will be pleased to answer me for the benefit of the judicial and national service.

God preserve, &c.

(Signed)

JOSE ALVES BARROSA.

Mr. R. Hesketh,
&c. &c.

*To the Municipal Judge.**Rio de Janeiro, November 22, 1842.*

FARO VERGUEIRO and Manoel Ventura Rodriguez say, that in the process of execution of the sentence of the British and Brazilian Mixed Commission, upon the barque "*Maria Carlota*," the petitioners having appealed from the sentence of this Executive Court, which disregarded their embargoes opposed to the execution of the sentence, the terms now to be followed for the continuation of the appeal are the making the due notification to his Excellency the Councillor of State, Law Officer of the Crown, Sovereignty and National Finance, and to the British Consul, in order to their being cognisant that the appeal is carried to the superior tribunal; and, for this end, they beg you will be pleased to order such intimations to be made by a respectful letter from the Clerk.

(Signed) As Proctor: CAETANO ALBERTO SOARES.
 "Despacho" (order). Yes.

(Signed) DR. SEQUEIRA.

Rio de Janeiro, November 29, 1842.

THE British Commissary-Judge declared, in view of the above petition and other documents from the Municipal Judge, offered to this Commission by Her Britannic Majesty's Consul, in the case of the appeal to the "*Relação*," respecting the proceeds of the condemned vessel "*Maria Carlota*," that the Imperial Order in Council of October 13, last, emphatically issues the most decisive orders to the end that the ordinary tribunals refrain from any act tending to the cognisance of the pretended preference (meaning the embargo) in this case.

The Municipal Judge is well aware of this order, inasmuch as some correspondence with this Commission has already taken place on this subject.

Faro Vergueiro and Manoel Ventura Rodriguez have presented to the above-named Officer a petition to continue the appeal before the "*Relação*" in regard to the embargo of the proceeds of the condemned slave property in the case of the "*Maria Carlota*;" and the above-named functionary, on the 22nd instant, granted that petition.

The British Consul, Mr. Hesketh, who appears in the process to be invited to appear in the Court of the "*Relação*," has very properly transmitted to this Court the act of citation in this case, and the Court are thus in possession of these facts.

I feel it my duty to protest against these additional proceedings, and I earnestly solicit my Colleague to assist, by a joint representation to the two Governments, to seek redress for this act of disobedience, and of contempt of the Imperial authority and of this Court, by the Municipal Judge.

(Signed) JOHN SAMO.

To which the Brazilian Commissary-Judge replied that he would not object to his Colleague making whatever protests he might think proper, and, in the meantime, that he would reserve to himself the laying of the whole of this matter before the Imperial Government.

The Commissary-Judges afterwards agreed that the following Despatch should be given to the petition presented by Mr. Hesketh.

"This petition shall be laid before the competent authorities.

(Signed) "CARNEIRO.
 "JOHN SAMO.

"Rio de Janeiro, November 29, 1842."

The Session closed.

Sixth Enclosure in No. 207.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, October 5, 1842.

THE Brazilian Municipal Judge, charged with the disposal of the property confiscated in virtue of the sentence passed by the Court of Mixed Commission, on the 16th July this year, on the slave vessel "*Aracaty*," and her cargo, did not bring in the proceeds of sale until the 10th September, being an interval of eight weeks.

This mode of procedure, not occurring now for the first time, as indeed is shown by a note addressed by the British Legation to the Brazilian Government on the 2nd instant, respecting the "*Maria Carlota*," is in the opinion as well of the Brazilian as of the British Commissary-Judge of the said Court, not more irregular than prejudicial to the interests of the two Governments.

With the view of putting an end to so much mischievous procrastination, the British Judge, on the 10th ultimo, submitted to the consideration of his Brazilian Colleague a draft of a Rule of Court on the subject. At first the Brazilian Judge was disposed, as was consistent with the opinion held by him, to agree to the proposed Formula, with exception of the concluding two paragraphs, of which he suggested the omission. But subsequently he explained, verbally, that he did not feel authorised to consent to the proposed regulation, or even to submit it to his Government; and he referred, as a precedent for his decision, (a precedent, however, which does not by any means appear applicable,) to the correspondence which took place on a similar question, in the case of the "*Emilia*," which vessel was condemned by the Mixed Commission Court in Rio de Janeiro, on the 31st July, 1821.

Under these circumstances, and in order to carry successfully into effect the Instructions transmitted by Her Majesty's Government to Her Commissioners, on the subject of the delays occurring in their proceedings, it becomes the duty of the Undersigned to represent to his Excellency Sr. Aureliano, &c., that any such delay in the execution of the judgments awarded by the Mixed Court, as may arise from the undue interference of a Brazilian functionary not belonging to that Court, or any other obstacle opposed to its legal acts, is contrary to the true intent and meaning of the high contracting parties to the Treaty; and being so, to call on the Brazilian Government, as he has now the honour of doing, to take the remedial measures indispensable, by ordering the Brazilian Commissary-Judge to receive the Formula above-mentioned, and which will be found annexed to the present note, or any other of similar import which the Brazilian Government in its wisdom may suggest as better calculated to attain the end proposed.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Aureliano de S. e O. Coutinho,
 &c. &c. &c.

Seventh Enclosure in No. 207.

Sr. Aureliano to Mr. Hamilton.

Palace of Rio de Janeiro, October 14, 1842.

THE Undersigned, &c., acknowledges receipt of the note, No. 88, which was addressed to him on the 5th of the present month, by Mr. Hamilton &c., together with the project presented by the British Commissary-Judge to the Brazilian (Commissary-Judge) in the Session of the Mixed Brazilian and English Commission in this capital, on the 14th September last, for the purpose of altering the method hitherto followed in the execution of the sentences of the Mixed Commission, in order that it may be more accelerated than it is at present, proposing the Formula which he thinks suitable to be followed in such a case; and, in answer, the Undersigned has the honour to inform Mr. Hamilton, that, having conferred upon this subject with the Brazilian Commissary-Judge, he is now enabled to state, that the application made by Mr. Samo to the said Commission is no other than a reproduction of other applications made in like manner by his predecessor, in identical cases, which were impugned by the Brazilian Commissary-Judge, as being opposed to the laws and regulations which the Imperial Government cannot infringe.

It is true that the Mixed Commission is an exceptional tribunal, from which there is no appeal; but it is also certain, (and Mr. Hamilton will admit it,) that its sentences, however expeditiously it may be wished to execute them, cannot but be subject to some delays, inasmuch as they depend upon certain courses through which the sale of condemned vessels and cargoes must pass; as, for example, the precise interval for time for sale, the notice for the same, &c., in

conformity with the subsisting laws and regulations of the country, which the Executive is not permitted to pass over. Wherefore, to put in practice a contrary course, as the British Commissary-Judge appears to wish, would not only be irregular, but would tend to indicate that, as relating to Brazil, it would admit the existence of a tribunal superior to those of the empire, which in no established and independent country is admitted by voluntary acquiescence.

The Municipal Judge fulfils his duty when, in the execution of the sentence ordering the sale of the condemned vessel and cargo, he adheres to the provisions of the existing regulations and laws; and from them he is not permitted to swerve; consequently the sentence of the Commission on the point in question must be subject to those inconsiderable delays specified in the legislation, the course of which it is necessary should be passed for their complete execution.

The Undersigned, &c., cannot omit to point out to Mr. Hamilton that, in many cases, the delay of which the British Commissioners complain, is no attributable solely to the Municipal Judge, but also to the Commander of the English naval forces stationed in this port, who has hesitated to deliver up the condemned vessels, even on production of the respective sentence; and when the said Judge has personally applied for that purpose, always raising objections, and making such delivery of the vessels depend upon further orders from Her Britannic Majesty's Legation, without which the sentences of the Commission are not fulfilled,—a fact which substantially may appear to be a recourse or an appeal, on the part of England, that cannot be acknowledged.

The same British Commissioners, who appear so much to desire despatch in the execution of the sentences, nevertheless, in their zeal minutely to scrutinise the truth, have themselves, by their researches, retarded certain results; while the Brazilian Commissary has sometimes attended to the representations of the attorney for the captors, for allowing him time in order to the presenting of documents which he thought indispensable; whence it is clearly seen that the delays insinuated do not proceed only from the Judge-Executor of the sentences of the said Commission.

The Imperial Government is as much interested as that of Her Britannic Majesty, that the facts should have a ready course, not only and principally for efficaciously repressing the traffic in slaves, but also because, from the respective liquidation, no disadvantage results to either of them; but the Undersigned will not cease to point out to Mr. H. Hamilton, that in human affairs a rigorous and mathematical execution of engagements is rarely practicable. being always subject to incessant occurrences, the foreknowledge of which is not given to the human race.

The Undersigned will not now specify the steps which the Imperial Government has taken on its part for removing obstacles to the labours of the Mixed Commissions, as, for instance, by the abrogation of embargoes, nor will he notice, except in passing, that there are facts in which it appears there has not been on the part of the British Government too much urgency in fulfilling the sentences of the Mixed Commissions, particularly in what relates to Article 10 of the Convention of 21st July, 1817, and Article 6 of the Regulations for the same Commissioners, inasmuch as it hopes, from the acknowledged good faith of its friend and ally, that it will promptly order the liquidation of the indemnities decreed by the respective tribunal; and as the Undersigned has touched upon this important point, he will not lose the opportunity of requesting Mr. Hamilton to intervene with his Government, in order that it, on its part, may equally attend to the ancient claims of Brazilian subjects, resting on incontestable principles, and on sentences of the Mixed Brazilian and English Commissioners at Sierra Leone, whose property was illegally taken, and who have not yet obtained the justice which was to be expected. And it being the absolute duty of the Undersigned to advocate the interests of those Brazilian subjects which are based on justice, he will never abandon this business until he obtain the reparation to which the enlightened Government of Her Britannic Majesty will undoubtedly assent.

In order, however, to obviate as much as possible the difficulties which perchance the Municipal Judge may experience in the execution of the sentences in question, the Undersigned is about to send the requisite orders to that Brazilian authority, through the proper department, to the end that it may regulate

itself, and employ the shortest possible space of time in the execution of the sentences given by the Mixed Commission; not only inasmuch as the repetition of claims on the part of the British Commissioners may in this way be avoided, but also in order that the provisions of the laws and regulations, already mentioned, may be in unison with the determinations of the Commissioners, while it will also tend to the good and regular course of business pending in the said Commission, and belonging to the two countries, it not being practicable to admit the above-mentioned project, the adoption of which would not be compatible with respect to the laws in force in this empire, as the Undersigned has just stated.

The Undersigned, &c.

(Signed)

AURELIANO DE S. E. O. COUTINHO.

Hamilton Hamilton, Esq.

&c. &c.

Eighth Enclosure in No. 207.

Mr. Hamilton to Her Majesty's Commissioners.

GENTLEMEN,

Rio de Janeiro, October 15, 1842.

I HASTEN to forward, for your information, the copy of a note I have just received from the Minister of Foreign Affairs, in answer to one I addressed to him, covering a Formula proposed for adoption in the Mixed Commission Court, by the British Commissary-Judge, in order to remedy the delays at present so frequently recurring when carrying into execution the sentences awarded by the said Court.

The Brazilian Government decline to accept the Formula in question, as incompatible with the law of the empire; but they engage to adopt other measures which may contribute to the end held in view by the British Commissary-Judge.

I have, &c.

(Signed)

HAMILTON HAMILTON.

Her Majesty's Commissioners,

&c. &c.

Ninth Enclosure in No. 207.

Senhor Aureliano to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, December 17, 1842.

THE Undersigned, Councillor of His Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, acknowledges the receipt of the note No. 104, which Mr. Hamilton Hamilton, Envoy Extraordinary, &c. of Her Britannic Majesty, addressed to him, dated the 2nd instant, regarding the proceeds of the sale of the slave vessel "*Maria Carlota*," condemned by the sentence of the Mixed Brazilian and British Commission Court in this city; and, in answer, the Undersigned has the honour to inform Mr. Hamilton that the Municipal Judge, by rejecting the embargoes offered by the opposite party, to the execution of the sentence given upon the said vessel, has complied strictly with the intimation made to him in consequence of the resolution taken in that respect by the Council of State, as the Undersigned has already communicated to Mr. Hamilton by his note of the 20th of October last; but the said Judge could in no manner refuse to receive the recourse of appeal which the said parties attempted, nor the forwarding of the same to the tribunal to which the parties appealed; because the laws impose that duty on any judge from whose decision an appeal is made; it is, however, to be presumed that that Court (*Relação*) having in view the said intimation, (which was also made to it,) will likewise reject the said embargoes, and thus this question will end.

The Undersigned regrets that it is not within the attributes of the Imperial

Government to order the conclusion of this business, of so long a standing, as is to be desired; but he hopes that it will now be concluded in the shortest possible space of time, notwithstanding the obstacles which the parties are attempting to throw in the way of the judicial power.

The Undersigned takes, &c.

(Signed) AURELIANO DE S. E OLIVEIRA COUTINHO.

(Signed) JOZE AGOSTINHO BARBOZA, JUN.
*Interpreter to the Mixed Brazilian and British Commission,
 and Extra Public Translator, duly Sworn.*

*Hamilton Hamilton, Esq.
 &c. &c.*

No. 208.

Mr. Hamilton to the Earl of Aberdeen.

*Rio de Janeiro, December 24, 1842.
 (Received February 11, 1843.)*

MY LORD,

WITH reference to my Despatch (Slave Trade Series) of the 23rd April last, explaining my having detained here certain Africans from the "*Flor de Loanda*," instead of causing them to be removed hence to a British colony, as directed in your Lordship's Despatch (Slave Trade Series) of the 8th December, 1841; and in reference also to your Lordship's Despatch (Slave Trade Series) of the 4th July last, in answer to that Despatch, in which you are pleased to approve of my having, under the circumstances, delayed to execute that part of my instructions which enjoined me to take the earliest opportunity of removing those negroes, and desiring that examinations may be made from time to time into their condition; I have now the honour herewith to transmit the enclosed reports of the state of these Africans, and am happy to be able to add that, with the exception of one or two cases specified therein, they appear to be quite satisfactory.

I am, &c.

(Signed) HAMILTON HAMILTON.
*The Right Hon. the Earl of Aberdeen, K.T.
 &c. &c. &c.*

First Enclosure in No. 208.

NOMINAL LIST of FREE AFRICANS now in the Misericordia Hospital, from on board the Portuguese Schooner "*Flor de Loanda*," showing the Names, Nations, Ages, and Occupation.

Names.	Nations.	Ages.	Occupations.	Remarks.
		YEARS.		
João	Benguela . . .	18	Boatman . . .	Health and conduct good.
Samuel	Cabinda	24	.. . . .	Robust; but has some symptoms of Morphea.
Bruno . . . .	.. . . .	26	.. . . .	Health, &c., good.
Gastão	Benguela	26	.. . . .	..
Leandro . . . .	.. . . .	30	In infirmary . . .	Health and conduct good.
Pedro	Cabinda	24	Boatman.	..
Pedro	Bayaca	25	Mason.	..
Joaquim	Cabinda	18	In infirmary.	..
Antonio	Benguela	18	..	..
Luiz . . . .	.. . . .	30	..	..
Cosmé	Cabinda	24	Quarryman . . .	Master workman.
Jeronimo . . . .	.. . . .	30	Cook.	..
Joao . . . .	.. . . .	24	Boatman.	..
Manoel . . . .	.. . . .	14	In service of employés.	..
Francisco . . . .	.. . . .	..	..	..
Joao . . . .	.. . . .	..	..	..
Leonardo	Benguela	20	Stone-cutter.	..

Nominal List of Free Africans now in the Misericordia Hospital, &c.—*continued.*

Names.	Nations.	Ages.	Occupations.	Remarks.
		YEARS.		
Braz	Cabinda	18	Mason.	
Gaspar	Benguela	16	..	
Matheos . . . .	.. . . .	30	Quarryman.	
Thomas	Cabinda	18	Stone-cutter.	
Lauriano	Benguela	20	Mason.	
Timotheo	Cabinda	18	Stone-cutter.	
Januario	Benguela	30	Quarryman.	
Antero . . . .	.. . . .	18	Mason.	
Adao . . . .	.. . . .	18	Stone-cutter.	
Christovao	Cabinda	22	Mason.	
Salvador . . . .	.. . . .	22	Quarryman	Master workman.
Bernardo	Benguela	20	Domestic.	
Marcos . . . .	.. . . .	18	..	
Nicolao	Cabinda	18	..	
Esmeria . . . .	.. . . .	22	Cook.	
Generosa	Benguela	23	Washerwoman .	Mulatto son, 6 months old.
Esperanca . . . .	.. . . .	26	.. . . .	Creole son, 18 months old.
*Engracia	Cabiuda	25	.. . . .	Ill in hospital; not seen.
*Antonia . . . .	.. . . .	20	Servant of Asylum.	Not seen, being at Asylum of Recluses.
Lina . . . .	.. . . .	20	Washerwoman to Asylum.	
Manoel . . . .	.. . . .	30	Land-tiller.	
Nuno	Benguela	24	Carter.	
Theodoro . . . .	.. . . .	18	Mason.	
Ambrosio . . . .	.. . . .	18	..	
Alexandre . . . .	.. . . .	18	Land-tiller.	
Anastasio	Cabiuda	18	..	
Jacintho	Benguela	16	Carter.	
Euzebio . . . .	.. . . .	16	..	
Paulo . . . .	.. . . .	18	Land-tiller.	
Martinio	Cabinda	14	..	
Rufino . . . .	.. . . .	18	Mason.	
Joao	Benguela	34	Washerwoman.	
Januario . . . .	.. . . .	23	Quarryman .	Master workman,
*Antonio	Cabinda	18	.. . . .	Prisoner for murder
Felipe	Benguela	30	Land-tiller.	
Bernardo	Angola	16	Shepherd.	
José	Benguela	13	Land-tiller.	
Caetano . . . .	.. . . .	16	Mason	Master workman.
Francisco . . . .	.. . . .	20	Stone-cutter.	
Luiz	Angola	16	Land-tiller.	
Raimando . . . .	.. . . .	20	Blacksmith.	
Francisco	Benguela	20	Shepherd.	
Joaquim	Cabinda	18	Land-tiller.	
Ritta	Rebolo	34	Gardener	Son named "Domingos," 2½ years old.
*Antonia	Cabinda	30	.. . . .	Creole daughter, is named "Joaquina;" ill in hospital.
Thereza . . . .	.. . . .	30	.. . . .	Creole son; both ill.
Catharina . . . .	.. . . .	26	Washerwoman .	A son named "Joaquim."
Anna	Benguela	20	Gardener	Child lately born has died.
Maria . . . .	.. . . .	16	..	
Pedro	Cabinda	36	Hospital servant	Weak sight: better.
Joaquim	Benguela	20	..	
Simplicio . . . .	.. . . .	20	..	
Justino	Cabinda	20	..	
Sabino	Benguela	20	..	

Short Abstract of the foregoing detailed Report of the Africans landed from the "Flor de Loanda."

LAST Inspection in 1841, men and women found in charge of the Hospital Institution called the "*Santa Casa da Misericordia*," 73, and 3 male children.

On inspection of 4th November, 1842, 73, and 4 male and 1 female children; as follows:—

I have individually seen and spoken with 69
of said Africans, both male and female.

They are well in health, and well treated and clothed, and their
conduct has been most satisfactory.

Those not visited, marked thus,

* The woman Antonia, servant in an asylum 1
reported in good health and well-behaved.

* The women Antonia and Engracia, both ill at the hospital 2

* The man Antonio, suffering imprisonment as a murderer 1

Total 73

(Signed)

ROBERT HESKETH.

Rio de Janeiro, November 4, 1842.

H.B.M. Consul.

Second Enclosure in No. 208.

REPORT of Africans from "Flor de Loanda," Slaver, Apprenticed to Mr. Charles Lukin.

Names.	Ages.	Occupations.	Remarks.
	YEARS .		
Eliza	16	House service . .	Has a son named Joao ; is very indolent, but well disposed.
Maria	24	Washerwoman . .	Has a son and daughter, named Domingos and Rosa ; is well behaved.
Fanny	16	House service . .	Has a son, José ; is well behaved.
Luiza	17	House service ; irons &c.	Daughter Josepha ; behaves very well.
Gabriel	35	General service ; boatman and marketman.	Conduct very satisfactory ; speaks the language well ; capable of obtaining his own livelihood.
Francisco	23	Gardener and boatman	Well behaved.
Joao	35	General out of door service.	Honest good workman ; cannot speak the language ; and being at times lunatic, is scarce fit to take care of himself.
Domingos	30	General service . .	Idiotical ; supposed to be more knave than fool ; does little or nothing ; has slightly improved of late.
Diogo	20	House and general service.	Well behaved good servant ; quite capable of gaining his livelihood.

N.B.—Mr. Lukin is quite satisfied with the conduct of the above, with the exception of Domingos, and would be happy to engage them as free servants at expiration of their apprenticeship.

REPORT of Africans from the "Flor de Loanda," Slaver, Apprenticed to Mr. John J. Young.

Thereza	14	Washes ; house service	Industrious and well disposed.
Carlota	13	House service and nurse maid.	Good tempered, but giddy.
Carlos	11	House servant . .	Active clever boy.
Antonio	12	Cook	Quiet good boy.

Mr. Young is perfectly satisfied with the conduct of all these apprentices, and would willingly hire them as free servants when their apprenticeship shall cease.

REPORT of Africans from "Flor de Loanda," Slaver, Apprenticed to Mr. Robert Coats.

Francisca	30	Out of door general service.	Married ; 1 daughter.
Maria . . . .	..	..	Married ; daughter 14 months.
Rosa	24	..	Married ; daughter 11 months.
Anna	15	..	Married ; no children ; has a defect in her arms.
Caterina	50	..	Married ; no children.
Johanna	15	..	Unmarried.
Sabina	12	..	Unmarried.
José	4	..	An infant when received.

Mr. Coats would be willing to engage all the above as free servants.

REPORT of Africans from "*Flor de Loanda*," Slaver, in service of Major Koeller.

Names.	Ages.	Occupations.	Remarks.
Geronimo . . .	YEARS. 30	Out of door work .	Blind of one eye; has always been sickly; can do no work.
Carlos . . .	14	..	Healthy and well behaved.
Pedro . . .	14	..	..
Johanna . . .	20	House servant.	Has always been sickly: can afford no service whatever.
Carlota . . .	20	Washes; picks coffee.	Healthy; well behaved.
Carolina . . .	19	House servant.	..

Major Koeller is satisfied with the above, and would engage them as free servants.

REPORT of African from "*Flor de Loanda*," Slaver, in service of his Excellency Sr. Lopes Gama.

Marianna . . .	16	Nursemaid.	Well disposed and useful servant.
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His Excellency's family perfectly satisfied with the conduct of this girl.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mrs. Moke.

Victoria . . .	11	Washes; makes her own clothes; picks coffee.	Is well, but has always been very thin; is well behaved.
Alexandrina . . .	11	..	Healthy good servant.
Gertruda . . .	10	..	..
Angela . . .	10	Washes; sews well.	..
Thereza . . .	9	..	..
Julia . . .	9	..	..

All well behaved and contented; Mrs. Moke is satisfied with them, and willing to engage them as free servants.

REPORT of Africans from "*F or de Loanda*," Slaver, Apprenticed to Mr. J. G. Dickenson.

Bob . . .	13	House service.	Slightly deformed; not capable of much work.
Betsey . . .	13	Housemaid.	Placed, with Mr. Hamilton's sanction, with Mrs. Lefevre, whom she has since accompanied to England.
Rose . . .	14	House service and washing.	Well disposed, but giddy.

Mr. Dickenson is satisfied with the above.

REPORT of Africans from "*Flor de Loanda*," Slaver, in the service of the Rev. J. J. Champnes.

Charles Jimbatch	16	House servant and gardener.	Clever and diligent boy.
Rosa Jimbatch .	17	House service and washing.	Good disposition; well disposed.

Mr. Champnes is satisfied with the conduct of the above, and would hire them as free servants.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. Tross.

Rosa . . .	15	House servant.	Well behaved; now ill in hospital.
Francisco . . .	30	Store-man; general servant.	Good useful servant.

Mr. Tross is satisfied, and would hire the above as servants.

AFRICAN from "*Flor de Loanda*," in service of Dr. Lee, and since transferred by him to his brother-in-law Mr. James.

Rita	17	House servant.	Conduct good; now in the service of Dr. Lee's brother-in-law.
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Mr. James, brother-in-law of Dr. Lee, quite satisfied with the conduct of the above; she has one daughter.

AFRICAN from "*Flor de Loanda*," Slaver, in service of Mr. Maze.

Names.	Ages.	Occupations.	Remarks.
José	16	House servant.	Good serviceable boy.

Mr. Maze satisfied with the above, and would engage him as a free servant.

All the above Africans appear to be contented, and have been personally visited and spoken to by the undersigned, with the following exceptions: namely; *Eight*, as per above Return, in service of Mr. R. Coats, living at some distance from Rio.

Six, as per ditto, in service of Major Koeller, also at a distance in the country.

The woman Rosa, as per ditto, in service of Mr. Tross, ill in hospital.

The woman Betsey, in England with Mrs. Lefevre, mentioned in report of Africans apprenticed to Mr. Dickenson.

The distance of the above from Rio, and the other business of the mission have prevented the undersigned from inspecting these latter; but the Reports which have been made to Her Majesty's Legation respecting them, appear to be highly satisfactory.

Rio de Janeiro,
November 18, 1842.

(Signed) H. C. OUSELEY,
Attaché to Her Majesty's Legation.

Third Enclosure in No. 208.

M. Koeller to Mr. Hamilton.

MONSIEUR,

Rio de Janeiro, 7 Novembre, 1842.

J'AI reçu le 5 du mois courant l'estimable lettre dont vous m'avez honoré, datée du 4, exigeant de moi, d'après les ordres de Monsieur Hamilton Hamilton, &c. l'envoi sans délai à la Légation Britannique d'un Relatoire semblable à celui que j'avais remis au premier Avril de cette année, concernant les 6 Africains du Negrier "*Flor de Loanda*," à présent confiés à mes soins.

Ne voulant pas donner à son Excellence un Rapport peut être inexacte, j'ai fait partir le 5 même un exprès pour ma Fazenda, du Piabunha, située près du Parahyba, et j'ai ordonné à mon Administrateur de faire inspectionner les Africains par le Docteur Antonio Joaquim Lopes Lira, Medecin Chirurgien de l'Imperiale Fabrique de Poudre d'Estrella, et de m'envoyer son certificat, le tout dans le bout unique de pouvoir présenter à M. Hamilton Hamilton un Rapport sûr et exacte. En attendant que mon administrateur satisfasse à mes ordres, ce qui aura lieu dans la huitaine, je vous prie, Monsieur, de dire à son Excellence, que d'après les dernières et recentes nouvelles que j'ai eues du Piabunha les 4 Africains Carlota, Carolina, Carlos, et Pedro jouissaient de parfaite santé et que les deux autres Jeronima et Joanna continuaient sans maladie marquée, mais faibles par leur constitution physique: les deux derniers ne prêtaient aucun service et exigeaient de grands soins: les 4 premiers au contraire étaient avantageusement employés dans la manipulation du café, principal objet de mon agriculture.

J'ai l'honneur, &c.

(Signé)

JULES FREDERIC KOELLER,

A Monsieur Frederic Hamilton,

Major de Génie.

&c.

&c.

&c.

Fourth Enclosure in No. 208.

M. Koeller to Mr. Hamilton.

MONSIEUR,

Rio de Janeiro, 17 November, 1842.

J'AI l'honneur, Monsieur de vous remettre la lettre originale du Docteur en Médecine et Chirurgie, Antonio Joaquim Lopes Lira, dont j'ai fait mention dans ma lettre du 7 du Mois courant, en nous priant, Monsieur, de bien vouloir l'adjoindre à cette dernière, dont elle fera partie.

Agreez, &c.

(Signé)

JULES FREDERIC KOELLER,

A Monsieur Frederic Hamilton,

Major de Génie.

&c.

&c.

&c.

Sub-Enclosure in Fourth Enclosure in No. 208.

(Translation.)

Dr. Lira to Major Koeller.

SIR,

Imperial Factory of Gunpowder, November 12, 1842.

IN compliance with the request contained in your letter of the 5th instant, received on the 6th, I proceeded to your estate of Piabanha, where I arrived unexpectedly on the 9th at nine o'clock in the morning: your Overseer was absent; but I proceeded, notwithstanding, to examine into the state of your people, and more particularly the six Africans whom you specified.

I have to state respecting these, that Carlos, Pedro, Carlota and Carolina are in health, and have not had any illness whatever: as to Johanna and Geronymo they continue in their usual state of emaciation and debility, without any particular disease being perceptible.

These two do not leave the court-yard and the interior of the house, and do no service, neither ought they to do any thing; however, Johanna is a little better than Geronymo. I advised the Overseer, on his return, to continue their regimen of fowl, milk, and mandioca flower. With regard to the slaves and workman, I only found Isidoro in a weak state, owing to his running away, and to his living in the forest, but with good treatment and rest he will soon recover.

This is all I have to state to you whose obliged friend

I remain, &c.

(Signed)

ANTONIO JOAQUIM LOPEZ LIRA,
Surgeon and Doctor.

Major J. F. Koeller,
&c. &c.

Fifth Enclosure in No. 208.

Salt Works, near the Village of Itaguahy, November 27, 1842.

I, THE Undersigned, Robert Coats, at the request of Hamilton Hamilton, Esq., Her Britannic Majesty's Envoy, &c. &c., do hereby certify and attest, that the male child and seven female apprentices received by me from on board the "*Flor de Loanda*" slaver, are all in perfect good health, and the whole of them are employed in and about my establishment.

(Signed)

ROBERT COATS.

No. 209.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, January 15, 1843.

(Received March 12.)

MY LORD,

I HAVE the honour to submit to your Lordship the copy of another note which it appeared to me advisable to address to Senhor Aureliano, with reference to the affair at Ubatuba, treated of in my Despatch (Slave Trade Series) of the 22nd December last.

This note is grounded on a communication made to Commodore Purvis by the individual whose secret information on Slave Trade matters has so frequently been found serviceable in our endeavours to suppress that traffic.

The communication in question goes far to prove, if any additional evidence were called for, how very doubtful and little trustworthy are the sources whence the Brazilian Government derive their intelligence on questions of this nature; and their proneness to lend credence to reports, however improbable, calculated to depreciate the character and conduct of Her Majesty's naval service.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 209.

*Mr. Hamilton to Senhor Aureliano.**Rio de Janeiro, January 12, 1843.*

IN the note which Senhor Aureliano, &c., addressed to the Undersigned, &c., on the 11th October last, concerning the affair at Ubatuba, it is stated that a vessel having Africans on board had been captured by a ship said to be English, although it was suspected she did not belong to this station, because her crew was composed of men of different nations, and because the captors had sold on the coast some of the said Africans, &c. And again, in his Excellency's note of 18th November, it is stated that later communications made to the Government confirm the report above mentioned, with the additional averment that the ship which made the capture was an English brig of war, cruising on the coast where she was known; and it is therein further stated that his Excellency awaited the arrival in this harbour of the aforesaid captured vessel, in order to her being brought, together with her cargo, into the Mixed Court for adjudication, according to the stipulations of the Treaty subsisting between the two countries, when he would again have to address the Undersigned on the subject.

In his reply, dated the 31st October, the Undersigned repelled, in the most decided manner, any gratuitous assumption on the part of the Brazilian Government, or of its local authorities, tending to fix the odium of this piratical transaction on a British ship of war; and he showed at the same time, and again subsequently in his note No. 105, on the authority of Commodore Purvis, that at the period assigned for the transaction, no British ships of war, at least none belonging to this station, (and for one belonging to any other station it was still less likely), could have been either at or in the vicinity of Ubatuba.

With reference to the slaver alluded to in the communications above mentioned, and the reported transactions concerning her, the Undersigned has now the honour to solicit the attention of the Minister of Foreign Affairs to the following information received from Commodore Purvis, derived, there is reason to believe, from sources which may be regarded as authentic.

It appears, then, that the said slaver, when approaching the coast of Brazil, was taken possession of by her crew, who, after assassinating the Captain, plundered the vessel, and landed her cargo of human beings; that of these some effected their escape, and others were sold; and that the crew was composed of different nations, although they represented themselves perhaps to be Englishmen.

This is briefly the affair of Ubatuba; an affair magnified by the Government of the province of St. Paul's, doubtless on the representation of the local authorities there, and parties deeply interested in the Slave Trade, into an act perpetrated by a British brig of war.

Of the unequivocal encouragement given by the superior authorities of the empire to the spirit of hostility entertained by the traffickers in slaves towards Great Britain, through their ready and implicit credence of every distorted report, every fabricated tale carried to them which may tend to criminate the Officers and sailors of the British navy, any further proofs, unfortunately, are not required; they are already sufficiently ample and conclusive; still the Undersigned could not abstain, in justice to the representations of Commodore Purvis, from calling the attention of the Minister of Foreign Affairs to the remarkable statement to be found above, illustrative as is the inference to be deduced therefrom of the tone and temper of Brazilian authorities towards Great Britain, and of the measures pursued by them with respect to Her Majesty's naval service.

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Coutinho,

&c.

&c.

&c.

No. 210.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, January 18, 1843.**(Received March 12.)*

MY LORD,

I HAVE the honour to submit to your Lordship copies of letters which I have received from the Commanding Officer of Her Majesty's squadron here, and from the British Pro-Consul at Monte Video, reporting the facilities afforded by Brazilian ships of war on that station, to certain Brazilian subjects established in the vicinity, in embarking clandestinely numerous African negroes, recently their slaves, but who, through a late Decree of Manumission by the Government of Montevideo, had, with all other Africans in that Republic, obtained their freedom.

I have given the most attentive consideration to whatever provisions of our Slave Trade Conventions seem to bear, however remotely, on the removal of slaves from one place to another, but do not discover any one which satisfies me that I should be justified in addressing an official remonstrance to the Brazilian Government regarding these proceedings of their ships of war in the river Plate. It would not be possible, I conceive, to show, in any way at all conclusive, whether these negroes were imported into Monte Video directly from the coast of Africa, or whether they were not introduced there, coastways, from this country. At all events, I have not done more than transmit to Sr. Aureliano in a private note, (which forms an Enclosure in my Despatch No. 7, General Series,) without comment of any kind, a copy of the Monte Videan Minister's communication to Mr. Pro-Consul Dale. The case in question, however, is of importance, though but little likely, perhaps, to occur again; and your Lordship may consider it expedient to call for the opinion of the Law Officers of the Crown.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 210.

SIR,

"Alfred," in Rio de Janeiro, January 13, 1843.

I do myself the honour to enclose for your Excellency's perusal, a letter from Commander Haymes, of Her Majesty's ship "Fantome," and Senior Officer for the present in the river Plate, detailing to me a circumstance communicated to him by Her Majesty's Pro-Consul at Monte Video, and requiring from me instructions on the subject. I agree with Commander Haymes to the extent that it is a breach of faith towards the Republic of the Banda Oriental, on the part of the Brazilian Government; and it is to be borne in mind we have with the Monte Videan Government a Treaty for the Abolition of Slavery, and the Secretary to that Government denounces the fact to the British Pro-Consul, that a Brazilian vessel of war has clandestinely, and in opposition to the intimations of its Police, embarked 80 and odd negroes, intended to be landed at Rio Grande, or some other part of the coast of Brazil.

The flag of a vessel of war constitutes, in some measure, a passport, from the protection international law affords her; however, by the Treaty between the Empire of Brazil and Great Britain, it is not so with a merchant vessel; and if these negroes are transhipped thereto from the men of war, my opinion is, a British Officer would be fully warranted in detaining such vessel if met with at sea, and sending her before the Mixed Commission Court for Adjudication. Remonstrance, according to the tenor of my Instructions from the Admiralty, remains with your Excellency; and I suggest the propriety of such being immediately had recourse to with the Brazilian authorities, convinced as I am the case of a vessel of war receiving on board negroes was never contemplated by either of the contracting parties, when framing the Slave Trade Abolition Treaty.

I have, &c.

Hamilton Hamilton, Esq.

(Signed)

J. B. PURVIS, *Commodore.*

&c.

&c.

First Sub-Enclosure in First Enclosure in No. 210.

Commander Haymes to Commodore Purvis.

Her Majesty's Ship, "Fantome," Monte Video, December 18, 1842.

SIR,

I HAVE the honour to transmit herewith a communication made to me by Her Majesty's Pro-Consul General at Monte Video, dated the 17th inst.

I abstain from making any comments on this flagrant breach of good faith, not only to the Government of the Republic, but also to the express terms of the Treaty existing between Her Majesty and the Empire of Brazil. It will serve, however, to corroborate the surmises I have had the honour to communicate to you on various occasions, and, I trust, convince Her Majesty's Minister at the Brazilian Court of the utter hopelessness of obtaining any support in that quarter for the suppression of the inhuman traffic in slaves.

I have taken such steps as the case requires, and the Treaty will admit: should they tranship the negroes into merchant vessels, I shall not hesitate to board and detain them, sending them to Rio for adjudication; and, if molested by the Brazilian men of war in the execution of this duty, shall assuredly repel force by force, the consequence falling on their heads as the aggressors.

If you do not approve of these my intentions, I shall feel obliged by your particular instructions as to the line of conduct you would wish me to pursue in these unlooked-for circumstances.

I have, &c.

Commodore Purvis,
&c. &c.

(Signed) P. G. HAYMES, *Commander.*

Second Sub-Enclosure in First Enclosure in No 210.

Mr. Dale to Commander Haymes.

SIR,

British Consulate-General, Monte Video, December 17, 1842.

I HAVE to acquaint you, that I yesterday received from the Monte Videan Secretary of State for Foreign Affairs, a note stating that he had been ordered by his Government to inform me, that on the night of the 12th instant, being the day on which the Negro Emancipation Law passed the Legislative Chambers, certain Brazilian subjects possessing saladeros on the brow of the Mount, had embarked in boats belonging to a Brazilian corvette, lying in the harbour of Monte Video, supported by armed men, a number of negroes, amounting to about 80, who were put on board a Brazilian corvette clandestinely, and in opposition to the Commissary of Police.

The Secretary also states that the Government of Monte Video has thought proper to bring this act to my knowledge, as being an offence against the laws and independence of the Republic.

I beg leave, for your information, to enclose a copy and translation of the note to which I have alluded, in order that you may take those measures which you deem justifiable and proper to prevent these unfortunate negroes being thus carried away from a state, in which by law they have just been declared free men, and consigned to slavery in the Brazilian Empire, in direct violation of justice, humanity, and of the *spirit*, if not of the *letter* of the Treaty made between Great Britain and the Empire of Brazil.

I shall transmit a copy of the Monte Videan Secretary's note, with a full statement of this very disgraceful affair, for the information of Her Majesty's Government, and to Her Majesty's Minister, and to the Commander-in-Chief at Rio de Janeiro.

I have, &c.

Commander P. G. Haymes,
&c. &c.

(Signed) JOHN P. DALE,
Pro-Consul General.

Second Enclosure in No. 210.

Mr. Dale to Mr. Hamilton.

SIR,

British Consulate-General, Monte Video, December 17, 1842.

It appears that at the moment of passing the Monte Videan Slave Emancipation Law, on the 12th, at night, the boats belonging to the Brazilian ships of war in this harbour were busily employed in assisting certain Brazilian slaveholders who have saladeros on the Mount, in embarking their slaves, and placing them on board a Brazilian corvette, to prevent them receiving the liberty to which they were clearly entitled by the general Law of Manumission.

The note, which, by order of the Government, has been addressed to me by the Secretary for Foreign Affairs, in Monte Video, a copy and translation of which I have the honour to enclose, is very clear in its statement and accusation; and I entertain not the smallest doubt that the charge is well-founded and correct, though I have some reason to think that the number of slaves said to have been thus clandestinely embarked is underrated.

At the present moment, I do not know that the Government of Monte Video has addressed any remonstrance to, or required any explanation of this affair, from the Brazilian Chargé d'Affaires in this city. I will take care to keep you advised of any important circumstance which may grow out of this transaction.

I have, &c.

(Signed)

JOHN POWNAL DALE,

H.B.M. Pro-Consul-General.

Hamilton Hamilton, Esq.
&c. &c.

Sub-Enclosure in Second Enclosure in No. 210.

M. Gelly to Mr. Dale.

(Translation.)

Monte Video, December 16, 1842.

THE Undersigned, Secretary for Foreign Affairs, has the honour to say to the Pro-Consul of Her Britannic Majesty in Monte Video, that he has received orders from his Government to inform him, that on the night of the 12th inst., the day on which the Law of Emancipation was given by the Assembly, the Brazilian subjects, Manuel Gonsalves da Costa, and Don Rafäel Machado, and Boriolis, who have their saladeros on the brow of the Mount, embarked in the long-boats of the Brazilian corvette, supported by armed people, 80 and odd negroes, who were put on board the above-named corvette clandestinely, and in opposition to the intimations of the Commissary of the Police.

The Government of the Republic has thought proper to bring this act to the knowledge of the Pro-Consul of Her Britannic Majesty, as an offence against the laws and independence of the Republic.

The Undersigned, &c.

(Signed)

JUAN A. GELLY.

J. P. Dale, Esq.
&c. &c.

No. 211.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, January 18, 1843.

(Received March 12.)

MY LORD,

WITH reference to the postscript of my Despatch (Slave Trade Series) of December 22, 1842, regarding the two slavers "*Leopoldina*" and "*Tejo*," I have the honour to transmit the accompanying copy of a note of mine alluded to therein.

I likewise communicate herewith copies of two other notes addressed by me to the Minister of Foreign Affairs, representing against the decision of the Brazilian Commissary-Judge, not to receive the complaint of Lieutenant Nott, of

Her Majesty's brig "Partridge," respecting the "*Leopoldina*;" and calling on the Brazilian Government to bring the "*Leopoldina*" and the "*Tejo*" without delay into the Mixed Court, for adjudication.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 211.

Mr. Hamilton to Senhor Aureliano.

Rio de Janeiro, December 28, 1842.

THE Undersigned, &c., has received and forwarded to his Government the note which Sr. Aureliano, &c., addressed to him on the 19th instant, reporting certain occurrences in the Bertioga River, near Santos, on the 25th November, wherein were concerned the boats of Her Majesty's brig "Curlew," Commander Foote, when on the watch for the "*Amizade Constante*," otherwise "*Tejo*," a Portuguese slaver.

The Undersigned will not trust himself to make any observations on the tone and temper which distinguish this note, and declines, therefore, to enter at all into discussion on the occurrences to which it relates. As he did with respect to Sr. Aureliano's note, No. 84, on the recent affair at Macahé, he considers it also in this instance more advisable to refer the matter at once to the judgment and decision of his own Government.

Awaiting, therefore, the instructions with which it may be deemed expedient to provide him, the Undersigned will, on the present occasion, merely submit to Sr. Aureliano, the Reports of the same occurrences which have been transmitted by the Commander of Her Majesty's brig "Curlew," and the British Vice-Consul at Santos.

Reiterating to his Excellency, &c.,

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Coutinho,
&c. &c. &c.

Second Enclosure in No. 211.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, January 6, 1843.

THE Brazilian Commissary-Judge in the Mixed Court has refused to entertain the complaint of Lieut. Nott, commanding Her Majesty's brig of war "Partridge," relative to the brig "*Leopoldina*," employed in Slave Trade, which brig was chased into Macahé roadsted by the "Partridge," on the 26th November last, without consulting previously his own Government.

Into any examination of the arguments which were advanced by Sr. de Campos in support of his refusal, at the sitting of the Court on the 3rd inst., it is not necessary that the Undersigned should enter. In his reply to Sr. de Campos, the British Commissary-Judge exposed in a very conclusive and satisfactory manner, as it appears to the Undersigned, their evasive and untenable nature.

The Undersigned will only express to his Excellency the Minister of Foreign Affairs his hope that the Government of Brazil, showing due reverence to obligations contracted by solemn Treaty, will not arrogate to themselves the indefensible right to protect slave vessels, detected, as has been the "*Leopoldina*," *in flagrante delicto*; but that they will, without delay, issue their mandate to their Commissioners in the Mixed Court to proceed with the investigation demanded by the Commander and Officers of the "Partridge;" and that the "*Leopoldina*" may for that purpose be brought before the Mixed Court, together with all the slaves landed from her on the Brazilian territory, in conformity with the provisions of the existing Treaties between Great Britain and Brazil.

The Undersigned, &c., in making this communication to Sr. Aureliano, &c., &c., and transmitting with it the opinions emitted on the subject to which it relates by the Commissary-Judges of the Allied Courts, in the sitting of the 3rd instant, avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Coutinho,
 &c. &c. &c.

Third Enclosure in No. 211.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, January 18, 1843.

COMMODORE PURVIS, commanding Her Majesty's Squadron on the Coast of Brazil, has been informed by Lieutenant Foote, of the brig of war "Curlew," that the Africans landed at Perrequé, not far from Santos, from the brig "Tejo," otherwise "*Amizade Constante*," amounted to 620; that the soldiers put on board of her afterwards by the Brazilian authorities threw overboard the mess-tubs, water-casks, and other fittings which might have betrayed the nefarious traffic in which she had been engaged; and that the said local authorities declare, without any reserve, their determination to promote the commerce as one advantageous to the country: considering, as they do, the Treaty with Great Britain for its Suppression to have been forced on the Government, and to be opposed to the Brazilian Constitution.

But it has likewise been reported to Commodore Purvis, that the said "Tejo," or "*Amizade Constante*," which had been given up at first to its owners, has been since taken possession of again by the authorities aforesaid, under instructions from the Government.

Acting on this information, the Undersigned, &c., begs permission to refer Sr. Aureliano, &c., to the arguments developed in the communication which he had the honour to address to him on the 6th instant, concerning the "*Leopoldina*," arguments in a great measure applicable to the "Tejo" or "*Amizade Constante*," and at the same time to express his hope that the Government, counteracting in the most effectual manner the determination of the local authorities, so contumaciously proclaimed by them, and pursuing consistently the course it has commenced by the seizure of the last-mentioned vessel, will promptly bring her before the Court of Mixed Commission, where alone her true character can be elucidated.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Coutinho,
 &c. &c. &c.

No. 212.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 9, 1843.

(Received April 12.)

MY LORD,

By your Despatch, (Slave Trade Series, of the 3rd June, 1842), I was instructed to address a Representation to the Brazilian Government explanatory of the conduct of the Officers commanding Her Majesty's ships "Rose" and "Wizard," who, when visiting two suspicious-looking vessels on the coast of Brazil, had broken open the envelopes covering their manifests, the said envelopes being sealed with the Imperial arms of Brazil; thereby inducing complaints and proceedings on the part of the Brazilian Government of a nature which the circumstances referred to certainly did not warrant.

I have the honour to transmit to your Lordship herewith, the note which, in obedience to those Instructions, I sent to the Minister of Foreign Affairs, and the correspondence which followed it.

As three months, however, had elapsed without an answer to my representa-

tion, I sought a conference with Sr. Aureliano on the subject, towards the close of November. The nature of that conference is shown in the Enclosure. It will be sufficient if I mention here, that the explanation given by me appearing perfectly satisfactory to the Imperial Government, the misunderstanding was put an end to by the recall, on the part of the Government, of the Interdict issued against Captain Christie, and by Commodore Purvis and other Officers of Her Majesty's Squadron here again appearing at Court, from which, after the Interdict was imposed, they had purposely, and with one mind, kept away.

Sr. Aureliano omitted to communicate to me, as he had promised, the mode it was intended to pursue in future with regard to ships' manifests, in order to obviate all further collision on that point. It is to the following purport however: each vessel to be provided with duplicates, one under seal as before, the other open, but the validity of it to be duly shown and authenticated.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 212.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, August 15, 1843.

THE Undersigned, &c. duly communicated to Her Majesty's Government, the note addressed to him on the 28th January last, by Sr. Aureliano, &c., preferring a complaint, on the part of the Brazilian Government, against Commander Christie, of Her Majesty's sloop "Rose," an officer of that ship, having, while examining a vessel suspected of Slave Trade, broken open the cover, sealed with the Imperial arms of Brazil, which contained the manifest of the Brazilian vessel "*Bom Fim*;" and Her Majesty's Government having entered into the consideration of this matter, with an earnest desire to ascertain the real facts and bearings of the case, and to do full justice on them to the Brazilian Government, have instructed the Undersigned to address his Excellency to the following effect:

Her Majesty's Government are of opinion, that the act constituting the offence alleged to have been committed by the Officer of the "Rose," has been commented on in terms which the case does not warrant.

The charge made by Sr. Aureliano, in his note of the 28th January last, is, that an Officer of the British Navy has been guilty of an attempt against the dignity of Brazil and of the Emperor, against all honourable principles, and against one of the most sacred rights of a nation; that a Despatch under the seal of the Imperial arms was torn open by him on the high seas, forcibly taking it from the hands of the Captain of the vessel to whom it had been entrusted, and presuming to write on the cover the confession of his fault.

"Never," continues Sr. Aureliano, "never did, nor ever could, any individual offer any greater insult to His Majesty the Emperor of Brazil and the Brazilian nation; and the Undersigned, in the name and by the order of that August Personage, claims the satisfaction due on the part of the Government of the Queen of Great Britain."

The fact however is, that the Officer of the "Rose" did not open a Despatch, as was distinctly shown by the Undersigned in his answer to the note of Sr. Aureliano here referred to, but that he merely broke the seal of the cover of the manifest of the ship "*Bom Fim*," in order to ascertain whether she was engaged in the illicit traffic of slaves; and that having so done, he endorsed the cover, with a simple statement to that effect, so that no misconception or misrepresentation might arise as to the purpose for which it had been opened.

Sr. Aureliano, in the note here recited, refers to another case, in which he states that an act of violence had been committed against the rights and dignity of the Brazilian Crown, by the Commander of the English brig "Wizard," who, according to his Excellency's representation of the circumstance, opened a Despatch of the Custom-house of the Province of Pernambuco, substituting for the seal of the Empire that which that Commander personally uses.

Here again the act done by the British Commander was opening the cover of the manifest, to ascertain whether the vessel was engaged in Slave Trade; and in this case he resealed the same in the best manner he could.

From the complaints thus brought forward against Her Majesty's ships "Rose" and "Wizard," as well as from the evidence afforded by the archives of the Mixed Commission Court, it should appear to be the practice of the Brazilian Custom-house authorities to seal up the official manifest of the cargo of a vessel; but that document ought to be open to the inspection of all persons having a legal right to visit and search the vessel; and if, for the purpose of their own convenience, or for the protection of their revenue, the Brazilian Government should determine to continue this practice, they are bound to issue to each vessel a duplicate, duly certified, of the sealed manifest, which duplicate may be open to the inspection of all having the right, as in the instances here cited, to examine that vessel's papers.

Her Majesty's Government are far from claiming the right to open documents sealed with the Imperial arms of Brazil; but if the Commander of Her Majesty's cruisers are to be debarred from inspecting the original manifest, and a duplicate of it, such as above-mentioned, is not produced, the only course left to those Officers in the execution of their duty, will be to take the vessel back to the port from whence she cleared out, and there, by application to the proper authority, to procure the exhibition of the original document.

The Undersigned is instructed to express to Sr. Aureliano the deep regret felt by Her Majesty's Government, that the innocent act of a British Officer should have been the source of so much dissatisfaction on the part of the Government of Brazil. That Government cannot seriously suppose that any disrespect to the Empire or its Sovereign was intended, or that the act complained of had any other object than that of facilitating the efficient performance of a duty to which the Governments of Great Britain and Brazil are mutually and solemnly pledged.

As the occurrence has unfortunately given rise to unpleasant feelings on the part of the Imperial Government, Her Majesty's Government must lament sincerely that it should have happened; at the same time they cannot but be sensible that the complaint as preferred by Sr. Aureliano is much more than commensurate to the offence.

In performing this duty, the Undersigned, &c. &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Continho,
&c. &c. &c.

(Translation.)

Second Enclosure in No. 212.

Sr. Aureliano to Mr. Hamilton.

Rio de Janeiro, November 29, 1842.

IN the conference with which Mr. Hamilton, &c., honoured me yesterday at the Department of Foreign Affairs, among other matters, touched upon was the fact of Captain Christie, commanding the English corvette "Rose," having broken the Imperial Seal of a Despatch addressed by one Brazilian authority to another, under the pretext of examining the manifest of the Brazilian vessel "Bom Fim," a fact against which I represented in a note of the 28th January last as derogatory to the dignity of the Imperial Crown, and calling for due satisfaction.

On this occasion Mr. Hamilton verbally assured me that, in his previous correspondence, he had already stated that the enlightened Government of Her Britannic Majesty, knowing the reciprocal rights and duties of friendly and independent nations, does not pretend to the inspection of the Despatches that the Brazilian authorities may have occasion to address to each other by sea, duly sealed with the arms of the Empire, and that the case in question was only attributable to the excessive zeal with which Captain Christie executed his commission, and to the master's having presented to him that copy only of the manifest, saying he had no other, and his considering therefore that he could not avoid opening it for the purpose of examining it, as he thereon declared in writing, and by no means in the intention of insulting the Government of a nation friendly and allied to Great Britain. But, on examining the said correspondence, and finding that these explanations are not declared therein in terms sufficiently explicit, Mr. Hamilton consented to afford them in writing, whenever called on by me.

This is, therefore, the object of this confidential note that I have now the honour to address to Mr. Hamilton; and I feel certain that he will not only answer me in due form, but will also interfere in the proper quarter, in order that such occurrences may not be repeated, which might tend to disturb the relations of friendship and perfect harmony happily subsisting between the two nations, and which the Imperial Government so ardently seek to draw closer.

I shall therefore hasten to bring to the august presence of His Majesty the Emperor the correspondence which has passed on the subject, and am confident that I shall succeed in removing from the Imperial mind the dissatisfaction which such an affair has caused him, obtaining from his goodness the revocation of the mark of displeasure which the same August Person was pleased to give to Captain Christie, in depriving him of the honour of being presented to Him at the Imperial Palace.

In making this communication to Mr. Hamilton, trusting that so disagreeable a question will thus be terminated,

I avail, &c.

(Signed) AURELIANO DE SOUZA E. O. COUTINHO.
Hamilton Hamilton, Esq.
 &c. &c.

Third Enclosure in No. 212.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, November 30, 1842.

THE Undersigned, &c., in answer to the confidential communication which he had the honour to receive yesterday from Snr. Aureliano, &c., respecting the opening of an official envelope bearing the Imperial Seal, by an Officer of Her Majesty's ship "Rose," commanded by Captain Christie, hastens to make the following observations.

That in his first note on the subject, under date of Feb. 10, it was fully explained by the Undersigned, that the act in question was not resorted to till after long discussion with the master of the "*Bon Fim*," and even then only with great reluctance, for the purpose of examining the original manifest of that vessel, as prescribed to him by his Instructions—Instructions founded on the Treaties which bind the two countries; and, as had been done repeatedly before, without any remonstrance whatever.

That again, in his note of August 15, it was stated by the Undersigned, that Her Majesty's Government are far from claiming the right of opening documents sealed with the Imperial Arms of Brazil; and that he had been instructed to express the deep regret they felt, that the innocent act of a British Officer should have been the source of so much dissatisfaction on the part of the Government of Brazil, and have induced the said Government seriously to suppose that any disrespect to the Empire or its Sovereign had been intended; in a word, that *Her Majesty's Government did most sincerely lament its occurrence.*

To the Undersigned it appears, that the expressions here referred to are sufficiently clear and explicit. His Excellency is of another opinion, and the Undersigned, therefore, does not hesitate to state here, that Her Majesty's Government, duly appreciating the rights and reciprocal duties of independent and friendly nations, do by no means arrogate the privilege of inspecting official letters emanating from Brazilian authorities, transmitted by sea, duly sealed with the Imperial Arms; that the act against which the Imperial Government protested, was that of an Officer actuated by *excessive* zeal in the performance of his duties; and that such representations have been made to the Officer commanding Her Majesty's squadron on the coast of Brazil, as will prevent the recurrence of any such act in future.

Having thus responded in the most cordial manner to the wishes expressed by Sr. Aureliano on this matter, the Undersigned cannot but flatter himself, that through his Excellency's ministration similar conciliatory advances will be made

on the part of the Imperial Government, and the Interdict, so derogatory to the character of British Naval Officers, and of Captain Christie in particular, be forthwith revoked.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Coutinho,
&c. &c. &c.

Fourth Enclosure in No. 212.

(Translation).

Senhor Aureliano to Mr. Hamilton.

Palace, Rio de Janeiro, December 5, 1842.

THE Undersigned, Councillor of His Majesty the Emperor, Senator of the Empire, &c., acknowledges the receipt of the confidential note, which Mr. Hamilton Hamilton, Envoy Extraordinary, &c., of Her Britannic Majesty, addressed to him, dated the 30th of last month, in answer to that which the Undersigned had addressed to him (Mr. Hamilton) with regard to the fact of an Officer of Her Britannic Majesty's Ship "Rose," having opened a package bearing the Imperial Seal. And in answer to this confidential note, the Undersigned has the honour to inform Mr. Hamilton that the necessary orders have been issued to the Gentleman Usher of His Imperial Majesty (— *Porteiro da Imperial Damara*) revoking the order which had been given for preventing the entrance of Mr. Christie into the Imperial Palaces; Mr. Hamilton having admitted the justness of the claim of the Imperial Government, and having come forward to give the proper satisfaction; asserting that the Government of Her Britannic Majesty would not, on any account, take upon itself to order the Officers of its Navy to open any sealed Despatches bearing the Imperial Arms, and that not only did Mr. Christie act *with an excess of zeal* for Her Britannic Majesty's service, *but also that orders have been issued to prevent the repetition of such occurrences.*

The Undersigned avails himself of this opportunity, &c.

(Signed)

AURELIANO DE SOUZA E. OLIVEIRA COUTINHO.

JOZE AUGOSTINHO BARBOZA, JUN.

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly Sworn.*

Hamilton Hamilton, Esq.,
&c. &c.

No. 213.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 20, 1843.

(Received April 12.)

MY LORD,

I HAD the honour in my Despatch of the 18th ultimo, (Slave Trade Series,) to address your Lordship respecting a late clandestine embarkation on board a Brazilian corvette stationed at Montevideo, effected by some of His Imperial Majesty's subjects resident in the Oriental Republic, of certain negroes, assumed to be their property, but who had recently received an unconditional freedom by an Act of Manumission passed by the Legislature of this Republic.

It is now my duty to state, that the Brazilian corvette, "*Sete d'Abri!*," arrived at Desterro in S. Catherine's on the 5th ultimo, and deposited there 188 negroes, belonging, it is said, to subjects of Brazil, as above-mentioned, by whom they had been rescued, unfortunately, from the operation of the decree of December 12, 1842, and who, it is probable, are the very individuals adverted to in my Despatch above cited.

In that Despatch I assigned the reasons why it did not appear advisable to make any official representation on the subject to the Brazilian Government. I think those reasons still hold good; and, superinduced is the desire I feel not to precipitate a question which, when agitated, may be agitated more effectually, I think, by Mr. Ellis in those negotiations on Slave Trade matters, which it is yet possible, but only possible, he may induce the Government of Brazil to enter upon.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

No. 214.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 20, 1843.
(Received April 12.)

(Extract.)

No slavers whatever have been captured or destroyed here since the Portuguese brig "*Leopoldina*;" but two or three are reported to have landed their cargoes in this neighbourhood within the last eight or ten days, and others are expected immediately.

No. 215.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, May 3, 1843.

I HAVE received your Despatch of the 9th of February last, enclosing copies and translations of correspondence with M. Aureliano, respecting the practice of the Brazilian Custom-house in sealing up the official manifest of the cargoes of merchant vessels, and the complaints made by the Brazilian Government upon the breaking of such seals by the Commanders of Her Majesty's cruisers "*Rose*" and "*Wizard*."

Your note to M. Aureliano, of the 15th August last, appears, with some slight alteration in the words, to be conformable to the Instructions which I gave you in my Despatch of the 3rd of June preceding. But by the note addressed to you by M. Aureliano, on the 29th of November, which you transmit as giving "the nature of a conference" which you had sought with that Minister, it appears that you stated to M. Aureliano that Captain Christie's conduct "was only attributable to the excessive zeal with which he executed his commission." And this is confirmed by the language of your own note to M. Aureliano, dated on the following day, in which you say that the act against which the Imperial Government protested was that of an Officer actuated by excessive zeal in the performance of his duties; and that such representations have been made to the Officer commanding Her Majesty's squadron on the coast of Brazil as will prevent the recurrence of any such act in future.

I regret to observe that the above statement is not calculated to convey correctly to the Brazilian Government the view which Her Majesty's Government take of the conduct of Her Majesty's Officers which has been made the subject of complaint. Her Majesty's Government are not of opinion that the act of Captain Christie and Lieutenant Somerville furnishes any ground for charging those Officers with excess of zeal. Her Majesty's Government have stated that, although they are far from claiming a right to open documents sealed with the Imperial Arms of Brazil, they consider that it would be the duty of Her Majesty's Officers, if debarred from doing so, and in the absence of a certified duplicate of the manifest enclosed under that seal, to take the vessel back to the port from which she cleared out, there to procure the proper exhibition of the original document; a course far more inconvenient to the owners and crews of

the vessel, but, under such circumstances, absolutely necessary. Now, Captain Christie and Lieutenant Somerville, by opening the sealed manifests of the "Bonfim" and "Amalia," saved the parties interested in those vessels from that inconvenience. But although the Brazilian Government have thought fit to protest against the course which those Officers considered it advisable to pursue, Her Majesty's Government cannot admit that there is any ground for charging them with more than a proper zeal in the discharge of their duties.

With respect to the representation made to the Officer in command of Her Majesty's squadron on the Brazilian Coast, and the effect to be expected from that representation, I fear that, by the manner in which you have expressed yourself in that part of your communication, the Brazilian Government may be led to expect that Her Majesty's Government have given unconditional orders to Her Majesty's Officers to abstain from opening the sealed manifests of suspected merchant vessels; whereas the issue of such orders must be coupled with instructions to adopt the alternative of taking the vessel back to the port from which she sailed, unless a certified duplicate of the manifest is exhibited to the Officer who visits her.

I observe that, at the time at which you wrote your Despatch, you had not obtained from the Brazilian Government any assurance, in writing, that an open and certified copy of the manifest should be furnished to vessels sailing from the ports of Brazil. If, therefore, upon the receipt of this Despatch, you are still without such written assurance, you will apply to the Brazilian Minister to furnish you with one; and you will at the same time take the opportunity of correcting, in the sense of this Despatch, any misapprehension which may have arisen from your former communications with M. Aureliano.

I have, &c.

(Signed)

ABERDEEN.

Hamilton Hamilton, Esq.
&c. &c.

No. 216.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, May 3, 1843.

I HAVE to instruct you to prepare, upon the receipt of this Despatch, and to send to this Office a Report showing the state of Slave Trade and of Slavery in Brazil.

In this Report you will, as far as your information gives you means, state the number of vessels which annually, for the last five years, have sailed for Africa, and have been supposed to engage in the Slave Trade; and the number and names of vessels which annually, during that period, have arrived from Africa.

You will mark such of these vessels as are said to have brought cargoes of slaves, and state the number of those slaves, and the place where they were landed; and you will state the fate which may appear to have befallen other vessels sailing from Africa for Brazil laden with slaves.

You will state what has been the conduct of the authorities in dealing with Slave Trade; and what rank and condition are the persons supposed to be concerned in it; and generally any facts or observations which may occur to you as showing the manner in which the trade is carried on, and its condition at the time.

In this Report you will also state, as far as you can, the number of slaves, distinguishing males from females, and adults from children, and the number of free coloured people and of white people who exist in Brazil, and the number which existed there at the conclusion of each of the five previous years.

You will state the amount and value of the exports for the last five years, of such staple productions of the country as are cultivated wholly or principally by slave labour.

You will accompany your Report by an account of the treatment of slaves in Brazil, stating whether they are hardly or lightly worked, well or ill fed, and clothed; whether they have any protection by law, and to what extent emancipation has been practised.

You will add also any observations which occur to you on this part of the subject.

You will, on the 1st of January of each succeeding year, make a Report to the same effect, confining your observations to what has occurred on the subject in the year then elapsed, and to the state of Slave Trade and Slavery at the time at which you send in that report.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 217.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, March 15, 1843.

(Received May 7.)

MY LORD,

I HAVE the honour to acknowledge the receipt, on the 7th instant, by Her Majesty's packet "Penguin," of your Lordship's Despatch of the 13th December, 1842, of the Slave Trade Series.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

No. 218.

Mr. Ellis to the Earl of Aberdeen.

Rio de Janeiro, March 29, 1843.

(Received May 27.)

MY LORD,

THE Despatches of Mr. Hamilton and Mr. Samo will have made your Lordship acquainted with the audacious manner in which the importation of slaves is carried on throughout the coast of Brazil, and even in the harbour of Rio Janeiro itself.

Notwithstanding the notoriety of these facts, Monsieur Vasconcellos did not hesitate to declare in his place in the Senate, that no slaves had been landed in Brazil during the last two years.

The assertion was as little believed by his audience, as by Monsieur Vasconcellos himself; but Monsieur Vasconcellos is much too astute a person to have committed himself by so manifest a falsehood, without some more rational motive than mere bravado; and I have no doubt that he thus expressed himself, in order to strengthen any denial of the fact that may be made by the Brazilian Ministers, in reply to the remonstrances of the British Government, against the utter indifference to, if not absolute connivance of the Brazilian Government, at the maintenance and increase of the traffic in slaves.

Your Lordship must therefore be prepared for the most positive refusal to admit that any increase of the importation of slaves has taken place within the period specified; and I am sure that any measures taken by the British Government to enforce the honest execution of the Treaty for the Suppression of the Slave Trade, must be adopted on the assumption, (a thoroughly well-grounded one), of the truth of the statements furnished to it by Mr. Hamilton and Mr. Samo.

The Minister of Marine has lately obtained authority from the Chamber of Deputies to sell the slaves attached to the Arsenal. He has thus given the positive sanction of the Government to the internal traffic in slaves; and this is done notwithstanding the solicitude expressed by the Emperor, in the speech from the throne, for the introduction of free labour into the country.

I have, &c.

(Signed)

H. ELLIS.

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

Mr. Hamilton to the Earl of Aberdeen.

*Rio de Janeiro, April 12, 1843.
(Received June 7.)*

MY LORD,

SR. VASCONCELLOS, a Member of the Imperial Senate, hazarded in that Chamber some few weeks ago, the bold assertion, that not an African had been imported into Brazil within the last twelve months. Though eliciting expressions of surprise from some of the more conscientious of the Senators, it provoked no decided contradiction. It seemed incumbent on myself, therefore, to disprove the statement; and I addressed to the Minister of Foreign Affairs a Recapitulation of the slavers which had landed their cargoes, and an estimate of the numbers of which those cargoes consisted, within a much more limited time than that quoted by Sr. Vasconcellos, and, likewise, on a limited part only of the Brazilian coast.

But this opportunity appeared favourable also for again demonstrating to the Government the practices of the slavedealers, carried on with so much effrontery, and yet with so much impunity, and at different points of the empire; and I entered at some length into the subject.

For the details with which I rebutted the assertions of Sr. Vasconcellos, as well as for those exhibiting the malpractices here referred to of the slave-merchants, and the connivance of some of the local authorities, I beg leave to request your Lordship's attention to the accompanying copy of my note to Sr. Carneiro Leão. The occurrences, however, there represented, are not all I might bring under his Excellency's consideration; but I have been unwilling to lay too severe a charge, by exposing transactions still more culpable, which have passed, as it were, under the very eyes of the Government Authorities. The following grave and inexcusable occurrences might have been added to the catalogue; but what are to be found in my note will suffice to show, that Her Majesty's Officers are alive to all that is passing culpable or irregular on the part of Brazilian functionaries, in carrying out the stipulations made by Treaty for the Abolition of Slave Trade.

Vessels placed by their proprietors a few months ago at the disposal of the Government, in a spirit of patriotism, as was alleged, a pseudo spirit, as it would appear by the result, for the transport of troops to the southward, have been employed subsequently in illegal expeditions to the African slave marts; the fittings and other equipments on board adapted for the transport of soldiers, being available, likewise, for that of negroes.

On the 16th March, two parties of *Boçoes* (new negroes) were marched through one of the principal streets of this capital at noon-day. And that exhibition was by no means a solitary one. In this said street are several places of deposit, where such negroes are openly offered for sale.

On the succeeding morning, about 7 o'clock, a very large open launch, crowded with Africans in a state of nudity, was seen crossing the harbour. This occurrence, too, was witnessed by many persons, but no interruption whatever was offered to the boat, and she pursued her way with her contraband cargo.

Not many months ago, one of the forts near the entrance of this harbour, received and gave shelter to new negroes just landed in the vicinity, at so many reis per head per night; and there is every reason to believe that these asylums are still open to the violators of the law.

The details here given, as well as those mentioned in my note to Sr. C. Leao, are collected from various quarters, and reports made to me. But if through channels of communication often irresponsible and precarious, it has been possible for Her Majesty's Legation to arrive at such important information, can it be unreasonable to expect that the Brazilian Government might, through its official channels, and with means and appliances comparatively unlimited, obtain earlier and more copious intelligence on these matters; and that, obtaining it, it might, in fair and honest zeal for the discharge of its engagements, and through due exercise of the powers vested in it, utterly suppress such flagrant and culpable misdoings?

Of two things, one: either the Government does not exert itself to acquire the needful information on such infringements of law and Treaty; or, being in possession of it, it fails to employ it with the good faith and the energy requisite to attain the meritorious object in view. This is a dilemma difficult to escape

from. In either alternative, the Conventions entered into by the two Crowns to put down conjointly such an intolerable system of injustice and oppression, have not been honestly executed by the Brazilian Government. The means hitherto devoted by Great Britain to this end, through this divergence on the part of Brazil, have unfortunately proved insufficient; and it is for Her Majesty's Government, therefore, to decide whether any, and what others, can be resorted to, that may lead Brazil to a line of conduct which, by applying an immediate and effectual remedy, would relieve the alliance altogether from the moral responsibility attaching to such a fearful state of things.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 219.

Mr. Hamilton to Sr. Carneiro Leao.

Rio de Janeiro, April 7, 1843.

In a late debate in the Imperial Senate, a distinguished Member of that Chamber, also Member of the Council of State, advanced, and more than once, that not a single African had been imported into Brazil within the last twelve months, and that he conceived no better encomium could be passed on the moral character of the Brazilians. And again he advanced, that Brazil had been stigmatised in the English House of Lords, for carrying on such an illicit commerce; and that it is the duty of the Government to repel such calumnies, as offensive to the dignity of Brazil. And he invited information, likewise, as to the individuals by whom the traffic was being carried on: declaring at the same time, however, that it had absolutely ceased.

As a set-off to this most extraordinary statement, the Undersigned, &c., takes leave to bring under the notice of S^r. Carneiro Leao, &c., the following return of slave vessels,—by no means, as he apprehends, a complete one, which have landed their cargoes of human beings, within points on the Brazilian coast, not very distant from Rio de Janeiro, and only recently,—that is to say, since the 1st of November of last year, a space of five months. In some of its items, the return may possibly prove inaccurate; and if it is so, the Government possesses the means of verifying to what extent.

From the date of November 1, 1842, there have arrived at Ilha Grande three vessels; at Dois Rios, one; at St. Sebastian's, five; in the vicinity of Santos, seven; at Cape Frio, four; Rio das Ostras, near Barra de S. Joao, three; Macahé, eight; Manquinhas, near Campos, eight: being,

To the Southward	. . . . .	16
To the Northward	. . . . .	23
		—
Together	. . . . .	39

vessels, which number, allowing to each an average of three hundred negroes,—a very low rate,—would have conveyed a total of 11,700; a more probable average being at least a moiety more, or 450 each vessel, giving a cipher of 17,550 negroes.

Now if this return be correct, as in the main the Undersigned believes it to be, the statement advanced in the Imperial Senate in a contrary sense, is clearly erroneous; and all the corollaries deduced therefrom by the distinguished Senator in question, of necessity, must fall to the ground.

With regard to the names of leading individuals engaged in the odious commerce, the subjoined list may in part supply the desired information. It is sufficiently numerous, perhaps, to satisfy the illustrious Senator; if not, other names can be given.

The Commendator, José Bernardino de Sá.—S^ñres. Antonio José Moreira Pinto.—S^ñres Manoel Pinto da Fonseca.—George José de Souza.—José Antonio dos Santos Xavier.—Franco e Moreira.—Barboza & Castro.—Rocha Pacheco. Antonio Ferreira do Amorim.—Amaral & Bustos.—Barboza & Guimarães.—

Francisco Fernandez Guimarães.—Clerk of José Antonio Ferreira.—Süres Vergueiro & Brothers, &c. &c.

With further reference, however, to this traffic, and in order to exhibit the regular and systematic way in which it is pursued in various parts of the empire, the Undersigned would invite the attention of Sr. Carneiro Leaõ to the subjoined particulars.

In the neighbourhood of Pernambuco and Bahia are establishments where newly imported Africans are received and taught the language of the country, before they are sent hither by coasting vessels for sale, or, as the *Jornal do Commercio* expresses it, *para entregar*. On one occasion, lately, so many as 84 of these *Boças* were conveyed hither in one vessel.

At Macahé, also, are establishments belonging to Francisco Domingos d'Aranjo Vianna, and others, for the purpose of shipping merchandise in vessels bound to the Coast, which vessels, with a view to avoid detection and capture, leave Rio de Janeiro in ballast; and of equipping such vessels in all other respects, for their illegal pursuits, as well as for the landing and receiving of the negroes on the return voyage, the proprietors of these establishments acting as agents of the slavedealers in Rio de Janeiro.

Sr. Vergueiro and Brothers, likewise, with a view to facilitate and augment the traffic, have recently formed other establishments to the southward of Santos,—viz., at Taipu, near Queimada, and Guarachu, ten or fifteen miles distant from Conçeiçãoõ.

At Santos, and in the vicinity, the trade is greatly on the increase. There and at St. Paul's, new negroes are driven publicly through the streets, and sold with as little ceremony as when the traffic was legal.

Among other instances which might be quoted as to the activity prevailing there, the slavedealers recently fitted out a vessel called the "*Julia*," ostensibly for a voyage to Montevideo, with a cargo of mules,—such cargo supplying a pretext for laying in a greater quantity of water than would otherwise be legal. When the "*Julia*" sailed, however, she had on board boilers, manacles, and other slave equipments. An American vessel, lately purchased there by these dealers—name unknown—was preparing, to assume the Brazilian or Portuguese flag,—if not indeed both—with a view to a trading voyage to the African slave marts, having already on board the necessary equipment. A vessel, too, called the "*Cæsar*," was in a very forward state of preparation for a similar expedition; and on many of the traders, the Custom-house fails to exact the usual anchorage and other port dues.

At Perrequé the local authorities do not hesitate to declare openly and unreservedly their determination to encourage and defend the contraband commerce.

Divers other indefensible occurrences also, extracted, in like manner, from reports addressed to Her Majesty's Legation, might here be enumerated, showing how deeply even many of the subordinate authorities of this capital and the municipality are implicated in these unlawful practices. But the Undersigned is reluctant to place on record cases of such serious and painful import. The details already furnished, appear more than adequate to the object the Undersigned proposed to himself; and in bringing them thus collectively to the knowledge and under the consideration of Sr. Carneiro Leaõ, (as it will be his duty to do by his own Government,) he is persuaded all comment must be superfluous. The intelligent mind of his Excellency will not fail, of itself, to perceive immediately the important results to which they may give rise. The Undersigned limits himself to one observation alone, that Her Majesty's Government are determined to see all the provisions of the Treaties entered into for the Abolition of Slave Traffic honestly and fairly carried out.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Honorio Hermeto Carneiro Leaõ,
&c. &c. &c.

No. 220.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, April 12, 1843.*

MY LORD,

(Received June 7.)

I HAVE the honour to acquaint your Lordship that on the 3rd instant, Her Majesty's brig "Curlew" captured a slave brig that was lying at anchor about five or six miles distant from the island of St. Sebastian.

Lieutenant Foote reports, that when the boats of the "Curlew", approached the slaver, she was abandoned by her crew; that she hoisted no colours, and had not any papers to prove her nationality, although a Portuguese and a Brazilian ensign, her log, and some correspondence were discovered; that from the latter she appeared to be from Loanda, destined apparently for Valparaiso; but that she had landed her cargo of slaves at or near Marambaya, and was proceeding to Santos to prepare for another trip.

Lieutenant Foote adds, that the only documents he could find at all of an official character were a licence from the Governor of Angola for a Brazilian brig, the "Rosa," to proceed from Loanda to Valparaiso, and a bill of health. But does not this licence appear to contradict Lieutenant Foote's previous statement, that no document had been met with to prove the vessel's nationality, and render it probable that she was herself the Brazilian brig "Rosa?" At all events, after being refitted, she was on the 7th instant sent for adjudication to the Cape of Good Hope.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

No. 221.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, April 20, 1843.*

MY LORD,

(Received June 12.)

WITH reference to my Despatch, Slave Trade Series, of the 18th January, relating to the slave vessels "*Leopoldina*," and "*Tejo*," I have the honour to forward herewith, for your information, copies of further correspondence which has passed on the subject between Her Majesty's Commissioners of the Mixed Court, the Brazilian Minister of Foreign Affairs and myself. To my two last notes to Sr. Carneiro Leão, no answer has yet been returned; and, foreseeing further delay, I consider it advisable to detain no longer what has passed up to the present date, regarding transactions so disgraceful to certain local authorities of the empire.

By referring to the *Relatorio* of the Marine Department, forwarded in my Despatch No. 22, General Series, your Lordship will perceive that the "*Leopoldina*" is entered on the list of the Imperial Navy. She is the last vessel mentioned there.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 221.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

Rio de Janeiro, January 4, 1843.

WE hasten to lay before your Excellency, a copy of the proceedings before the Mixed Commission relating to the slave vessel "*Leopoldina*."

The Brazilian Commissary-Judge has refused to entertain the complaint of Lieutenant Nott, without first consulting his own Government; he insisting that the slave vessel in question having taken shelter in a Brazilian port, was no longer liable to detention by the British cruiser, and that it was perfectly

CLASS B.

immaterial where the chase commenced. This remarkable declaration of the Imperial Commissioner will doubtless equally surprise your Excellency as it did ourselves.

It is impossible that the Government of Brazil can uphold this pretended right of protecting slave vessels "*in flagrante*," under the circumstances related by Lieutenant Nott. We therefore persuade ourselves that your Excellency's influence will induce the Imperial Government to issue the necessary orders to their Commissioners to proceed in the investigation demanded by the Commander and Officer of Her Majesty's brig, "Partridge," and, for that purpose, that the "*Leopoldina*" may be brought before the Mixed Commission, agreeably to the Treaty, together with all the slaves alleged to have been landed from her in Brazilian territory.

We have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) JOHN SAMO.
FRED. GRIGG.

Sub-Enclosure in First Enclosure in No. 221.

To the Commissary Judges of the Brazilian and British Mixed Commission Court at Rio de Janeiro.

I, JOHN THOMAS NOTT, Lieutenant, commanding Her Britannic Majesty's brig "Partridge," hereby declare, that whilst cruising under the orders of Commodore Purvis, for the Abolition of Slave Trade, and having all the papers required by the existing Treaties for such service, I saw a vessel on the 25th of November last, about ten A.M., the brig under my command being then about 15 miles from the land, to the southward of S. Thomé Point. The vessel when seen was to the westward of the "Partridge" about six miles, and was standing along the land with her head to the west. That a chase was then commenced, and when off the Barra do Forado the vessel backed her main top-sail, and after some manœuvring made all sail to the west, on perceiving that the "Partridge" made more sail after her; the chase continued in this manner until half-past eight P.M., when it fell calm, and two boats, manned and armed, were sent from the "Partridge" to examine the stranger: that during the night it was calm, and the chase was lost sight of both by the boats, and on board the "Partridge;" that, at daylight on the 26th of November, the chase was seen from the "Partridge" and gig, steering, under all sail, for Macahé, the cutter (being the other boat) standing at that time towards another vessel which appeared to windward of St. Anne's island, and which she mistook for the chase, and, when about pistol shot from the battery on Macahé Point, the Officer in the gig perceived the chase, which was a brig *without* any colours hoisted, pass the battery, and run on shore under all sail; the Officer in the gig then ceased pulling, and only let the boat sail in with a light breeze that was blowing, for the sole purpose of discovering what the chase really was, and soon perceived that the chase was a vessel full of slaves, seeing that the negroes were, after she grounded, thrown over her side into several boats alongside; and, while this landing of the negroes was carrying on, the Officer from the battery repeatedly hailed, ordering that the gig should be kept close to the battery, threatening to fire into the gig if she were moved, the guns in the battery being manned, and soldiers standing by them with lighted matches; by this time the cutter had joined the gig, and was also kept under the battery, Mr. Turner, the Officer in the gig, being forced to land, and accompany the chief authority of the place to his house, from whence the landing of the slaves was seen, and the fact pointed out to that authority by Mr. Turner: and, on that authority declaring that he had no power to prevent it, Mr. Turner offered him the assistance of the boats' crews, which he refused; as also, to answer any questions respecting the vessel from which the slaves were landing. That the boats then returned to the offing to join the "Partridge," having, during their stay under the battery, been subjected to every species of insult and abuse. That, between three and four P.M., I landed in one of the "Partridge's" boats in the harbour of Macahé, and, after a conference with the chief civil authority, at which I solicited the delivery of the vessel and slaves, found that neither would be complied with; and, after going alongside the slaver (when I was exceedingly insulted), I ultimately returned to the "Partridge," and stood off to sea, finding it impossible, without resorting to force, to take possession of the slaver.

That the following day, the 27th November, the "Partridge" fell in with the Brazilian brig of war "*Tres de Maio*," and communicated to the commander, Captain Broom, what had occurred at Macahé, upon which both vessels returned and anchored off Macahé; and, I, having requested the co-operation of Captain Broom to take possession of the slaver, left Macahé, on being assured that he had done so. That the "Partridge" then returned to Rio de Janeiro, and again sailed to cruise on the 5th inst.; and, on finally returning on the 28th inst., Lieutenant Nott finds that the "*Tres de Maio*" had, in the meantime, arrived and brought in the slaver from Macahé, which proves to be the brig "*Leopoldina*," now anchored in this harbour. And, as Captain Broom has informed Lieutenant Nott that all the papers and official Reports from Macahé respecting the brig "*Leopoldina*," are delivered to the Brazilian Authorities in this capital, this Declaration is now made to the Commissary-Judges of the Mixed Commission Court for the Abolition of the Slave Trade, in order that the same may be received and filed in said Court, and that the Court may be pleased to issue the customary monition, and take this case under consideration.

Given under my hand on board Her Britannic Majesty's brig "Partridge,"
Rio de Janeiro, December 31, 1842.

(Signed) JOHN THOMAS NOTT, *Lieut.-Commanding*.

(Countersigned) CHARLES FOX TURNER, *Clerk in Charge*;
A. G. E. MURRAY, *Midshipman*;
Officers in charge of Boats.

(*Declaration.*)

I, JOHN THOMAS NOTT, Lieutenant, Royal Navy, commanding Her Majesty's brig, "Partridge," do hereby declare on solemn oath, taken on the Holy Evangelists of Almighty God, that I chased a brig on the 25th November, as stated in the diagram I now produce under my signature; that the following day the said vessel succeeded in running on shore, assisted by boats and persons from the shore, and that slaves were then landed from the vessel in the presence of the two boats' crews I had sent from the "Partridge" the previous evening. That instead of such landing being prevented, a great number of persons on the shore did forcibly oppose any act on the part of the Officers and men in the "Partridge's" boats to stop the landing, by taking possession of the vessel. That finding it was impossible to obtain the permission of the Magistrate of that district to take possession of the vessel and slaves, I returned with the "Partridge" towards Rio de Janeiro, for the purpose of there obtaining aid; and while on the voyage, I fell in with the Imperial brig "*Tres de Maio*," and at my request, her commander, Captain Broom, accompanied me to the spot where the vessel had been taken on shore, I piloting the "*Tres de Maio*" with the "Partridge" in company. That on our arrival there, Captain Broom immediately took possession of the slaver and all her papers, for the purpose of bringing both into this harbour, and that she arrived here on the 11th December last, and is now anchored off the Imperial dockyard. That I am informed the vessel is called the "*Leopoldina*," and that Captain Broom has delivered the papers belonging to her, received by him when she was taken possession of, to his Excellency the President of this province.

(Translation.)

Rio de Janeiro, January 3, 1843

THE Brazilian Commissary-Judge having seen the papers which Mr. John Thomas Nott, Lieutenant and Commander of Her Britannic Majesty's brig "Partridge," now presents, in order to their being added to the Despatch which he addressed to this Commission in date of 31st December last, insists upon his first opinion, that he is ready to receive all these documents as information of what occurred between the brig referred to, and the "*Leopoldina*," suspected of having brought Africans, in order that the same be brought under the cognisance of the Imperial Government, in conformity with the Second Article of the Instructions for Ships of War employed in cruising against slave vessels, although it appear to him that such information should be addressed to the same Government by Commander Nott, without the intervention of this Commission, but not

in order to commence any process thereupon, as his honourable and worthy Colleague, the British Commissary (Judge) requires, forasmuch as this Commission being instituted for the taking cognisance of, and adjudicating such prizes as should be submitted to its cognisance: in the present case there is no prize, nor do any papers exist on which a process should be founded in conformity to the Third Article of its Regulations.

There is no prize, inasmuch as it is seen by the statement of Lieutenant Nott himself, that he chased the brig in question on the 25th of November, of last year, from ten o'clock in the morning until half-past eight of the same night, when in consequence either of its having fallen calm, or of some other circumstance, he lost sight of her, and that only on the following day he saw the same brig standing in for the port of Macahé, his boats continuing in pursuit until they approached within pistol-shot of the fort, whence he was warned not to advance.

The papers referred to in the Third Article of the Regulations for this Commission do not exist, inasmuch as Commander Nott, not having captured the aforesaid brig, (inasmuch as he was prohibited in consequence of being then in a Brazilian port) he was unable to obtain possession of the ship's papers in order to present them to this Commission, and to its proceeding also in conformity to the Fifth Article of the same Regulations.

Nothing of this kind exists, and to argue that Commander Nott, by the mere fact of having chased this vessel (which was afterwards taken and brought to this port in consequence of having been captured by a Brazilian brig of war, the real captor), is an attempt to establish a new right, which the Commissary-Judge will never admit.

Under such circumstances, therefore, if his worthy Colleague insist in requiring that on such papers the Commission institute a regular process, in order to decide upon the validity of the prize, he (the Brazilian Commissary-Judge) from this moment claims the drawing for a Commissioner of Arbitration by lot, in conformity to the Third Article of the Regulation for this Commission, reserving himself, in case of being overruled, to bring forward the arguments which may occur to him, in regard to the right of Commander Nott to this prize, as well as to the competency of this Commission to adjudicate it.

(Signed) JOAO CARNEIRO DE CAMPOS.

Rio de Janeiro, January 3, 1843.

THIS is the declaration of the Commander of Her Britannic Majesty's cruiser the "Partridge;" that he, being furnished with the Instructions under the Slave Treaties, on the 25th of November last, did fall in with the slave vessel called the "*Leopoldina*," upon the high seas, about 15 miles from the land of Brazil, and by the assistance of a second cruiser, the Imperial brig of war "*Tres de Maio*," the alleged slaver is brought into this harbour for adjudication before this Brazilian and British Mixed Court, having been previously delivered up to the Brazilian vessel of war for that purpose.

The Third Article of the Regulations declares that the form of process shall be, in the first place, the examination of the papers of the vessel, the receiving of certain depositions on oath, as well as the declaration of the captor, in order that the Commissary-Judges be enabled to decide whether the vessel has been justly detained or not.

These preliminary measures (which are declared by the Treaty to be indispensable), being first duly observed, and the evidence collected together, I shall be prepared to give the highest regard to the opinion of my esteemed and learned Colleague, and to submit to his consideration my own humble notion of the case, agreeably to the oath taken previous to assuming the functions of a Judge in this tribunal.

I beg to refer to the opinion of my honourable Colleague, in the case of the "*Maria Carlota*," when the question arose as to the competency of this Court to entertain that case. I will quote the very words used upon that occasion: "In the like manner he is unable to admit that in the difference of opinion between himself and his Colleague the measure established by the Third Article of the Regulations of this Commission can be put in practice, because, being applicable only to the doubts which may arise on subjects tending to the decision of any process already commenced, the same (measure) cannot take

effect in the present case, in which there is no process, and where, on the contrary, the entire doubt turns upon the jurisdiction of the Court in the case."

Having been associated with my present Colleague long enough to have acquired a knowledge of his talented and honourable character, I venture to persuade myself that he will agree to pursue the investigation of this case, and to call for and hear the evidence, and I confidently expect that our judgment will be found in unison in all respects.

The chase of the vessel "*Leopoldina*" by the British cruiser, having commenced upon the high seas, I contend that from that moment she is liable (upon the present application) to be brought before the Mixed Commission, and that the Second Article of the Instructions quoted by the Brazilian Commissary-Judge, does not apply, in my opinion, to the case.

(Signed) JOHN SAMO.

Second Enclosure in No. 221.

(Translation.) *Sr. Carneiro Leao to Mr. Hamilton.*

Palace of Rio de Janeiro, February 4, 1843.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note No. 110, which, on the 15th of last December, Mr. Hamilton, &c., addressed to his predecessor, transmitting copies of two communications from Commodore Purvis, the one announcing the arrival at this port of the brig "*Leopoldina*," and the other claiming, through the medium of Mr. Hamilton, that the Imperial Government would, without delay, direct that the "*Leopoldina*" should be brought before the competent Tribunal for trial.

The Undersigned having now received the information required by his predecessor from the departments of Marine and Justice on the subject of the Portuguese brig "*Leopoldina*," is enabled to state to Mr. Hamilton that this vessel having been seized within a port of the Empire by the Brazilian Civil Authorities, who afterwards delivered her over to a Brazilian vessel of war to be brought to this port, her trial pertains to the respective Municipal Judge, and for this reason all the papers and documents relating to this seizure have been made over to him.

The Undersigned avails, &c.

(Signed) HONORIO HERMETO CARNEIRO LEAO.

Hamilton Hamilton, Esq.
&c. &c.

Third Enclosure in No. 221.

Mr. Hamilton to Her Majesty's Commissioners.

GENTLEMEN,

Rio de Janeiro, February 10, 1843.

I HASTEN to forward to you herewith copy of a note received by the Legation from the Minister of Foreign Affairs respecting the "*Leopoldina*" Portuguese slave brig; and request you will have the goodness to put me in possession of your opinion as to the admissibility of the pretension advanced by the Brazilian Government, that the said slaver must be brought for adjudication before the Municipal Judge, and not before the Court of Mixed Commission; as also, should your opinion be opposed to this pretension, of the grounds on which that opinion may be founded.

I have, &c.

(Signed) HAMILTON HAMILTON.

The British Commissioners,
&c. &c.

Fourth Enclosure in No. 221.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

Rio de Janeiro, February 14, 1843.

WE have given the most careful attention to the note of the Imperial Minister for Foreign Affairs, a copy of which your Excellency has been pleased

to communicate to us on the 10th inst., and we have now the honour to submit our view of the right advanced by the present Brazilian Administration to send the case of the "*Leopoldina*" for adjudication to a tribunal of this country other than the Court of Mixed Commission.

We observe that the note dated December 15, last, of which the Brazilian Minister makes mention, refers to two communications from Commodore Purvis upon the subject of the vessel in question.

But we beg to refer your Excellency to our letter dated January 4, last, in which will be found a detail of all the proceedings had before the Mixed Court, relating to the alleged detention of the slaver by Lieutenant Nott, commanding Her Britannic Majesty's cruiser "*Partridge*."

The Imperial Government have heretofore admitted the exclusive jurisdiction of the Mixed Commission to investigate the detention, under the Treaty, of vessels found engaged in Slave Trade, whenever such detention was effected by its own Officers.

In proof of this we may designate, amongst numerous other instances, the vessel "*Africano Atrevido*," released by sentence of the Mixed Court, on the 6th April, 1840, the vessel "*Providencia*," released on the 4th May following; and a canoe, with 47 slaves, released on the 29th October of that year; to which may be added, the recent case of the "*Aracaty*," condemned on 16th July last.

We conceive that the capturing Officer of either nation has a right to bring his case for investigation before the Tribunal pointed out by Art. 8 of the Treaty of 28th July, 1817, which Tribunal solely is appointed by Art. 1 of the Regulations for the Mixed Commissions annexed to that Treaty, "to decide upon the legality of the detention of such slave vessel."

We apprehend that it was never contemplated that the Executive of either Government should by itself decide upon any question solely arising out of the detention or alleged detention of slave vessels, by their respective cruisers; and we are, therefore, humbly of opinion, that this novel pretension advanced by his Excellency, the Imperial Minister for Foreign Affairs is inadmissible.

We beg to renew our application to you, Sir, of the 4th ult., regarding the vessel in question and her alleged cargo of slaves.

We have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) JOHN SAMO.
FRED. GRIGG.

Fifth Enclosure in No. 221.

Mr. Hamilton to Sr. Carneiro Leao.

SIR,

Rio de Janeiro, March 14, 1843.

ON the 18th January last the Undersigned, &c. had the honour to address Sr. Carneiro Leao, &c., on the subject of the slave vessel "*Tejo*," otherwise "*Amizade Constante*," recently lying in the "*Bertioga*" river, near Santos, calling on the Brazilian Government to bring the said vessel into the Court of British and Brazilian Mixed Commission for adjudication, in conformity with the provisions of the Treaties existing between the two countries.

The Undersigned begs leave to remind his Excellency that an answer has not been returned to this requisition; and that, as he believes, the process in question has not yet been brought into Court. Anticipating, however, an early decision of the Brazilian Government on this point,—a decision consistent with its engagements towards Great Britain,—the Undersigned invites the attention of the Minister of Foreign Affairs to the following additional particulars he has received regarding the slaver in question.

There are three claimants for the "*Tejo*," or "*Amizade Constante*:" one for her under the former name, one for her under the latter, and the Portuguese Vice-Consul at Santos; the third, on the plea that she is Portuguese property, her owners being absent. Of these claimants, one asserts that the vessel was from Mozambique, and had a freight equal to 92 contos Reis. Lieutenant Foote, commanding Her Majesty's brig "*Curlew*," states, that when his boat, under the charge of his second Officer, Mr. Thomas Davies, went on board the "*Tejo*," she had Portuguese colours flying, and was fully equipped for Slave Trade, many undeniable proofs existing on board, that slaves had recently been landed from her;

and, further, that before the "Curlew's" boat left the "*Tejo*," a Brazilian naval officer, Capitaõ Tenente Rosas, of the Brazilian brig of war "*Iriri*," came on board, and saw, himself, these evidences of the trade she had been following, and remarked on them to Mr. Davies.

These details speak loudly and eloquently against the "*Tejo*," or "*Amizade Constante*:" it is for the justice of the Brazilian Government to show that they do not speak in vain.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Carneiro,
&c. &c. &c.

Sixth Enclosure in No. 221.

Mr. Hamilton to Sr. Carneiro Leao.

SIR,

Rio de Janeiro, March 29, 1843.

ON the 4th February, Sr. Carneiro Leao, &c., addressed to the Undersigned, &c., in answer to a requisition on the part of the latter that the Portuguese brig "*Leopoldina*" should be brought, without further delay, before the Court competent to adjudicate respecting her—a communication, in which it is assumed by his Excellency that the trial of the vessel in question appertains to the respective Municipal Judge.

Having forwarded this communication to Her Majesty's Commissioners of the Mixed Court, and requested their ideas on the decision adopted by the Brazil Government, the Undersigned has the honour to submit herewith to Sr. Carneiro Leao copy of the answer returned.

The Commissioners state that the Imperial Government have heretofore admitted the exclusive jurisdiction of the Mixed Commission to investigate the detention, under Treaty, of vessels found engaged in Slave Trade, whenever such detention was effected by their own Officers; and they support the statement by the production of several instances apposite to the case in point. They conceive that the capturing Officer of either nation is held to bring his case for investigation before the Tribunal indicated in the 8th Article of the Treaty between Great Britain and Portugal, signed on the 28th July, 1817; which Tribunal alone, according to Article 1 of the Regulations for the Mixed Commissions annexed to that Treaty, can properly decide on the legality of the detention of slave vessels; and that it was never contemplated that the Executive of either Government could, of itself, decide on any question arising out of the detention of slavers; and they are, therefore, of opinion, and the Undersigned perfectly coincides with them therein, that the pretension advanced to the contrary by the Brazilian Government is inadmissible.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Carneiro Leao,
&c. &c.

No. 222.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, April 20, 1843.

MY LORD,

(Received June 12.)

JOHN EDEN, a liberated black, sometime on board Her Majesty's ship "Crescent," having been very desirous of returning to England—he had once before been there in the capacity of servant—I requested Captain Sir George Sartorius, commanding Her Majesty's ship "Malabar," to receive him on board as a supernumerary seaman for a passage thither, and Sir George Sartorius acceded to my request.

For a detail of all this individual has been enduring in this country, I beg to refer your Lordship to the accompanying declaration made by him, duly

attested by the Officer commanding the "Crescent," and Her Majesty's Consul here.

The treatment he experienced from Mr. Moss was so barbarous, that the latter merits severe punishment; and as he has recently gone to England, John Eden will endeavour, I believe, if the means are found for him, to accomplish it.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 222.

Statement of John Eden.

I WAS a slave in the Brazils, and became the property of Charles Tross and Co., Arthur Moss being a partner in the same firm; shortly after, I became the sole property of Arthur Moss, the other partners giving up their rights to the said Arthur Moss. About nine years afterwards, Mr. Moss gave me my freedom at the Consul's Office at this place. Soon after, Mr. Moss went to England in Her Majesty's ship "Spartiate," who took me as his private servant. I was one year in England with Mr. Moss, still in the capacity of private servant.

On the 8th March, 1836, Mr. Moss returned to Rio de Janeiro on board Her Majesty's schooner "Spider," bringing me with him as a free servant. Sometime in August, 1839, I went to the Consul's Office at Rio de Janeiro, and declared that some months after my return from England Mr. Moss sold me to a person residing in the Mining District in the interior, where I remained about a twelvemonth. The same person brought me back to Mr. Moss, who sent me to Mr. Platt, a British resident at this place, from whose house I went to the Consul to claim his protection. I continued at Messrs. Platt and Reid's until about October, when I obtained a situation, on wages, on board one of the steam-boats, as a free negro. A month after I joined the steamer, I went on shore, with the master's leave; and shortly after lauding, I was arrested by a "Capitão de Matto," (a bush ranger for capturing runaway blacks,) and was taken to the residence of Mr. Moss at Praia Flamingo, where I was put in irons, and next day sent to the House of Correction, and kept there at hard labour, in irons, for six months. I was then sold to Bernardino da Souza, a resident at St. Domingos, on the other side of the water, who came for me to the House of Correction, and kept me working as a slave during four months. On the 26th September, 1840, I succeeded in making my escape, and took refuge at the Consul's Office, and was sent by the Consul on board Her Majesty's receiving ship "Crescent," for safe custody, till further orders from Her Majesty's Minister at this Court.

Dated on board Her Majesty's receiving ship "Crescent," at Rio de Janeiro, this 27th day of March, 1843.

(Signed) his
JOHN ✕ EDEN,
mark.

Witnesses:

(Signed) M. DONELLAN, *Lieut. and Commander,* } H. M. R. S.
TH. S. S. GABRIEL, *Clerk in Charge,* } "Crescent."

I, the Undersigned, do hereby certify that the foregoing is a true copy of an original declaration made by a negro, and to me produced under the signatures of Lieutenant Donellan, commanding Her Majesty's ship "Crescent," and of Mr. Gabriel, the Clerk on board said vessel.—Consul's Office, Rio de Janeiro, March 29, 1843.

(Signed) ROBERT HESKETH,
H.B.M. Consul.

No. 223.

The Earl of Aberdeen to Mr. Hamilton,

SIR,

Foreign Office, July 5, 1843.

Her Majesty's Government have had under consideration the several representations which have reached them from Brazil respecting the conduct of the constituted authorities in that country, in reference to the stipulations contracted by the Convention of the 23rd November, 1826, between Great Britain and Brazil, for the total and final extinction of the Slave Trade of Brazil.

Her Majesty's Government have been slow to believe that his Imperial Majesty's Government have had the deliberate intention to neglect or to evade the solemn obligations of that contract.

They have preferred to attribute the delay and even the refusal, to accede to their demands for a fulfilment of those obligations, to a jealousy, whether well or ill founded, of an undue interference on the part of Great Britain with proceedings which belonged to the interior administration of the country; or to a fear lest the zeal of Her Majesty's Officers, if it should meet with encouragement from the Imperial Government, might lead them to overstep their duty towards a friendly and independent power.

Her Majesty's Government are far from admitting that there is any substantial ground for such apprehensions; nevertheless, they would rejoice if they could believe that it is by such motives alone that the Brazilian Government have been actuated in dealing with the cases in which the Officers and men of Her Majesty's cruisers have of late been brought into contact with the authorities of the Imperial Government.

Accordingly it is upon these grounds that Her Majesty's Government have sought to account for the conduct of the Brazilian Government in defending the wanton attack made upon the boats of Her Majesty's ship "Clio," when in possession of a slave vessel, by which attack four of Her Majesty's subjects were wounded; and in the excuse they made for the unjustifiable imprisonment of the crew of a boat from the same ship, who had entered a friendly port, in confidence that their sole object of purchasing provisions would not be esteemed and visited as a crime.

To similar mistaken feelings Her Majesty's Government were desirous to attribute the ungracious manner in which the Brazilian Government took notice of the outrage committed upon the boats of Her Majesty's ship "Fantome," which were fired upon while at anchor near Isla Grande; as well as the unfriendly demeanour of the authorities at Santos towards Officers in Her Majesty's service, in the case of the boats of Her Majesty's ship "Curlew," as related in the accompanying communication from the Admiralty; and the recent and most flagrant case of the "*Leopoldina*," in which the Brazilian authorities at Macahé suffered that vessel to land her cargo of human beings immediately under their eyes, and gave for excuse that they were not able to cope with the offenders against their own laws and against the Treaties between the two countries, but preferred seeing those laws and engagements openly violated, to accepting the co-operation which was proffered by the Commander of Her Majesty's ship, in the vain hope that they would willingly seize the means of preserving the good faith of the Imperial Government unimpaired.

To the perverted account of this transaction transmitted to you in the note of Sr. Aureliano of the 6th of December last, as well as to the complaint which that Minister professed to found upon it, I do not think it necessary at present to allude. I now mention it as one amongst the many cases in which Her Majesty's Government have hitherto been unwilling to believe that the Brazilian authorities have been actuated by any motive so little honourable to their Government, as the desire systematically to encourage the Slave Trade, or that they entertained anything like a deliberate wish to show their contempt for the obligations under which the Treaty of 1826 binds their Government finally to extinguish that Trade in Brazil, and to deem it and treat it as piracy.

But recent accounts from Brazil show that it is not only in those cases in which the Slave Traders come into collision with the Officers and men of Her Majesty's squadron, that the former find favour in the sight of the Brazilian authorities.

By the accounts from Pernambuco, of which I herewith furnish you with a

CLASS B.

copy, it appears, that recently there were landed publicly, and almost in sight of Olinda, slaves to the amount of 816, out of one vessel, into which 913 of these unfortunate beings had originally been pressed; that 400 of them were actually marched into Pernambuco; and that not until then, when everything had been accomplished to secure the objects of the slave-dealers and their customers, did the authorities think proper to take steps, not for freeing the wrongly imported negroes, but by sending a schooner along the Coast under the pretence of preventing that breach of the law which they had already suffered to be committed openly and with impunity.

By the accounts from Her Majesty's Commissioners, of which I send you a copy, it appears that parties of Bozal negroes are openly exhibited and publicly conducted through the streets of the capital, and that depôts of them are established in the city, where they are presented for public sale.

"At no period," say the Commissioners, "has the Brazilian Slave Trade been so extensively carried on as it is at the present moment in Rio de Janeiro itself."

In your note to the Brazilian Minister, enclosed to me in your Despatch, No. 10 of this year's series, an account is given of the arrival of no less than 39 slave vessels between November and April last, in the neighbourhood of Rio de Janeiro, carrying at the lowest average 11,700 human beings into a captivity forbidden by Treaty, and denounced by the law of Brazil, founded upon that Treaty.

With every allowance which Her Majesty's Government can make for prejudice, for mistaken feeling, for jealousy, and for weakness, such gross violations of the existing engagements between Great Britain and Brazil cannot be passed over by Her Majesty's Government without notice, nor suffered to remain without remedy.

Remonstrance upon remonstrance has been made, and not only has there been no diminution of the just cause for complaint, but the evil complained of continually increases. And that this cannot be entirely owing to weakness on the part of the Government is evident, since, when in 1840 and 1841, the administration for a time showed an intention to fulfil the obligations of the Treaty, the importations immediately and steadily decreased; whilst now, that a contrary disposition has unfortunately been evinced, the unforeseen absence of the British cruisers from the Brazilian coast has, in the space of a few weeks, been followed by an increased activity in the Trade, so immediate and so decided, as to show too plainly that the speculators in the condemned Traffic have no fears of interruption on the part of the Officers of the Imperial Government.

Nor can the British Government forget how frequently, since the Convention of 1826 was concluded, they have endeavoured to induce the Government of Brazil to render more complete and effective the provisions of the existing compacts between the two countries, by adapting to the altered state of things under which the entire abolition of the Slave Trade has been declared by Treaty, the several stipulations which had been framed when the object was only to suppress a portion of that Trade, or to subject it to fixed Regulations.

Conventions have been drawn up, framed upon memoranda put forward by the Brazilian Government itself; but when proposed for formal acceptance on negotiation, they have been at once rejected.

This was the case with the Convention proposed by Viscount Palmerston's directions in the month of August, 1840.

Articles adapted to make the existing stipulations more stringent have not only been negotiated, but signed; and the ratifications of these, after a lapse of eight years, remain unexchanged.

Other propositions for rendering effectual the intentions of the parties to the Convention of 1826 were proposed under my direction by you to Sr. Aureliano, and the discussion of them was peremptorily refused by the Government of Brazil.

The time is therefore arrived when it becomes Her Majesty's Government to declare distinctly to the Brazilian Government that they do not intend that the obligations contracted by the Convention of 1826 shall fail, for want of the co-operation so continually and vainly asked by this Government from the Government of Brazil.

And if that Government still decline to enter with Great Britain into formal arrangements, calculated to give full effect to the declared intentions of the

parties to the Conventions of 1826, for the total and final abolition of the Slave Trade, it will remain for Her Majesty to take alone, and by her own means, the steps which she may feel called upon to adopt, for carrying into full and complete effect the humane object of the obligation imposed upon Her Majesty by the First Article of the Convention of the 23rd November, 1826, between Great Britain and Brazil.

You will embody this Despatch in an official note to the Brazilian Minister.
I am, &c.

(Signed) ABERDEEN.

Hamilton Hamilton, Esq.
&c. &c.

First Enclosure in No. 223.

Sir John Barrow to Viscount Canning.

MY LORD,

Admiralty, March 13, 1843.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Aberdeen, copies of a letter dated the 19th January last, from Commodore Purvis, and of the enclosed correspondence, on the subject of a complaint made by the Brazilian Minister for Foreign affairs, charging the boat of an English brig of war with having landed at or near Ubatuba, fired upon peaceable inhabitants, and sold some captured slaves.

I am, &c.

The Viscount Canning,
&c. &c.

(Signed) JNO. BARROW.

First Sub-Enclosure in First Enclosure in No. 223.

Commodore Purvis to the Hon. Sidney Herbert, M.P.

(Extract.)

"Alfred" in Rio de Janeiro, January 19, 1843.

I do myself the honour to present before you, for the information of the Lords Commissioners of the Admiralty, the copy of a correspondence between myself and his Excellency, Mr. Hamilton, Her Majesty's Minister at Rio de Janeiro, on the subject of a complaint made by the Brazilian Minister for Foreign Affairs, charging the boat of an English brig of war with having landed at or near Ubatuba, fired upon peaceable inhabitants, and sold some slaves they had captured.

SCHEDULE.

No. 1, Oct. 12, 1842.—Letter from Mr. Hamilton, enclosing a complaint from the Brazilian Minister for Foreign Affairs, that an English brig of war had entered the port of Ubatuba, with a vessel loaded with Africans which she had captured, and that she sold some of the slaves.

No. 2, Oct. 19.—Commodore Purvis's answer to the foregoing.

No. 3, Nov. 9.—Mr. Hamilton transmitting me a copy of his reply to the Brazilian Minister for Foreign Affairs on the subject.

No. 4, Nov. 19.—Mr. Hamilton enclosing the further complaint made by the Brazilian Government respecting this affair.

No. 5, Nov. 20.—Commodore Purvis's answer thereto, demanding specified dates to be given, when the transaction took place.

No. 6, Nov. 25.—Mr. Hamilton enclosing an approximate date for the slave capture at Ubatuba.

No. 7, Nov. 29.—Commodore Purvis's answer thereto.

No. 8, Dec. 30.—Extract of a letter from Commodore Purvis to Mr. Hamilton, showing that the Ubatuba affair was of that piratical character as described by the Commodore in his letter of Oct. 19.

Second Sub-Enclosure in First Enclosure in No. 223.

Mr. Hamilton to Commodore Purvis.

SIR,

Rio de Janeiro, October 12, 1842.

I HASTEN to transmit to you copy of a note I have just received from the Minister of Foreign Affairs, respecting an occurrence at Ubatuba. If the boat concerned therein should belong to any of the vessels under your command, I request you will have the goodness to enable me to supply his Excellency with the explanation he requires.

I have, &c.

Commodore Purvis,
&c.

(Signed) HAMILTON HAMILTON.

Third Sub-Enclosure in First Enclosure in No. 223.

(Translation.)

Palace of Rio de Janeiro, October 11, 1842.

THE President of the Province of S. Paulo informs the Imperial Government, on the information of the authorities of the town Ubatuba, of a vessel loaded with Africans having entered that port, which was taken by a vessel said to be English, but they mistrust her belonging to the English squadron, because her crew was composed of people of different nations and also it having been said they sold some of the Africans in that place.

I also inform you that on the occasion of their taking the said vessels and Africans, they went on shore, ill-treated and wounded some inhabitants of the town and neighbourhood.

I beg of Mr. Hamilton Hamilton to be so kind as to inform me what he knows officially respecting the same.

I remain, &c.

(Signed)

AURELIANO DE S. E O. COUTINHO.

Fourth Sub-Enclosure in First Enclosure in No. 223.

Commodore Purvis to Mr. Hamilton.

SIR,

"Alfred," in Rio Janeiro, October 19, 1842.

I DO myself the honour to acknowledge the receipt of your letter of the 12th instant, and it is with feelings of deep regret I find myself in the position to be called on by your Excellency to vindicate even the suspicion of a want of discipline, for which the British Navy has ever been held so conspicuous by all civilised nations. No slave vessel has ever been captured by any one of the cruisers composing the squadron under my orders in the neighbourhood alluded to by the Brazilian Minister for Foreign Affairs.

I cannot close this without remarking the disposition evinced by the Brazilian authorities, in their correspondence with your Excellency, to visit upon British Naval Officers a disinclination, on their part, to preserve that conciliatory deportment which both duty, as well as desire, are equally their aim; and I am further satisfied, upon a close investigation of the affair at Ubatuba, the Brazilian Government will find the implied suspicion of the local authorities (as to the parties being English) originates from fear, and a want of precaution, on their part, in using common exertion for the arrest of assailants so few in number, and guilty of excesses so tainted with piracy.

I have, &c.

(Signed)

J. B. PURVIS, *Commodore.*Hamilton Hamilton, Esq.
&c.

Fifth Sub-Enclosure in First Enclosure in No. 223.

Mr. Hamilton to Commodore Purvis.

SIR,

Rio de Janeiro, November 9, 1843.

IMMEDIATELY on the receipt of your reply, concerning the alleged occurrences at Ubatuba, wherein certain of Her Majesty's subjects have been

most wrongfully included, I transmitted to the Minister for Foreign Affairs, on the subject, the note of which, for your information, I enclose a copy.

I have not received any communication in answer from the Government, and probably shall not receive any ; but in a late conference with Senhor Aureliano I was pleased to perceive that the rebuke had had effect.

I have, &c.

(Signed) HAMILTON HAMILTON.

Commodore Purvis,
&c. &c.

Sixth Sub-Enclosure in First Enclosure in No. 223.

Mr. Hamilton to Sr. Aureliano.

Rio de Janeiro, October 21, 1842.

UNDER date of the 11th instant, Sr. Aureliano, &c. addressed to the Undersigned, &c. a note marked "Confidential," requesting information respecting the capture, at Ubatuba, of a vessel with Africans on board, by a ship said to be English, the crew of the said ship having, in the act of capture, landed and maltreated some of the inhabitants of that town, and of places in the vicinity ; a suspicion, however, being at the same time entertained that the ship in question does not belong to the English squadron on that station, seeing that her crew was composed of individuals of different nations, and that some of the said captured Africans were sold by their captors in the neighbouring country.

Having made known to Commodore Purvis the communication of his Excellency, the Undersigned has been assured by the Commodore that no slave vessel has been captured by any one of the cruisers, &c. belonging to the squadron under his orders, at or near the place alluded to.

At the same time the Commodore could not but express to the Undersigned the feelings of very deep regret with which he saw himself called on to rebut the grave insinuations now, as before, thrown out against the discipline of the British Navy.

To speak, however, in his own person, on the transactions to which his Excellency's note refers, the Undersigned also cannot but repel, with equal energy, the imputation which it is thus endeavoured to fix on a British ship of complicity therein. The British Minister will not silently tolerate the assumption that an act of the nature there represented is the act of a British ship ; neither will he, on the present occasion, permit the impunity which the Brazilian local authorities so constantly enjoy, when they bring forward unfounded and calumnious representations against British officers and sailors, to pass without the most severe animadversion.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Aureliano de S. e O. Coutinho,
&c. &c. &c.

Seventh Sub-Enclosure in First Enclosure in No. 223.

Mr. Hamilton to Commodore Purvis.

SIR,

Rio de Janeiro, November 19, 1842.

I HASTEN to submit to you the accompanying copy of a note just received from the Minister for Foreign Affairs, respecting the affair at Ubatuba, already in the course of last month the subject of a communication to you.

His Excellency states again, but more decidedly still, that the capture of the slaver to which his former note alluded, was the act of a British brig of war ; although now as before, he assigns no date whatever for the transaction.

He deprecates, however, all idea of his having intended to insinuate in his former note anything which could be construed into a reflection on the discipline of British ships of war.

I have to request you will be good enough to afford me any further information bearing on the point at issue, which you may have received subsequently to your last letter.

I have, &c.

Commodore Purvis,
&c. &c.

(Signed) HAMILTON HAMILTON.

Eighth Sub-Enclosure in First Enclosure in No. 223.

Sr. Aureliano to Mr. Hamilton.

Palace of Rio de Janeiro, November 18, 1842.

In addition to the confidential communication, which, on the 11th of October, ultimo, I directed to Mr. Hamilton, &c. &c. relative to the fact, that it had come to the knowledge of the Imperial Government, from information given by the President of the Province of St. Paulo, who had been apprised by the authorities of Villa de Ubatuba, that a vessel having come into the harbour of the said Villa, with Africans on board, was seized by a vessel calling herself English; I have now the honour to intimate to Mr. Hamilton, that I have just received recent information from the President of that province, which confirms the existence of the fact referred to above; adding, that positively the seizure of the vessel with Africans was made by an English brig of war, which was then cruising off that coast, where it was known.

In consequence of what had been told, I expected the arrival of the aforementioned vessel, at this port, seeing that by the form of the Convention respecting this matter, existing between the two countries, both she and her cargo ought to be brought before the competent Mixed Commission, to be there duly adjudged and disposed of, as indicated by the respective laws. With this view I addressed myself to Mr. Hamilton, who has so proceeded, that already more time has been consumed than appears necessary for this end.

I cannot omit taking advantage of this occasion to let Mr. Hamilton understand, that, when the Imperial Government made its first communications concerning this affair, it was far from persuading itself that Mr. Hamilton would construe them as insinuations thrown out against the discipline of the British Navy, as shown in his note, No. 93, of the 21st of October, to which I now reply.

The communication did not exceed the simple exposition, entirely confidential, of a fact which, from information, had come to the knowledge of the Imperial Government, whom it behoves to procure all the means necessary for the elucidation of the same fact, so as to be enabled ultimately, and in an official manner, to direct itself to Mr. Hamilton.

In the face then of what has just been considered, Mr. Hamilton will rest convinced, that on the part of the Imperial Government there was not the slightest intention of making insinuations in its communication.

Approved, &c.

(Signed) AURELIANO DE S. E. O. COUTINHO.

Hamilton Hamilton, Esq.
&c. &c.

Ninth Sub-Enclosure in First Enclosure in No. 223.

Commodore Purvis to Mr. Hamilton.

SIR,

"Alfred," Rio de Janeiro, November 20, 1842.

I do myself the honour to acknowledge the receipt of your Despatch, dated the 19th November, enclosing further correspondence of his Excellency the Brazilian Minister for Foreign Affairs, relative to the affair at Ubatuba; and in answer thereto I beg to acquaint you, that it is utterly impossible for me to follow up further enquiry respecting this transaction, unless specific dates are assigned for its occurrence, no slave vessel having been captured by any of Her Majesty's cruisers, under my command, during the months of September and October.

I have, &c.

(Signed) J. B. PURVIS, Commodore.

Hamilton Hamilton, Esq.
&c. &c.

Tenth Sub-Enclosure in First Enclosure in No. 223.

Mr. Hamilton to Commodore Purvis.

SIR,

Rio de Janeiro, November 25, 1842.

I HASTEN to enclose herewith copies of two notes received from the Minister of Foreign Affairs, the * one respecting Richard Wilson, a deserter from Her Majesty's ship under your command, the other supplying an approximate date for the recent slave capture at Ubatuba.

I have, &c.

(Signed) HAMILTON HAMILTON.

Commodore Purvis,
&c. &c.

Eleventh Sub-Enclosure in Enclosure in No. 223.

Sr. Aureliano to Mr. Hamilton.

SIR,

Palace of Rio de Janeiro, November 22, 1842.

IN CONFORMITY with the request of Mr. Hamilton, signified to me yesterday, to verify the correspondence of the President of the Province of St. Paulo, concerning which I have treated in my note of the 11th October, and of the 18th of the current month, as to the date when it is said that a slaver was taken by a vessel supposed to be English; I have the honour to communicate to Mr. Hamilton, that, referring to the fact in the said correspondence, the precise day on which it took place is not stated; but the phrase "*lately*," "*it has just happened*," &c., is made use of; and it being the First Officer of the Military Governor of Ubatuba who gave notice to the President, dated on the 17th September, wherein it is stated, that three days ago the crew of the captured vessel had gone to offer for sale in the island of Poto some of the captured Africans, it may be supposed that the circumstance took place during the first days of the month of September.

The date of the Despatches of the President of the Province of St. Paulo are of the 27th September last, and the 2nd of the current November.

(Signed) AURELIANO DE S. E O. COUTINHO.

Hamilton Hamilton, Esq.
&c. &c.

Twelfth Sub-Enclosure in First Enclosure in No. 223.

Commodore Purvis to Mr. Hamilton.

SIR,

"Alfred," in Rio de Janeiro, November 29, 1842.

I HOPE the urgency of business of importance will be deemed sufficient apology for my not having before acknowledged the receipt of your Despatch of the 25th instant, with the Enclosures alluded to therein; and in compliance with your request to be put in possession of any further information respecting the Ubatuba affair, I do myself the honour of acquainting you that none of Her Majesty's cruisers belonging to the squadron under my command were in that neighbourhood at the time alluded to in the note of his Excellency the Brazilian Minister for Foreign Affairs; and I have, moreover, to add that they were in this harbour on the 3rd of September.

I have, &c.

(Signed) J. B. PURVIS, *Commodore.*

Hamilton Hamilton, Esq.
&c. &c.

Thirteenth Sub-Enclosure in First Enclosure in No. 223.

Enclosure Eighth to Commodore Purvis's Letter dated January 19, 1843, and numbered 84.

EXTRACT of a Letter from Commodore Purvis to Mr. Hamilton, showing that the Ubatuba affair was of that piratical character as described by the Commodore in his letter of October 19.

"I HAVE recently learnt from an undoubted source, that the affair at Ubatuba has turned out to be of that piratical character I anticipated in my letter to you under date of the 19th October last. You will no doubt recollect the vessel denounced to your Excellency by the Brazilian Minister for Foreign Affairs, as being one of Her Britannic Majesty's cruisers; who stated that a portion of the crew had landed at or near the village of Ubatuba, fired upon peaceable inhabitants, and exposed for sale some of the captured Africans at the island of Poti. This grave and vexatious charge, without the shadow of a truth, is not the only one confirmatory of the prejudice the Brazilian local authorities possess against the British Navy, the continued victim of their injustice; not content with setting forth as facts that which is reported to them by the very persons themselves (slave dealers and proprietors) who are most deeply interested in distorting the truth, but feel a degree of pleasure when the opportunity presents itself of executing the malignant task of placing before their Minister for Foreign Affairs fabricated tales to its dishonour. What is the sequel to this complaint? A slaver in making the coast of Brazil is taken possession of by the crew, who assassinate the captain, rob the vessel, land the cargo of human beings, some making their escape from them, and others they offer for sale; the men composing the said crew, being of different nations, passed themselves off as British seamen. This is the affair of Ubatuba, which the President of the Province of St. Paulo asserts most positively as being the *act of a British brig of war*, at which time I can positively assert no cruisers were at or near the spot."

Second Enclosure in No. 223.

Mr. Cowper to the Earl of Aberdeen. Pernambuco, May 8, 1843.

(See No. 304, page 359.)

Third Enclosure in No. 223.

Rio Commissioners to the Earl of Aberdeen. March 20, 1843.

(See Class A. No. 160, page 200.)

No. 224.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, July 17, 1843.

I HAVE received your Despatch of the 18th January, reporting the circumstances under which certain negroes were removed from the Territory of the Republic of the Uruguay by Brazilian subjects, with the assistance of Brazilian vessels of war.

I have also received from other sources further information upon the same subject.

I referred the whole of those papers to Her Majesty's Advocate-General, for his opinion thereupon.

I have now to state to you, for your information and guidance, that it does not appear that the embarkation of negroes at Monte Video, under the circumstances stated, for the purpose of conveying them to Rio de Janeiro or any other port in the Brazilian Empire, falls within any of the provisions of the Convention between this country and Brazil for the Abolition of the Slave Trade. And the Queen's Advocate is of opinion, that Her Majesty has not any right to remonstrate with the Government of Brazil against the proceedings of their ships of war on the occasion here referred to, or to claim the liberty of the negroes.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 225.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, August 2, 1843.

HER Majesty's Government have had under their consideration the communications lately received from Rio de Janeiro, respecting the state of the Africans liberated under the Treaties between this country and Brazil, for the Suppression of Slave Trade.

It is with deep regret that Her Majesty's Government have learnt that the urgent representations which they have addressed to the Government of Brazil, urging that Government to secure kind treatment to those negroes during their period of apprenticeship, and to give effectual and entire freedom to them at the earliest period consistent with their welfare, have proved in vain.

Since the communication which, under Lord Palmerston's directions to you of the 23rd August, 1841, you were desired to make to the Brazilian Minister, upon the subject of these negroes, nothing has occurred to weaken the ground upon which Her Majesty's Government then came to the conclusion that it was their duty to take care that all Africans who should be taken by British cruisers, under the Convention with Brazil, should be sent to a British colony, as the only means whereby good treatment in the first instance, and entire freedom subsequently, could be secured to them.

I have received two Despatches from Her Majesty's Commissioners, dated respectively the 26th and 27th May last, bearing upon this subject.

The first contains an account of complaints of the ill treatment of liberated negroes, in a case in which it appears that the Brazilian Government took an opportunity to deny the claim of the Mixed Commission to enquire how far the sentence pronounced by them, in virtue of the Treaty, had been carried into execution.

The adoption of such a course by the Brazilian Government, is an additional reason for adhering to the declaration already made by you to the Brazilian Government.

The second Despatch here referred to from Her Majesty's Commissioners, contains an account that the wages of the liberated Africans, instead of being given over in part to them, form an admitted source of revenue to the State.

You will remonstrate against this most unjust practice on the part of the Brazilian Government, and state, that Her Majesty's Government consider the individuals in question entitled to the full benefit of any moneys which may accrue to them from their own labour.

You will institute as minute enquiries as you may have means of making, into the present state of the persons hitherto liberated by sentence of the Mixed Court at Rio. You will report to me the result thereof, and you will distinctly understand that you are to adhere strictly to the declaration made by you on the 4th December, 1841, to Senhor Aureliano, that Her Majesty's Government cannot deliver over to the Brazilian Government any more free negroes, to be treated as slaves; but that until the Brazilian Government shall show that the engagements it has contracted towards the emancipated negroes are faithfully performed, all negroes who may in future be brought to Rio de Janeiro in a captured Brazilian slave vessel, will be retained on board the "Crescent" receiving ship, till the slaver has been condemned; and then, instead of being delivered over to the Brazilian Government, will be sent to a British colony.

I am, &c.

Hamilton Hamilton Esq.
&c. &c.

(Signed) ABERDEEN.

No. 226.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, August 16, 1843.

I HAVE received your Dispatch, "Slave Trade," dated the 20th April last, containing the copy of a statement made by a negro named John Eden, respecting the ill treatment which he received from Mr. Moss, a British subject in Brazil, formerly his master.

CLASS B.

That despatch was, by my direction, referred to the law advisers of the Crown, who have reported their opinion that it is not competent to Her Majesty's Government to prosecute and convict Mr. Moss under the laws for the Abolition of the Slave Trade or of Slavery.

But the law officers at the same time stated, that "Eden" had just cause of action against Mr. Moss; and they suggested the propriety of affording facilities to "Eden" in any proceedings he might be advised to institute against that person.

I have now to acquaint you that, in pursuance of this opinion of the law advisers of the Crown, the Lords of Her Majesty's Treasury have given directions to their Solicitor to take the necessary steps, in communication with "John Eden," for instituting legal proceedings against Mr. Moss.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 227.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, June 22, 1843.

(Received August 20.)

MY LORD,

WITH reference to your Lordship's Despatch, marked, "Slave Trade" of the 13th December of last year, on the subject of two negro sailors found on board the captured vessel "*Dois de Fevereiro*," who have been claimed by a Brazilian subject, by name Antonio Gonsalvez da Luz as his slaves, I have the honour to transmit herewith the copy of a communication respecting them made by me to the Minister of Foreign Affairs, and of His Excellency's answer, together with certain documents annexed to the latter.

These documents, which are the same as were forwarded to me when the requisition concerning these negroes was first made by the Government, show, that Sr. da Luz had become possessed of their services in a lawful manner; while from the petition addressed by him to His Imperial Majesty, you will learn he is ready to forego his right to them, and to grant to them full and entire freedom, on receiving the sum of Rs. 1,600,000 as compensation for his property in them, and for the loss of their services.

As to the correctness of this valuation, it appeared advisable to take the opinion of a British broker here, and others conversant in such matters: and I have to state that it may be considered a very fair one. Black sailors, as property, are here worth that sum at the present moment; and, over and above it, another sum might have been claimed for the services lost from the time of detention until the indemnification shall take place; the wages which such negroes earn at present, being from 16,000 to 20,000 per month.

Awaiting your Lordship's decision as to my paying to Sr. da Luz the above-mentioned compensation,

I have &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 227.

Mr. Hamilton to Sr. Carneiro Leao.

Rio de Janeiro, March 24, 1843.

ON November 5, 1841, and again January 29, 1842, Sr. Aureliano, then presiding over the Department of Foreign Affairs, addressed to Her Majesty's Legation a representation on the subject of two negro sailors, found in the slaver "*Dois de Fevereiro*," who, after the capture of that vessel, were removed to Her Majesty's ship "*Crescent*," in this harbour, and of whom his Excellency required the delivery, on the plea of their being the property of Sr. Antonio Gonsalvez da Luz, a Brazilian subject. To this demand the Undersigned, &c. &c., declined to accede, on his own responsibility; but he lost no time in sub-

mitting the case to the consideration of his Government, and has been instructed, in consequence, to reply to the Brazilian Government to the following effect:

That the two negroes in question having been treated as free men from the time they were received on board the "Crescent," and been led confidently to believe the British Government would not permit them to be again reduced to slavery, it is altogether impossible that the said Government should in any way be instrumental to a transaction from which such a lamentable result must ensue; but that if Sr. da Luz can show satisfactorily that he became lawfully possessed of the services of these two individuals, Her Majesty's Government, under the peculiar circumstances of the case, may be disposed to grant to him a sum of money as compensation for the loss of those services.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Honorio H. C. Leao.
&c. &c.

Second Enclosure in No. 227.

(Translation.)

Sr. Carneiro Leao to Mr. Hamilton.

Palace, Rio de Janeiro, May 6, 1843.

HIS Majesty the Emperor has had submitted to his consideration the note addressed by Mr. Hamilton, &c., on the 24th March, to the Undersigned, &c., in which the former communicates the instructions communicated by him from his Government respecting two slaves belonging to the Brazilian subject, A. Gonçalves da Luz, who were sewing as sailors on board the Portuguese brig, "*Dous de Fevereiro*," at the time of her capture for illicit traffic in slaves; the purport of the said instructions being, that as the two slaves in question were removed after capture of the brig on board of Her Majesty's ship "*Crescent*," had been there treated as free men, and been maintained in the belief that they were free, through the lapse of time occurring afterwards, without their being disquieted or compelled to return to slavery, it is repugnant to the Queen's feelings that Her Majesty's Government should concur in any transaction of which the result would be, to reduce those individuals a second time to that state; and Her Majesty prefers, therefore, to order payment of a certain sum of money to the owner as indemnification for their value.

But the Emperor, notwithstanding that His Majesty appreciates as they deserve such generous sentiments, would still have found it out of his power to act conformably thereto, had the owner of the slaves persisted in his endeavour to recover them, which he had a most incontestable right to do, inasmuch as they had been acquired by legal title at a time when the traffic was permitted by the laws of the country, and recognised as licit; such acquisition thereby becoming as legitimate as that of any other description of property, and their master therefore not liable to any compulsory alienation of them against his will, whatever might be the equivalent offered to him. It is gratifying, however, to the Undersigned, to be enabled to announce to Mr. Hamilton, that this difficulty has not presented itself; the proprietor, when consulted by the Imperial Government on the subject, having immediately conceded his right not only to recover the slaves, but also to a rigorous indemnity for the privation of their services and other losses incurred during the period of that privation, being satisfied to receive the sum of 1,600,000 reis, in currency of the empire, a proposition beyond measure moderate; since in the actual state of things this sum can ill be said to represent the value of two slaves who are sailors, and all the other indemnities due to him. And as the documents and vouchers transmitted herewith, attest in the most satisfactory manner the legitimate acquirement of the slaves, and the maintenance of the right of dominion over them, in the person of the proprietor; so it only remains for Mr. Hamilton to indicate the mode in which the compensation asked for may be received, in case the proposal be accepted.

The Undersigned renews, &c.

(Signed) HONORIO HERMETO CARNEIRO LEAO.

Hamilton Hamilton, Esq.
&c. &c.

First Sub-Enclosure in Second Enclosure in No. 227.

(Translation.)

To His Imperial Majesty.

SIRE,

Rio de Janeiro, April 26, 1843.

ANTONIO GONCALVES DA LUZ, a Brazilian subject, declares that two slaves belonging to your Petitioner formed part of the crew of the Portuguese brig "*Dois de Fevereiro*," when the said brig was captured on the 18th February, by the English brigantine "*Fawn*;" and when she came into this port on the 22nd of the same month, the slaves were not delivered to your Petitioner, as they ought to have been, seeing that they could not in any manner be included in the capture of the brig, however justly it may have been effected, according to the Treaties and Conventions, as well as the Instructions agreed upon and annexed thereto, for the Regulation of the Vessels of War of both the high contracting powers, employed in the Suppression of the Slave Trade. That from that period, your Petitioner has continued to demand the said slaves as his property, imploring the powerful protection of Your Imperial Majesty's Government. And not having yet obtained on that matter a definite decision, notwithstanding the urgent efforts of Your Imperial Majesty's Government, your Petitioner now learns that these slaves are at the Cape of Good Hope; their services having been sold there, and being themselves in a much less happy position than they would have been in here, when treated, as is the constant practice of your Petitioner, like his own children. Wherefore, your Petitioner, desirous to promote the happiness of these slaves, is ready, and offers voluntarily to grant to them full and entire liberty, on receiving the sum of 1600 milreis, when he will consider himself satisfied and paid in full, not only for the value of the individuals themselves, but also for that of their services, from the day of their capture, up to the receipt by your Petitioner of the said indemnification. Imperial Sir, so long as the Treaties do not justify such an irregular seizure, it behoves the Government whose agents have become the authors of such violence to indemnify your Petitioner, either in the event of their being no longer able to restore the victims of the injustice against which your Petitioner has so unceasingly protested and appealed, or in case they are unwilling so to. In this manner, your Petitioner, confiding in the protection that the paternal administration of Your Imperial Majesty never fails to afford to its subjects, trusts that Your Imperial Majesty's Government, employing the means used on such occasions, will succeed in doing your Petitioner justice, and therefore,

That it may please Your Imperial Majesty to grant your Petitioner the desired favour, your Petitioner will ever pray.

(Signed) ANTONIO GONCALVEZ DA LUZ.

His Imperial Majesty,
&c. &c.

Second Sub-Enclosure in Second Enclosure in No. 227.

Schedule of Documents comprised under Enclosure No. 3 in Sr. Carneiro Leao's Note of May 6, 1843.

No. 1. Petition of A. G. da Luz, to the Emperor, praying that His Majesty will demand from the competent British authorities the delivery to him of two slaves, sailors, his property, captured on board the "*Dois de Fevereiro*."

No. 2. Attestation respecting the documents annexed from the justices of the peace of the parish, dated July 8, 1841.

No. 3. Declaration by A. G. da Luz, that he is the true and lawful owner of the two slaves above-mentioned, José and Francisco, by name.

No. 4. Certificate of payment of duties by A. G. da Luz for his slave, José.

No. 5. Idem, Idem, Idem, for his slave Francisco.

No. 6. Evidence of divers persons to prove that A. G. da Luz is lawful owner of the above slaves, taken July 6, 1841.

Third Sub-Enclosure in Second Enclosure in No. 227.

(Translation.)

SIRE,

Rio de Janeiro, November 4, 1842.

BEFORE the august throne of Your Imperial Majesty presents himself the Brazilian subject A. G. da Luz, in order to make the following statement :

That your Petitioner is master and possessor of two slaves, named José and Francisco : the one of the Mozambique, the other of the Mojojo nation : who being entered on board the Portuguese brig "*Dois de Fevereiro*," were captured at the entrance of this port by the British brigantine of war "Fawn," in February of the present year ; and as these slaves are the lawful property of your Petitioner, as proved by the annexed document, he prays that Your Imperial Majesty will be pleased to demand from the competent British authorities, the delivery of the said slaves and that being removed on board the receiving ship, "*16th of March*," (national depôt for seamen,) your Petitioner may there receive them, and at the same time pass the proper receipts.

And your Petitioner will ever pray.

(Signed) ANTONIO PEREIRA DOS SANTOS, *Proctor.*

Fourth Sub-Enclosure in Second Enclosure in No. 227.

OFFICE of the Justice of the Peace of the Candellaria parish.

Proof.

(Signed) ANTONIO GONCALVEZ DA LUZ, *Plaintiff.*

Attestation.

IN the year of Our Lord 1841, on the 8th of July, at this Court of Rio de Janeiro I have attested, in the records of my Office the Petition and Document which follow.

(Signed) JOSE FERREIRA SABRAL *Clerk.*

Fifth Sub-Enclosure in Second Enclosure in No. 227.

Most Illustrious Justice of the Peace for District of the Candellaria.

ANTONIA G. DA LUZ, a Brazilian subject established in this capital, declares that he is lawful master and owner of two slaves, named Francisco and José, the former a native of Mozambique, the latter of the Mojojo nation, both sailors, and that he desires to prove before you as follows :—

That these two slaves have belonged to him many years without anyone's objecting thereto, as is seen by the annexed documents.

That the prover is the identical A. G. da Luz who owns the slaves in question, and therefore, your Petitioner prays that he may be admitted to prove the above, and that then the principal documents may be delivered to the Petitioner to employ them as shall be right and just.

And your Petitioner will ever pray.

The above petition is just.

(Signed) MACHADO.

Sixth Sub-Enclosure in Second Enclosure in No. 227.

At the 42nd page of the first book of the Office for levying the Duties on Slaves going to the south, is entered by the treasurer, Manoel José Alves da Fonseca, a receipt for the sum of Rs. 4,800 paid by A. G. da Luz for a slave going to Porto Alegre, named José, sailor on board the brigantine "*Luz*."

(Signed) LUIZ BERNARDO DE AZEVEDO.

General Police-office, Rio de Janeiro, March 24, 1841.

Seventh Sub-Enclosure in Second Enclosure in No. 227.

REPETITION of the preceding, merely substituting the name "*Francisco*" in the place of "*José*."

Eighth Sub-Enclosure in Second Enclosure in No. 227.

Evidence of Witnesses for Claimant.

EXAMINATION BY NOTARY.

ON the 6th July, 1841, at this city of Rio de Janeiro, at the residence of the Citizen Joaõ Bernardes Machado, Justice of the Peace of the Candellaria parish, when I, the Clerk, *ad interim*, was present in this Office, the following witnesses were examined,—I, José Pereira Sabral, Clerk, *ad interim*, entered the same:

Antonio Dias de Souza Castro, a white man, married, born in Portugal, Brazilian citizen, residing in St. Peter's-street, No. 72, living by business, aged 36 years, being sworn, took oath, on the Holy Evangelists, and promised to speak the truth, and nothing but the truth.

And being examined, as is customary, as to the items of the petition of A. G. da Luz, he stated, firstly, that he had known the Plaintiff many years as owner of various sorts of property, and among them of the slaves Francisco of the Mozambique nation, and José, of the Mojojo nation, both sailors, and that he had owned these slaves many years, as was well known, and is proved by the present documents; and more on this point he did not say.

Secondly, he says that by the same reason he is able to prove that the Plaintiff is the same and identical A. G. da Luz, master and possessor of the slaves in question, being a veracious and conscientious man; and more than this deponent said not.

(Signed) ANT^o. B. DE FERREIRO CASTRO.
MACHADO.

Then follow two similar depositions by other witnesses, and the proceedings are closed by the Justice of the Peace in the usual form.

No. 228.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, June 22, 1843.
(Received August 20.)

MY LORD,

I HAVE the honour to acquaint your Lordship that Lieutenant Foote, commanding Her Majesty's brig "*Curlew*," has detained and brought into port the Brazilian brig "*Dous Amigos*," on suspicion of being employed in the illicit traffic in slaves. The detention took place on the 14th instant, eight or nine miles off the Fort of St. Cruz. The "*Dous Amigos*" had sailed hence only a few hours before the capture, destined ostensibly for Cotinguiba to the northward.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

No. 229.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, August 28, 1843.

I HAVE received from Her Majesty's Commissioners at Rio de Janeiro an account of the steps which have been taken by the Mixed Court with respect to the alleged ill-treatment of the emancipated negress Serafina.

It appears that at the Session of the Mixed Court of the 23rd May, the

Brazilian Commissary-Judge stated his intention of representing the case to the Brazilian Government.

I am not yet aware whether any steps have been taken by the Brazilian Government, in consequence of that representation.

But unless that Government shall have taken measures for ensuring the freedom of the negress Serafina, I have to desire that you will remonstrate against the cruel and unjustifiable conduct which has been practised towards her.

You will, in such representation, draw the attention of the Brazilian Government to the 7th Article of the Regulations annexed to the Convention of 1817, by which "each of the two Governments binds itself to guarantee the liberty of such portion of these individuals as shall be respectively consigned to it." And you will require that this stipulation shall be carried into entire effect in respect to the negress Serafina.

I transmit to you, under flying seal, a Despatch which I have addressed upon this point to Her Majesty's Commissioners at Rio de Janeiro.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 229.

The Earl of Aberdeen to Her Majesty's Commissioners at Rio de Janeiro, dated August 28, 1843.

(See Class A. No. 172, page 212.)

No. 230.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, September 11, 1843.

I HEREWITH transmit to you a copy of a Despatch which I have received from Her Majesty's Commissioners at Sierra Leone, respecting an alleged determination of the Brazilian Commissary-Judge at that place, not to consent to the condemnation of any Brazilian vessel on account of an equipment for Slave Trade, or on any other account than that of her having, or having had, slaves actually on board.

I also transmit to you a copy of an Instruction which, in concurrence with the opinion of the proper law adviser of the Crown, I have addressed to Her Majesty's Commissioners at Sierra Leone upon this subject.

I have to desire that in all your communications with the Brazilian Government, you will support the view which is taken of the subject in that Instruction.

I have also to desire that you will communicate this Despatch, together with its Enclosures, to Her Majesty's Commissioners at Rio, for their information and guidance, and that you will give to them your official support towards carrying into due effect the intentions of the Governments of Great Britain and Brazil, as declared in the 1st Article of the Convention of November, 1826, and set forth more particularly in that Instruction.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosures in No. 230.

1. *Her Majesty's Commissioners at Sierra Leone to the Earl of Aberdeen, dated June 28, 1843.*

2. *The Earl of Aberdeen to Her Majesty's Commissioners at Sierra Leone, dated September 11, 1843.*

(See Class A. Nos. 27 and 29, pages 35 and 41.)

No. 231.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, September 12, 1843.

I HEREWITH transmit to you a copy of a Despatch which I have received from Her Majesty's Consul at Bahia, giving an account that "farinha," or mandioca flour and water, are exported from that port to the Coast of Africa, in puncheons, on board foreign vessels, manifested under the denomination of "cachaça," or rum, and intended for the use of vessels engaged in Slave Trade.

I have to desire that you will communicate this fact to the Brazilian Government, and urge them to inquire into, and to take effectual steps to prevent, this practice.

I am, &c.

(Signed) ABERDEEN.

Hamilton Hamilton, Esq.

&c. &c.

Enclosure in No. 231.

Mr. Porter to the Earl of Aberdeen, dated June 30, 1843.

(See No. 279, page 330.)

No. 232.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, September 12, 1843.

YOUR Despatch of the 22nd December, 1842, on the subject of the delay in bringing into the Mixed Court at Rio the proceeds arising from the sale of the condemned slave vessels "*Maria Carlota*" and "*Aracaty*," was by my direction referred to the proper law adviser of the Crown, who has reported it to be his opinion that the conduct of the Brazilian municipal officers in this respect is unwarrantable; and that it is incumbent on that Government not only to frame some regulation for the guidance of its officers in this respect, but to take care that such regulation is duly carried into execution.

I am, however, led to hope, by the notes addressed to you, on the 20th October and 17th December last, by Senhor Aureliano, that the long-standing case of the "*Maria Carlota*" will have been already brought to a conclusion, and that in future no ground for complaints of the nature will occur.

Should this expectation, with respect to the case of the "*Maria Carlota*," not have been realised, I have to instruct you to present a note to the Brazilian Government, strongly urging the great injustice of detaining, for so long a time, a sum of money due to Her Majesty's Government, and which the Brazilian Government are well aware will, according to the practice of Her Majesty's Government in such cases, be presented to the Officers and crew of Her Majesty's ship, by whom the slaver in question was captured.

I am, &c.

(Signed) ABERDEEN.

Hamilton Hamilton, Esq.

&c. &c.

No. 233.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, July 17, 1843.**(Received September 22.)*

MY LORD,

IN obedience to your Lordship's Despatch, "Slave Trade," of the 4th July, 1842, I have the honour to transmit the enclosed Reports of the

state of the Africans from the "*Flor de Loanda*" slaver, apprenticed out to various individuals resident at and near Rio de Janeiro, under contracts with Her Majesty Legation, for the period commencing on the 18th November, 1842, and ending the 30th ultimo, and am happy to be able to add that, with the exception of three cases specified therein, they appear to be quite satisfactory,

I deferred making this Report at the end of the six months following the date of the preceding Report, until the present time, in order that the half-yearly Reports in future might correspond with the financial returns relating to the same individuals, also made half-yearly.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

P.S. With reference to the case of the carter, Jacintho, referred to in the Hospital return, it will be my duty to institute searching inquiries; it is the Police, apparently, who are the transgressors here. The Superintendent of the Hospital, Senhor José Clemente Pereira, recently Minister of War, is entitled to every confidence: and the deaths reported in the Hospital may be regarded as having actually occurred.

H. H.

First Enclosure in No. 233.

I, THE Undersigned Robert Coates, at the request of Hamilton Hamilton, Esq., Her Britannic Majesty's Envoy Extraordinary, and Minister Plenipotentiary, do hereby certify and attest that the male child, and seven female African apprentices, received by me from on board the "*Flor de Loanda*" slaver, are all in perfect health, and the whole of them are employed in my establishment.—Salt Works, near the village of Itaguahy, 26th of June, 1843.

(Signed) ROBERT COATS.

Second Enclosure in No. 233.

Rio de Janeiro, June 30, 1843.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed at Rio de Janeiro to various individuals.

Africans Apprenticed to Mr. Charles Lukin.

Names.	Ages.	Occupations.	Remarks.
	YEARS.		
Eliza . . .	17	House service . .	Indolent, but well behaved; has a son, Joao.
Maria . . .	25	Washerwoman . .	Returned, with her three children and husband, Gabriel, on board " <i>Crescent</i> " receiving ship.
Fanny . . .	17	House service . .	Has a son, José; is well behaved.
Luiza . . .	18	„ ironing, &c.	A daughter. Do.
Gabriel . . .	36	General service . .	Returned by Mr. Lukin to the receiving ship " <i>Crescent</i> ," for bad conduct.
Francisco . .	24	Gardener and boatman	Well behaved.
Joao . . .	36	Out-of-door work . .	Honest, good workman; but, at times, lunatic.
Domingos . .	31	General service . .	Idiotical; thought to be more knave than fool.
Diogo . . .	21	House and general service	Good servant; quite able to gain his livelihood.

Mr. Lukin is satisfied with the conduct of the above, with the exception of Gabriel and Eliza, whom he has returned to the "*Crescent*" for bad conduct, &c. He would engage all the others as free servants at the term of their apprenticeship, except Domingos, who is almost useless.

Africans in the service of Mr. John George Young.

Names.	Ages.	Occupation.	Remarks.
	YEARS.		
Theresa . . .	15	Washes; house service, &c. &c.	Industrious, and well disposed.
Carlota . . .	14	House servant and nurse-maid.	Good-tempered, but giddy.
Carlos . . .	12	House servant . .	Active clever boy.
Antonio . . .	13	Assistant cook . .	Quiet good boy; now in Mr. Hamilton's service.

Carlos and Carlota accompanied Mr. Young to England, leaving Rio the 23rd June, 1843; the other two, with Mr. Hamilton's sanction, have gone into service here. Mr. Young has paid up to the Legation the wages,—viz. 96,000 rs. (*vide No. 19, Slave Trade, of this date,*) for the remainder of the apprenticeship of the above,—viz., two years, or until May, 1845.

Africans in the service of Mr. J. H. Dickenson.

Bob	14	General service . .	Slightly deformed. Good boy.
Betsy . . .	14	Nurse-maid . . .	Transferred, with Mr. Hamilton's sanction, to service of Mrs. Lefevre.
Rose	15	House servant . .	Clever active girl.

Mr. Dickenson is satisfied with the above. Betsy has accompanied Mrs. Lefevre to England, as nursemaid.

Africans apprenticed to Mr. Robert Coats.

Francisca . . .	31	Out-of-door work .	Married; one daughter.
Maria	31	„ „	Married; daughter 14 months old
Rose	25	„ „	Married; daughter 11 months old.
Anna	16	„ „	Married; no children.
Caterina . . .	51	„ „	„ „
Johanna . . .	16	„ „	Unmarried.
Sabina	13	„ „	„
José	5	„ „	Infant when received.

Mr. Coats would engage the above as free servants after their apprenticeship.

Africans in the service of Mrs. Moke

Victoria . . .	12	Washes; makes her clothes; picks coffee, &c.	Is well; but has always been very thin. Well behaved.
Alexandrina . .	12	„ „	Good servant; healthy.
Gertrude . . .	11	„ „	„ „
Angela	11	Do. and sews well .	„ „
Thereza	10	„ „	„ „
Julia	10	„ „	„ „

Mrs. Moke quite satisfied with the above.

African in service of S. Lopes Gama.

Marianna . . .	17	Nurse-maid . . .	Well disposed; useful girl.
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His Excellency's family quite satisfied with the conduct of this girl.

Africans in the service of the Rev. T. Champnes.

Charles	17	House servant and Gardener.	Clever and diligent.
Rosa	18	Do. and washes . .	Well disposed; diligent.

Mr. Champnes would willingly hire the above as free servants.

Africans apprenticed to Mr. Tross.

Rosa	16	House servant . .	Well behaved.
Francisco . . .	31	Store-man; house servant.	Returned to Legation by Mr. Tross for bad conduct; and engagement annulled.

Mr Tross and family satisfied with the conduct of the woman Rosa. Francisca remains for the present in the service of Mr. Ouseley.

African apprenticed to Dr. Lee.

Name.	Age.	Occupation.	Remarks.
Rita	YEARS. 18	House servant . .	Transferred, with Mr. Hamilton's sanction, to service of Mr. James.

Mr. James, Dr. Lee's brother-in-law, quite satisfied with the conduct of the above. She has a daughter.

African in service of Mr. Maze.

José	17	House servant . .	Good useful boy.
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Mr. Maze would engage him as servant at the end of his apprenticeship.

Africans in service of Major Koeller.

Geronymo . . .	31	Out-of-door work .	Blind of one eye.
Carlos	15	„ „	Healthy; well behaved.
Pedro	15	„ „	„ „
Johana	21	House servant . .	Always been sickly.
Carlota	21	Washes and picks coffee.	Healthy; well behaved.
Carolina . . .	19	House servant . .	„ „

Major Koeller satisfied with the conduct of the above. (*Vide* Enclosure, No. 3.)

All the above "*Flor de Loanda*" Africans appear to be contented in their respective situations. They have been personally visited and spoken to by the Undersigned, with the following exceptions, namely:—

Eight, as per Return, in the service of Mr. R. Coats, being at some distance from Rio. *Vide Enclosure, No. 4.*

Six, as per do., in service of Major Koeller, also at a distance in the country. *Vide Enclosure, No. 3.*

One, the woman Betsy, in England with Mrs. Lefevre, mentioned in Report of Africans *apprenticed to Mr. Dickenson*. The distance of the above from Rio, and the other business of the mission, have prevented the Undersigned from inspecting them; but the certified Reports which have been made to Her Majesty's Legation respecting these Africans, appear to be very satisfactory, with the three exceptions specified in the foregoing Report,—namely, two from Mr. Lukin, and one from Mr. Tross.

(Signed)

H. C. OUSELEY.

Attached to H. M. Legation.

Third Enclosure in No. 233.

M. Koeller to Mr. Ouseley.

MONSIEUR,

Rio de Janeiro, Le 14 Juillet, 1843.

J'AI reçu avec retard votre lettre du 25 Juin passé; j'étais justement occupé à parcourir les ouvrages publics de la province du Rio de Janeiro avec le Président de cette Province. Vers la fin du mois précité, et avant d'avoir reçu votre lettre j'avais déjà prié le Docteur Lira, médecin de la Fabrique National de Poudre, d'aller examiner l'Etat sanitaire des Africains Carlos, Pedro, Jeronymo, Carolina, Carlota et Joanna, du Négrier "*Flor de Loanda*," qui m'ont été confiés par la légation de S. M. Brit. dans l'intention de vous envoyer son certificat. J'attends tous les jours ce certificat, et je vous le remettrai aussitôt qu'il arrivera: mais comme il est possible que cela ne puisse avoir lieu qu'après le Depart du Paquet, je me hâte de vous communiquer que l'état sanitaire des susdits Africains est à peu près le même qu'en Janvier de cette année, époque à laquelle j'en ai rendu compte à M. Fred. Hamilton. J'ai l'honneur de vous re-

mettre ci-joints les trente six milreis (36,000 rs.) gages des services de ces Africains pour les six mois qui sont expirés le 30 Juin passé.

Je suis, &c.

(Signé)

JULES FREDERIC KOELLER,

'A Monsieur Henry Ouseley,
&c. &c.

Fourth Enclosure in No. 233.

NOMINAL LIST of FREE AFRICANS now in the service of the Misericordia Hospital, from on board the Portuguese schooner, "Flor de Loanda," showing their Nations, Names, supposed Ages, and Occupations.

Names and Nations.	Ages.	Occupations.	Remarks.
	YEARS.		
Samuel, <i>Cabinda</i>	24	Boatman . . .	Robust; health, &c., good.
Bruno . . .	26	" "	" "
Camillo . . .	31	Quarryman . . .	Ditto; a master workman.
Pedro . . .	25	Boatman . . .	Health and conduct good.
Joaquim . . .	19	In infirmary . . .	" "
Cosmé . . .	35	Quarryman . . .	Ditto; has become a master workman.
Geronymo . . .	31	Cook . . .	Health and conduct good.
Joao . . .	25	Boatman	" "
Manoel . . .	15	In service of the em- ployés.	" "
Francisco . . .	"	" "	" "
Joao . . .	"	" "	" "
Braz . . .	19	Mason	" "
Thomaz . . .	"	Stone-cutter	" "
Timotheo . . .	"	" "	" "
Christovao . . .	23	Mason	" "
Salvador . . .	"	Quarryman . . .	Ditto; master workman.
Nicolao . . .	19	" "	Nicolao justly complains that he is not taught a trade; wishes to learn that of a mason.
Esmeria . . .	23	Cook . . .	Has a female child.
Engracia . . .	26	" "	Health, &c., good.
Antonia . . .	21	Servant of asylum	" "
Lina, <i>Cabinda</i>	21	Washes for asylum . . .	Pregnant.
Manoel, <i>Cabinda</i>	31	Land-tiller . . .	Health and conduct good.
Anastasio . . .	19	" "	" "
Martinho . . .	15	" "	" "
Rufino . . .	19	Mason	" "
Antonio . . .	"	Land-tiller . . .	Prisoner, sentenced to 10 years' imprisonment for murder.
Joaquim . . .	"	" "	" "
Antonia . . .	31	Gardener . . .	Has lost her female child.
Thereza . . .	"	" "	Health, &c., good.
Catherina . . .	26	Washerwoman . . .	Has a son named Joaquim.
Pedro . . .	37	Hospital servant . . .	Had weak sight; is much better.
Justino . . .	21	" "	Health, conduct, &c., good.
Joao <i>Benguela</i>	19	Boatman	" "
Gastao . . .	29	Quarryman	" "
José . . .	27	Boatman	" "
Leandro . . .	31	In infirmary	" "
Antonio . . .	19	" "	" "
Luiz . . .	31	" "	" "
Leonardo . . .	21	Stone-cutter	" "
Gaspar . . .	17	Mason	" "
Matheos . . .	31	Quarryman	" "
Lauriano . . .	21	Mason	" "
Januario . . .	31	Quarryman	" "
Antero . . .	19	Mason	" "
Adao . . .	"	Stone-cutter	" "
Bernardo . . .	21	Domestic	" "
Louisa, <i>Cabinda</i>	22	Washerwoman	" "
Marcos, <i>Benguela</i>	19	Domestic . . .	Health, &c., good.
Generosa . . .	24	Washerwoman . . .	Died on 20th January, 1843; her mulatto child alive and well.
Esperança . . .	27	" "	Pregnant; her first child, Antonio, is alive and well.
Nuno . . .	25	Carter . . .	Health, &c., good.
Theodoro . . .	19	Mason	" "
Ambrosio . . .	"	" "	" "
Alexandre . . .	"	Land-tiller	" "

Names.	Ages.	Occupations.	Remarks.
Jacintho	YEARS. 17	Carter	The police arrested this negro, found intoxicated at night in the town, and punished him by hard labour for several months, at the house of correction, to that degree, that his health is seriously injured.
Euzebio . . . .	..	..	Health and conduct good.
Paulo	19	Land-tiller	
Joao	35	Washes	, ,
Januario	24	Quarryman	, ,
Felipe	31	Land-tiller	, ,
José	14	..	, ,
Caetano	17	Mason	, ,
Francisco	21	Stone-cutter	, ,
Francisco	21	Shepherd	, ,
Anna	21	Gardener	Pregnant.
Maria	17	..	Died 8th February, 1843.
Joaquim	21	Hospital servant .	Health and conduct good.
Simplicio	..	..	, ,
Sabrino	..	..	, ,
Pedro, <i>Bayaca</i> .	26	Mason	, ,
Ritta, <i>Rebolo</i> .	35	Gardener	Has a male infant; lost her first child, named Domingos
Bernardo, <i>Angola</i>	17	Shepherd	Health, &c., good.
Luiz . . . . .	..	Land-tiller	, ,
Raimundo	21	Blacksmith	, ,

Of the above negroes, there are dead two females, Generosa and Maria; and a male negro, called Antonio, is a prisoner, sentenced to 10 years' imprisonment for murder. The remaining 71 are all in good health, with the exception of Jacintho, and appear contented and well clothed. The only complaint was made by Nicolas, who desires to be taught the trade of Mason, being now employed at the Cemetery. Upon the whole, all these negroes, male and female, are much improved in appearance since last inspection. Two of the children mentioned in last Return are dead, as stated in above List.

Rio de Janeiro,
July 16, 1843.

(Signed)

ROBERT HESKETH,
H.B.M. Consul.

H. C. Ouseley, *Attaché to Her Majesty's Legation.*

No. 234.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 18, 1843.
(Received September 22.)

MY LORD,

I BEG leave to refer you to my Despatch, "Slave Trade Series," of April 23, relating to the Portuguese slaver, "*Leopoldina*," run on shore by Her Majesty's brig of war "Partridge," at Macahé, in November last; but more especially to a note of mine to the Brazilian Government, which is transmitted therein, showing cause why the slaver in question ought to be brought for adjudication into the Mixed British and Brazilian Court of Commission in this capital.

The communication enclosed in this present Despatch, is the answer of the Brazilian Government to my note; and I am sorry to say it is not more satisfactory than most others proceeding from the same source, on occurrences connected with the atrocious traffic it concerns.

Sr. Paulino contends, that the chase of the "*Leopoldina*" by the "Partridge," was without result; that she was lost sight of by the "Partridge;" that her detention was effected by the Brazilian authorities at Macahé, &c.; and on these circumstances he assumes, justifying the assumption by the Third Article of the Treaty of July 28, 1817, as well as by the law of November 7, 1831, for the enactment of which law that said Article provides, that the affair of the "*Leopoldina*" does not come within the sphere or the attributes of the Mixed Court; but, on the contrary, exclusively within those of the tribunals of the country; and his Excellency adds, that, acting in conformity with the provisions of the

aforesaid law of Nov. 7, 1831, the "*Leopoldina*" had been sent for adjudication before the Municipal Judge of Macahé.

Your Lordship will not fail to perceive the discrepancies existing between the statement here advanced by Sr. Paulino, and the deposition of Lieutenant Nott, the Officer commanding the "Partridge;" the latter importing that though the "*Leopoldina*" was lost sight of during the night, she was seen again at daylight the next morning, and as well by the "Partridge," as by her boats; and that the result of the chase was, her being driven on shore; and that she was subsequently taken possession of, at the request of Lieutenant Nott, by Captain Broom, commanding the Brazilian brig of war, "*Tres de Maio*."

I do not infer, from the general tenor of Sr. Paulino's note, that he is by any means prepared to contest the fact, that the "*Leopoldina*" was *bonâ fide*, guilty of piratical transactions in Slave Trade, and that she had, when driven on shore, a cargo of Africans on board her. I conceive his object to be solely an endeavour to establish, if possible, that the pretensions of Her Majesty's authorities here, to bring the vessel into the Mixed Court, are not well founded; that they are opposed to the letter and the spirit of the Treaty; and thereby, to obviate any further examination or enquiry into the positive culpability of the parties implicated, and preserve to the proprietors their vessel, and their nefarious and unhallowed profits.

It has not been possible for me, since I received this communication from Sr. Paulino to obtain any information as to the result of the reference to the Judicial Authority he speaks of. As this Authority, however, is the very same, I think, who was in office at Macahé, and present there, when the "*Leopoldina*," went on shore, and who is referred to in so very pointed a manner in the report of Mr. Turner, an Officer commanding one of the "Partridge's" boats employed in the chase,—a report transmitted home in my Despatch (Slave Trade) of the 22nd December of last year,—I cannot but believe, however reluctantly, that the adjudication was altogether in favour of the dealers in human flesh.

As it is probable your Lordship may have deemed it expedient to submit this case to the consideration of the law officers of the Crown, I propose to wait your reply to my Despatch of the 23rd April last, before I again address the Government on the subject.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

(Translation.)

Enclosure in No. 234.

Sr. Paulino to Mr. Hamilton.

Rio de Janeiro, June 27, 1843.

THE Undersigned, one of the Council of His Majesty the Emperor, &c., has had before him the note, dated the 29th of last March, which was addressed to his predecessor by Mr. Hamilton Hamilton, Her Britannic Majesty's Envoy Extraordinary, &c., and in which, adopting the ideas of the British Commissioners of the Mixed Commission, he again requires that the brig "*Leopoldina*" be brought out without further delay before the said Commission, in order that the same be adjudicated by it.

The Imperial Government cannot acquiesce in such a requisition, because it deems the same, by the nature of the case, to be contrary to the letter and spirit of the Convention and Regulation of the 28th July, 1817.

By the first Article of that Regulation, marking the circle within which the Mixed Commissions were to move, and which, so to say, constituted them, it is seen that they are intended to adjudicate only upon the legality of the *detention* of those vessels employed in the traffic in slaves which the *cruisers* of the two nations might *detain*, in virtue of the Convention of that date, for being engaged in the illicit traffic in slaves. Whereas the brig "*Leopoldina*" was not detained by cruisers, inasmuch as the chase of the same by Her Britannic Majesty's brig of war "Partridge," was without effect, and cannot be detention, inasmuch as detention presupposes capture: the seeing, pursuing, and losing

sight of (which is what the "Partridge" did), is not capturing. The capture and the consequent detention, were effected by the Municipal Judge of Macahé, or by his agents—that is, by the local authorities of the country—who are not cruisers. It therefore appears evident, that there is no ground whatever for considering the business as a question of international right, and still less for its being submitted to a Commission, the attributes of which are limited to detentions made by cruisers.

It is always of detention made on the open sea by a ship of war that the Regulation cited above, and the Instructions given to the said ships, refer; and the only exception is made in the Third Article of those Instructions, as to the coasts of Africa to the north of the Equator, where, for want of competent authorities to oppose the traffic, or by reason of their distance, authority is given to the said ships of war to visit and detain any vessel found with slaves on board, as if she had been fallen in with in the open sea, even within reach of gunshot from the coast. This exception settles the rule to the contrary, namely, that the Commissions have to adjudicate only the captures made on the high sea, and by the cruisers of the two nations.

For these reasons, the validity of which appears incontestable, it is beyond a doubt that the case in question can only come under the Third Article of the additional Convention of the 28th of July, 1817, by which Portugal obliged herself (an obligation which was afterwards fulfilled by the Brazilian Government) to promulgate a law prohibiting illicit traffic in slaves, and imposing upon the violators (of that law) penalties to be enforced by the authorities of the country.

Thus, the case of the "*Leopoldina*," and similar cases, can be adjudicated only under the law of the 7th of November, 1831, and by Brazilian tribunals; and it is thus, that by a Despatch from the Secretary of State for the Affairs of Justice, dated the 31st of January of the present year, the President of the Province of Rio de Janeiro was ordered to cause the process of the "*Leopoldina*" to be remitted to the Municipal Judge of Macahé, who is the competent (Judge) according to the legislation of the country.

The opinion of the British Commissioners, to which Mr. Hamilton refers, rests entirely upon the following assertion: The Imperial Government has hitherto always admitted the exclusive jurisdiction of the Mixed Commission for investigating, according to the Treaty, the detention of vessels found employed in the traffic in slaves, when the detention is made by its own Officers [proprios officiaes].

If the British Commissioners understand, by own Officers [proprios officiaes], those of the Brazilian cruisers, their proposition can only corroborate what the Undersigned has had the honour to advance in the present note. And, if by those words, they (the Commissioners) mean other persons, the proposition itself denounces an abuse—a departure from the existing Conventions—a fact not conformable, but contrary to the right which, being itself clearly defined and true, cannot be revoked, particularly by a nation, which like Great Britain, prides itself upon faithfully and religiously fulfilling its Conventions.

The instances of the vessels "*Providencia*" and "*Aracaty*," and that of the "Canoe," apprehended with 47 Africans, cited by the British Commissioners, in support of their opinion, prove nothing, inasmuch as the patacho "*Providencia*" was captured by the Brazilian brig of war "*Constança*;" the "Canoe," with 47 Africans, was also captured by the Brazilian schooner of war "*Primeiro de Abril*," and the schooner "*Aracaty*" was detained by the Brazilian schooner of war "*Fidelidade*." Neither of these vessels, therefore, was detained as the "*Leopoldina*" (was detained) by the Judicial and the Police Authorities of the country.

The Undersigned admits the rule laid down by Mr. Hamilton, that it does not appertain to the executive power of either of the two Governments, Brazilian or British, to decide questions arising from the detention of vessels employed in the traffic; but he (the Undersigned) deems that this rule applies only (to cases) agreeably to the stipulations of the Treaties; that is, when there is a detention by cruisers, and not when it is clearly and evidently beyond such stipulations.

The very wide unlimited interpretation which the British Commissioners wish to give to that rule, would authorise the Mixed Commission to take cognisance of detentions made on the shores, in the rivers, and in the interior of the country. It would annihilate the stipulations by which the existing Conventions sub-

jected those cases to the Tribunals of the country, and it would destroy that competent jurisdiction which those same Conventions preserve to them, except in cases of *detention* by *cruisers*.

The Undersigned, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

JOZE AGOSTINHO BARBOZA, JUN.

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

No. 235.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 18, 1843.

(Received September 22.)

MY LORD,

IN a note addressed to the Brazilian Minister of Foreign Affairs on the 18th January, and which will be found in my Despatch, "Slave Trade," of the 18th January, 1843, I called on the Brazilian Government to carry the slave brig "*Tejo*," otherwise "*Amizade Constante*," into the Mixed Commission Court for adjudication; this vessel having been chased into the Bertioga River near Santos, by Her Majesty's brig "*Curlew*," and there landed her cargo.

In the note from Sr. Paulino, of which a copy is transmitted herewith, the Brazilian Government decline to act on my requisition; assigning for this determination the same reasons as his Excellency urges in his note of the day preceding, and which is forwarded in my other Despatch, "No. 20, Slave Trade," of this date, for not carrying the slaver "*Leopoldina*" into that Court.

For these reasons I must refer your Lordship to the Despatch and Note in question.

I have referred the Reports annexed to the Enclosure of the present Despatch to Lieutenant Foote, in order to ascertain how far they agree with the statement originally made by him to Commodore Purvis.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 235.

(Translation.)

Palace of Rio de Janeiro, June 28, 1843.

THE Undersigned, &c., Minister and Secretary of State for Foreign Affairs, received the note, 18th of January last, which Mr. Hamilton Hamilton, Envoy Extraordinary, &c., of Her Britannic Majesty, addressed to his predecessor, in which he (Mr. Hamilton) expresses the hope that the Imperial Government will cause the brig "*Tejo*," or "*Amizade Constante*," to be promptly carried before the Mixed Commission.

This vessel not having been detained by cruisers, but, on the contrary, by Brazilian authorities in a river of the Empire, at a place inside the fortress, near the anchorage, two leagues up the said river; the same reasons which the Undersigned had the honour of setting forth in the note which he addressed to Mr. Hamilton on the 27th instant, relative to the brig "*Leopoldina*," apply to this case. The resolution, therefore, of the Imperial Government, must necessarily be, and is, the same with respect to the brig "*Tejo*," or "*Amizade Constante*," as that which it took regarding the other.

Neither does the attempt made by Lieutenant Foot (Foote) to take possession of the brig referred to, with manifest violation of Brazilian territory and the Treaties, militate against this, as he (Lieutenant Foote) gave her up immediately to the Brazilian authorities, thus acknowledging the violence and illegality of his proceeding.

As regards the assertion made by the said Lieutenant, that the soldiers, who were afterwards put on board by the Brazilian authorities, threw the tubs, pipes of water, and other equipments which might have proved that the said

vessel was engaged in the traffic (of slaves) into the sea; and that the said authorities declared, without reserve, their determination to promote the said traffic, as being advantageous for the country, because they consider the Treaty which suppressed it as forced upon the Government, and contrary to the Brazilian Constitution; the Imperial Government deems it necessary, before forming a definitive opinion on this subject, to hear some further information which may place the above-mentioned Lieutenant's impartiality, in affirming these facts, beyond a doubt, which facts he perhaps may consider as extenuating his violent and irregular proceeding.

Before concluding, the Undersigned deems it right to transmit to Mr. Hamilton, herewith, copies of documents which may serve to strengthen the constant pretension contained in the note on this subject addressed to Mr. Hamilton on the 19th of December last, No. 88.

The Undersigned, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

JOZE AGOSTINHO BARBOZA, JUN.,

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

First Sub-Enclosure in Enclosure in No. 235.

(Translation.)

Sr. Almeida Torres to Sr. Aureliano.

Palace of the Government of St. Paul, December 7, 1842.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

IN addition to my Despatch, dated the 2nd instant, No. 8, I now transmit to your Excellency the official communication of what has taken place with regard to the occurrence mentioned in that Despatch, and at the same time inform you of the explanations which I have been able to obtain latterly.

On the 16th of November, a Portuguese brig, which is said to be called "*Amizade*," entered by the bar of the river Bertioga, without being either chased or seen by the English brig of war, and coming up to find anchoring ground in front of the city, got aground in the mud.

On the 28th, the crew abandoning her (the brig aground), the boatswain went to Santos to procure people to get her off, and bring her up. The Commander of the English brig of war being informed of this by people of the city, as is reported, and that the brig was employed in the traffic of Africans, hoisted out his boats and launch, which eluding the fortress, and their crews pretending that they wanted to cast their fishing net a little higher up, passed the fort in the night, with their arms hidden, came to the city, it is said, to seek instructions, and retired; and going down the river Bertioga jumped on board the vessel aground, detained the people there, who had gone to get her off, stopped the passage of canoes coming up, and prepared to take the said vessel as a prize. The news of this caused a disturbance in Santos; the Chief of the Squadron, Paulo Freire de Andrade, the Colonel, Joze Olinto de Carvalho e Silva, Military Commandant, the Municipal Judge and Delegate of Police, and the Commander of the brig of war "*Iriy*," all agreed that such an insult ought not to be permitted; launches with people armed left the Arsenal, as also the steam vessel "*Ipiranga*" (which was offered and accepted), for the place where the brig was aground, the steam vessel towing the brig "*Iriy*," the Commander of which went on board the steamer, with the greater part of his crew, as there was not sufficient water for his own vessel; nearly all the people from the launches also embarked in the "*Ipiranga*," all being under the orders of the Commander of the "*Iriy*."

Having arrived at the place, more than 20 canoes with people armed with lances, harpoons, and firearms, immediately afterwards appeared round the vessel aground. The Commander of the "*Iriy*" opened the communication between the Bertioga and the city, which the English, as I have already stated, had intercepted; he caused the individuals who were confined on board the vessel aground, to be released; and he convinced the English that the act practised by them, and the state of offensive in which they were, were very extraordinary, and that they ought to retire. The English midshipman and their people went into their boats, and confessed that their proceeding was irregular, and that they

CLASS B.

had exceeded the orders of their Commander; and returning by the river Bertioga, the fortress would not allow them to pass; and therefore, they went out by the large bar, without having suffered any bad treatment during all this. The Commander of the "*Iriy*," with those who had accompanied him, returned to his anchorage, leaving some of his crew on board the brig "*Amizade*," to assist in bringing her up by means of warping, and that she was afterwards delivered over to the Military Commandant, in order to his proceeding to the investigations which I had ordered. I ordered this vessel to be considered as a recapture, before knowing all these circumstances, and that the Military Commandant of Santos should put some people on board to take care of her as the copies prove. That the proceeding of the English was irregular, is apparent to all; and Lieutenant Foote, the Commander of the English brig of war "*Curlew*" hastened to declare, in order to palliate or to do away with the insult practised by his boats, which really intended to take possession of the brig in question, in a Despatch which he addressed to the English Vice-Consul in Santos, as your Excellency will see by the original enclosed, that his boats neither wished to capture nor retain such vessel.

God preserve, &c.

(Signed) JOZE CARLOS PEREIRA DE ALMEIDA TORRES.

*The Most Illustrious and Excellent Senhor Aureliano
de Souza e Oliveira Coutinho.*

(A true Copy.) In the absence of the Under Secretary of State,

(Signed) JOZE DOMINGUES D'ATAIDE MONCORVO.

Second Sub-Enclosure in Enclosure in No. 235.

(Translation.) *Sr. Da Goma Rosa to Sr. Almeida Torres.*

Department of the Government of San Paulo, December 2, 1842.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

It having been reported to me, that on the 25th instant, some armed boats had attacked and taken possession of the Portuguese brig "*Amizade*" in the Bertioga river, I proceeded to the Colonel, the Military Commandant of this city, to ascertain (whether or not this were true) who having confirmed the said report, we came to the resolution, that I should go (to that river) in the brig under my command, towed by the steam vessel "*Ipirunga*," (the owners of this vessel having offered her for this service), assisted by 24 rank and file of the National Guard, who with an Officer were placed on board the said steamer at my disposal by the Military Commandant. At the entrance of the river the brig grounded, I went on with an Officer and twenty-five of my crew, armed in two launches, and being towed by the steamer, I arrived near the brig "*Amizade*" at six o'clock in the afternoon, whence I perceived that the boats belonged to an English brig of war which cruises on this coast. I sent the second Lieutenant, Pedro Antonio Luis Ferreira, with the two armed launches to intimate to the Officer in charge of those boats that he ought to abandon his illegal prize; and in case of resistance ordered him (the said second Lieutenant), to put them out by force. The English Officer obeyed this intimation, proceeding immediately with his boats towards the bar. I took charge of the brig, and having furnished her with a sufficient detachment of my crew armed, and of National Guard with a petty Officer, I afterwards returned with the rest of the force to this port, and thus I considered that I had fulfilled my duty.

As the captured brig was aground, it has not yet been possible to bring her to this anchorage where, immediately she arrives, I intend placing her at the disposal of the Military Commandant, provided your Excellency does not give contrary orders. When I was setting out on this Commission, the Captain of the Staff of the Arm, Leandro Luciano dos Santos, and some other worthy inhabitants of this city presented themselves to me, and voluntarily offered to serve under my command; a launch manned with 17 volunteer seamen was also presented to me, by the Chief of the Squadron, charged with the Marine Arsenal, having on board the Second Lieutenant, Harbour-master of the same

Arsenal, who served as pilot. I have to speak with the highest praise of the good order and discipline which they all showed.

On board of the brig "*Iriy*," anchored at Santos, 26th of November 1842.

God preserve, &c.

(Signed) FRANCISCO LUIZ DA GAMA ROSA, *Commander.*

*The Most Illustrious and Excellent Senhor Jose Carlos Pereira
d' Almeida Torres, President of the Province.*

(Signed) JOZE CHRISTINO DA COSTA CABRAL.

(A true copy.) In the absence of the Under-Secretary of State,

(Signed) JOZE DOMINGUES DE ATHAIDE MONCORVO.

Third Sub-Enclosure in Enclosure in No. 235.

(Translation.) *Sr. Cavalho e Silva to Sr. Almeida Torres.*

Department of the Government of San Paulo, December 2, 1842.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I HAVE to inform your Excellency that, to-day, at twelve o'clock, a report was spread in this city that an English launch, which had entered the Bar at night, and proceeded up the river Bertioga, had captured a Portuguese brig, which had entered that river in distress, on the 18th instant, and was coming up to this city, as is seen from the enclosed Report. I had not then received official intimation, but the rumour increased, and therefore the Chief of the Squadron, Paulo Freire de Andrade, the Delegate of the Police, Bernabé Francisco Vaz, the Commander of the brig of war "*Iriy*," and myself, met in conference, and we deemed it necessary to take measures to prevent the insult, seeing that the brig is inside the fortress, two leagues up the river. We determined that the steam vessel "*Ipiranga*" should immediately tow the brig of war "*Iriy*," and that some rank and file of the unattached force should be put on board; that I should nominate an officer and twenty odd men well armed; and that they should proceed to the place denominated the "*Largo do Carau*," where the captured brig was, all this force being under the orders of the Commander of the brig, in order to retake the prize.

After the Commission shall have been executed, I will inform your Excellency of the result; in the meantime I await your Excellency's orders.

God preserve, &c.

(Signed) JOSE OLINTO DE CARVALHO E SILVA,
Colonel, Military Commandant.

*The Most Illustrious and Excellent President,
Jose Carlos Pereira de Almeida Torres.*

(Signed) JOZE CHRISTINO DA COSTA CABRAL.

(A true Copy.) In the absence of the Under-Secretary of State,

(Signed) JOZE DOMINGUES D'ATHAIDE MONCORVO.

Fourth Sub-Enclosure in Enclosure in No. 235.

Sr. Calval to the Colonel Commandant.

Military Barracks, at Santos, November 25, 1842.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

It is now eleven o'clock at night, and the steamer which went to retake the brigantine captured has just returned. The English Officer, who was on board, did not offer the slightest resistance to the intimations of the Commander of the brig "*Iriy*," who I had put in charge of all the force, and who proved to him (the English officer) that it was not right to take the brigantine inside the fortress, and therefore ordered them (the Officer and his crew) away in the launch, and, as the brig was aground, he (the Commander of the

“*Iriy*”) placed a force of 30 men well armed and supplied with ammunition on board, and returned, leaving orders that they should come up to this city in the morning.

God preserve, &c.

(Signed) JOZE OLINTO DE CARVALHO E SILVA

The Most Illustrious and Excellent Colonel Commandant of the Forces in the Province, Joze Thomas Henriques, &c.

(Signed) JOZE CHRISTINO DA COSTA CABRAL.

In the absence of the Under-Secretary of State,

(A true Copy.)

(Signed) JOZE DOMINGUES D'ATTAIDE MONCORVO.

(Signed) JOZE AGOSTINHO BARBOZA, JUN,

Interpreter to the Mixed Brazilian and British Commission, and Extra Public Translator, duly sworn.

Department of the Government of San Paulo, December 2, 1842.

No. 236.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 18, 1843.

(Received September 22.)

MY LORD,

I HAVE given due attention to your Despatch, (Slave Trade), of the 3rd May last, respecting the later communications, written and verbal, which have passed between me and the Brazilian Minister of Foreign Affairs, on the subject of complaints advanced by the Brazilian Government against certain Officers in Her Majesty's naval service, for having opened manifests of merchant vessels sailing from Brazilian ports, when such manifests were sealed with the Imperial Arms.

When I stated, my Lord, as I certainly did state, to Sr. Aureliano, verbally, at first, that Captain Christie's conduct “was attributable only to the excessive zeal with which he executed his commission,” and subsequently, by note, “that the act against which the Imperial Government protested, was that of an Officer actuated by excessive zeal in the performance of his duties,” my meaning was, not that he had done an iota more than it was right for him, than it was incumbent on him to do, in a strict and rigorous performance of his duties; but that he was, *bonâ fide*, a most zealous Officer; and that in the act which had elicited the Imperial displeasure, he was following closely, as it was proper for him to do, what he considered to be, and what in fact was, the straight and strict line of his duty. I admit, my Lord, that my meaning may not have been clearly expressed; that the phrase employed was obnoxious to the interpretation you have put on it; but I have no reason, as yet, to believe, that the Brazilian Government understood the words differently from what I intended them to be understood.

And again, with regard to the assurance given by me to Sr. Aureliano, “that such representations have been made to the Officer commanding Her Majesty's Squadron on the Coast of Brazil, as will prevent the recurrence of any such act in future,” I have to regret, my Lord, that my communications on this subject with Commodore Purvis were only verbal; that I have no documentary evidence regarding them; still I am quite positive they were strictly in unison with the letter and spirit of your Lordship's Despatch, (Slave Trade), of the 3rd June of last year; and it is more than probable even, that I read the Despatch to Commodore Purvis, *in extenso*.

But, as I verily believe to be the case with regard to the inference drawn from the expressions made use of by me, in reference to Captain Christie's exceeding zeal in carrying out his instructions; so, also, relatively to the representations addressed by me to the Commodore, I do not perceive, as yet, any motive whatever to conclude, that the least misinterpretation has arisen on the part of the Imperial Government.

I have not considered it necessary, neither, I am persuaded, will your Lordship so consider it, that I should refer to the Commodore, who is in the river Plata, for his recollections as to the precise nature of my suggestions, in order to prevent future collision. I am satisfied, as has been stated before, that they

were consonant to your ideas on the subject; and I must believe, equally, that this Government have not only put on them the correct construction, but also that they propose to act in conformity therewith—at least, so far as to preserve to the manifest its original publicity—seeing that in the “*Dois Amigos*” the only suspected vessel visited and brought into this port subsequently, and which is now under adjudication in the Mixed Court, one manifest alone was exhibited or found; but that one was duly authenticated and open to general inspection.

I have sent in, however, to the Government a note, of which the enclosed is a copy, embodying the observations your Lordship deemed it expedient to make as to the erroneous inferences which might possibly be drawn from my antecedent statements on the particular points to which your Despatch relates, together with such explanations as appeared to me best calculated to set the Brazilian Government right as to the exact nature of the Instructions issued by Her Majesty's Government, and which it was thought the statements in question were likely to render obscure and doubtful. I trust that the answer to this note, which it may be my duty to transmit, will satisfy your Lordship that this object has been fully attained.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 236.

Mr. Hamilton to Sr. Paulino.

Rio Janeiro, July 6, 1843.

In the course of last year frequent communications passed between the Undersigned, &c. and Senhor Aureliano, at that time directing the Foreign Department of Brazil, concerning certain proceedings of Officers commanding Her Britannic Majesty's ships of war on the Coast of Brazil, which were assumed to be insulting to the dignity of the Brazilian empire.

The alleged indignity was the infraction by those Officers of the Seal bearing the Imperial Arms, which closes the envelope containing the manifests of merchant vessels leaving Brazilian ports, when the latter were being visited by those Officers under suspicion of contraband transactions in Slave Trade.

Among the communications here alluded to will be found a note from the Undersigned, of August 15, containing the following passage:—“Her Majesty's Government are far from claiming the right to open documents sealed with the Imperial Arms of Brazil; but if the Commanders of Her Majesty's cruisers are to be debarred from inspecting the original manifest, and a duplicate of it such as above mentioned (that is, a duplicate duly certified of the sealed manifest) is not produced, the only course left to those Officers in the execution of their duty will be to take the vessel back to the port from whence she cleared out, and then, by application to the proper Authority, to procure the exhibition of the original document.”

Three months elapsing without an answer to this note, the Undersigned sought a conference on the subject of it with Senhor Aureliano. On this occasion his Excellency observed, adopting apparently the opinion of Her Majesty's Government, that to prevent, if possible, any similar collision in future, it was intended the manifest of merchant vessels should always be furnished in duplicate; that is to say, one, as before, under seal; the other open, but with its validity duly authenticated; and his Excellency promised to state the same to the Undersigned in writing.

Senhor Aureliano retired from office without giving any such written assurance, and none was given afterwards by the Minister who succeeded him. Her Majesty's Government, who have been kept regularly informed of all passing on the subject, have directed the Undersigned to apply to the Brazilian Government for the written assurance in question.

But with further reference to the same communications on this matter, there is another point therein, which, in the judgment of Her Majesty's Government requires elucidation.

In the confidential note of the Undersigned, dated November 30, when

replying to an invitation of Senhor Aureliano to declare in more explicit terms the explanations given by the Undersigned in the course of his previous correspondence regarding the acts that had occasioned so much umbrage to the Brazilian Government, there is the following passage:—"That Her Majesty's Government, duly appreciating the rights and reciprocal duties of independent and friendly nations, do by no means arrogate the privilege of inspecting official letters emanating from Brazilian authorities, transmitted by sea, duly sealed with the Imperial Arms; that the act against which the Imperial Government protested was that of an Officer actuated by an excessive zeal in the performance of his duties," &c.

On the last clause of this passage Her Majesty's Government have been pleased to comment in the following terms, and the Undersigned considers it his duty to make the same known to the Brazilian Government:—"Her Majesty's Government are not of opinion that the act of Captain Christie and Lieutenant Somerville (the commanding Officers against whom the complaints of the Brazilian Government are laid) furnishes any ground for charging those Officers with excess of zeal. Her Majesty's Government have stated that although they are far from claiming a right to open documents sealed with the Imperial Arms of Brazil, they consider that it would be the duty of Her Majesty's Officers, if debarred from doing so, and in the absence of a certified duplicate of the manifest enclosed under that seal, to take the vessel back to the port from which she cleared out, there to procure the proper exhibition of the original document; a course far more inconvenient to the owners and crew of the vessel, but under such circumstances absolutely necessary. Now, Captain Christie and Lieutenant Somerville, by opening the sealed manifests of the "*Bom Fim*" and "*Amalia*," saved the parties interested in those vessels from that inconvenience; and, although the Brazilian Government have thought fit to protest against the course which those Officers thought it advisable to pursue, Her Majesty's Government cannot admit that there is any ground for charging them with more than a proper zeal in the discharge of their duties."

It is further stated in the above-mentioned note of the Undersigned, No. 103, that measures had been taken to prevent a recurrence of the acts complained of. In this intent the Undersigned had represented to the Officer commanding Her Majesty's squadron that although Her Majesty's Officers were required to abstain from opening the sealed manifest of suspicious merchant vessels, still it was not to be unconditionally, but with the understanding that if a certified duplicate of that manifest were not exhibited to the boarding Officers, the alternative must be adopted of taking the vessels back to the port from which they should have sailed. This was the nature of the instruction suggested for the guidance in this respect of Her Majesty's cruisers on the coast of Brazil; and it has been thought desirable to state it thus explicitly here, the better to avoid ambiguity, and therewith any misapprehension on the part of the Brazilian Government.

It must be obvious, then, from the foregoing, that if this inconvenient proceeding should ever be resorted to, the entire onus must fall, of necessity, on Brazilian authorities. These authorities, however, have it in their own power to obviate the inconvenience easily, and at once, by providing each merchant vessel with the duplicate manifests contemplated by Her Majesty's Government and Senhor Aureliano; and it is for a written assurance, as promised to be given by his Excellency, that this arrangement shall be fairly carried into effect, that the Undersigned has the honour on the present occasion again to move the Brazilian Government.

The Undersigned hastens to reiterate to his Excellency Senhor Paulino, &c.

(Signed) HAMILTON HAMILTON.

*His Excellency Sr. Paulino José Soares de Souza,
Minister and Secretary of State for Foreign Affairs.*

No. 237.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, October 17, 1843.

I HAVE received your two Despatches of the 18th July last, enclosing copies and translations of two notes from the Brazilian Minister for Foreign

Affairs, in reply to the demands which you had made, under date of the 18th February and 29th of March last, that the slave vessels "*Amizade Constante*," alias "*Tejo*," and "*Leopoldina*," should be brought before the Mixed Commission at Rio Janeiro for adjudication.

Those Despatches, together with the previous correspondence extant in this Office, on the case of the slave vessel "*Amizade Constante*," alias "*Tejo*," were by my direction referred to Her Majesty's Advocate-General; and I have now to state to you, for your information, and for your guidance in future cases of a similar nature, that that Officer has reported it to be his opinion that, as the seizure of that vessel took place within Brazilian waters by Brazilian authorities, the case ought to be brought for adjudication before the Municipal Court of Brazil, and not before the Mixed British and Brazilian Commission at Rio de Janeiro.

You will already have observed, from my Despatch of the 12th of July last to Her Majesty's Commissioners, which was forwarded under flying seal to you, that Her Majesty's Advocate-General was of opinion that the right of jurisdiction over the case of the "*Leopoldina*" also belonged to the Municipal Courts of Brazil, and not to the Court of Mixed Commission.

I transmit to you a copy of that Despatch.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 237.

The Earl of Aberdeen to Her Majesty's Commissioners, Rio de Janeiro, dated July 12, 1842.

(See Class A. No. 163, page 203.)

No. 238.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, August 12, 1838.

(Received October 25.)

MY LORD,

THE notorious slave merchant here, Minoel Pinto da Fonseca, having been a sufferer by the proceedings carried on by Her Majesty's ship "*Madagascar*" against the barracoons on the coast of Africa, recently endeavoured to obtain from Her Majesty's Consul, as a preliminary measure to a demand for indemnification from Her Majesty's Government, legalisation of certain documents which he presented at the Consulate.

Mr. Hesketh, considering that the documents did not carry with them all the impress of authenticity needful, refused to legalise them; and this refusal gave occasion to the enclosed correspondence.

But the public journals also of the last few days have been busy with the matter. Sr. Fonseca has published therein what are represented to be a letter addressed to your Lordship by his agents in London, under date of 12th April; and an answer from Viscount Canning thereto, dated 27th April; and there has likewise appeared therein, doubtless with Mr. Fonseca's privity, a Petition addressed by him to the Emperor. Of this last document a copy is enclosed.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 238.

(Translation.)

Senhor Paulino to Mr. Hamilton.

Palace of Rio de Janeiro, July 3, 1843.

THE Undersigned, &c., has to address Mr. Hamilton, &c., in order to lay before him the following fact, and to request of him the necessary information on the subject.

The Brazilian subject Manoel Pinto da Fonseca, wishing to have certain documents legalised in the usual manner by the British Consulate, on which docu-

ments he is about to institute a claim before Her Britannic Majesty's Government, for indemnities for losses sustained by him in his property in the port of Cabinda, where his agents had established a factory for legal business, as had done other agents of merchants belonging to different nations; it appears that the said Consul, after having commenced legalising the said documents, and after having put his seal on one of them (as it appears from the representation laid before the Imperial Government by the said Fonseca, and which relates the circumstance), tore up the half-sheet on which he had already written, declaring that he could not make out the required legalisation, a plausible and justifiable motive not being alleged.

The Undersigned, seeing what has been just stated, considers it his duty to beg of Mr. Hamilton the necessary particulars of the occurrence in question, in order that, without delay, the said Brazilian subject may take the measures necessary for causing his right to be duly recognised.

The Undersigned renews, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c.

&c.

Second Enclosure in No. 238.

Mr. Hamilton to Mr. Hesketh,

SIR,

Rio de Janeiro, July 3, 1843.

THE enclosed note, which has just been received by me from the Brazilian Government, relative to some proceedings in your department, wherein the Brazilian subject Manoel Pinto de Fonseca is concerned.

I lose no time in forwarding it to you, and requesting you will be good enough to enable me to reply conformably to the Minister of Foreign Affairs.

I have, &c.

Robert Hesketh, Esq.

&c. &c.

(Signed)

HAMILTON HAMILTON.

Third Enclosure in No. 238.

Mr. Hesketh to Mr. Hamilton.

SIR,

Consul's Office, Rio de Janeiro, July 4, 1843.

I HAVE the honour to acknowledge the receipt of your Despatch dated yesterday, inclosing a copy of an application from the Brazilian Secretary of State for Foreign Affairs, respecting my conduct in refusing to certify some documents presented by Snr. Manoel Pinto da Fonseca, at this Office.

I have most respectfully to state in reply, that it is quite true that I withheld my signature in that instance, feeling confident from a perusal of the documents produced, that it was my duty to exercise the discretion for which I am responsible, when granting any certificate, as shown by the inclosed copy of one of the general queries I am annually called on up to answer, and which I have transmitted for your individual satisfaction.

I have, &c.

Hamilton Hamilton, Esq.

&c.

&c.

(Signed)

ROBERT HESKETH,

H.B.M. Consul.

Sub-Enclosure in Third Enclosure in No. 238.

One of the Thirty-three Queries made by Her Majesty's Secretary of State, to be answered annually.

No. 16. HAVE you been careful not to grant a certificate of any fact of which you have not accurately ascertained the truth?

And, when you have been requested to attest a signature, have you *satisfied yourself* that such signature has not been put for *improper* or *fraudulent* purposes to the document brought before you?

Fourth Enclosure in No. 238.

*Mr. Hamilton to Senhor Paulino.**Rio de Janeiro, July 30, 1843.*

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, having called on His Majesty's Consul to communicate the reasons which had induced him to refuse, as represented in the note from Sr. Paulino, &c. dated the 3rd instant, to legalise divers documents presented to him at the Consulate by a Brazilian subject, Sr. Manoel Pinto da Fonseca, has received from the Consul a statement to the following effect:—

That, although he certainly did affix his signature and seal to one of the documents in question, he did so inadvertently, when he was occupied with other matters, and did not give attention to the purport of the former; but, that before the legalisation was completed, when he had examined the documents, and given to them the consideration they required, he felt confident they presented a case in which it was his duty to exercise the discretion for which he is held responsible by Her Majesty's Government. He was unable to satisfy himself that the documents were correctly authenticated throughout, and, for this reason, he cancelled the legalisation already given, and declined altogether to give it.

In making this communication to Sr. Paulino, Minister of State for Foreign Affairs, the Undersigned avails himself of the opportunity, &c.

I am, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino José Soares de Sousa,
 &c. &c. &c.

Fifth Enclosure in No. 238.

Petition of Senhor Pinto Fonseca to the Emperor.(Translation.)
SIR,*From the "Diario do Rio de Janeiro," of the
8th of August, 1843.*

THE Brazilian subject Manoel Pinto da Fonseca having been deprived in a violent manner of his property by an act of depredation committed in the port of Cabinda by Her Britannic Majesty's frigate "Madagascar," upon the factory which the petitioner's agents had established there for the purpose of carrying on licit commerce, in the same manner as had been done by agents of Dutch and North American merchants, as well even as of English merchants; he, the petitioner, proceeded to prove the said losses in the British Conservatorial Court in this capital, as also to cause the signatures affixed to those documents, which had been sent to him from another place, regarding the same subject, to be certified by a notary public in this capital; but it being necessary to legalise the signature of that notary public at the Consulate of Her Majesty the Queen Victoria, in order that no impediment might be raised in Great Britain to his claim on account of such an omission, he went to the respective Consul, who, after having begun to pass the said certificate in one of the abovementioned documents, which is hereunto annexed, and having sealed it, as may be seen by the stamped mark on the blank sheet, he, the Consul, proceeded to tear up the half-sheet on which he had written, declaring that he could not pass the certificate which was demanded, without giving any plausible or justifiable reason for such proceeding.

Under these circumstances, therefore, the petitioner is obliged to have recourse to your Imperial Majesty, that you, Sire, as the Protector of your subjects, may prescribe the necessary remedy for those who, like the petitioner, find themselves not only deprived of their property by an act of violence and extortion committed by the Commander of forces belonging to a nation which calls herself (our) friend and ally; but, what is still more, deprived of the means of proving those very losses and damages suffered, because the necessary authenticity to the documents with which he has to sustain his claim has been refused.

In order that the injury which the petitioner suffers, on account of the re-

CLASS B.

fusal of that said Consul, may be justly repaired, and that such vexatious proceeding may not continue, the petitioner comes, most respectfully, before your Majesty, and prays that your Imperial Majesty will benignly attend to the present petition, endeavouring to remedy, by the competent means, the loss which the petitioner suffers.

E. R. M.

(Signed)

JOZE AGOSTINHO BARBOZA, JUN.

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

No. 239.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, August 12, 1843.**(Received October 25.)*

MY LORD,

IN my Despatch (Slave Trade), of the 18th ultimo, respecting the slaver "*Tejo*," and communicating a note on the subject from the Minister of Foreign Affairs, I stated that the said note had been referred to Lieutenant Foote, of Her Majesty's brig "*Curlew*," in order to ascertain how far the reports annexed thereto agree with the statement originally made by Lieutenant Foote to Commodore Purvis.

Herewith I transmit Lieutenant's Foote answer, and your Lordship will perceive that he points out many discrepancies.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 239.

*Lieutenant Donellan to Mr. Hamilton.**Her Majesty's Receiving Ship "Crescent,"*

SIR,

Rio de Janeiro, July 26, 1843.

I HAD the honour to receive your Excellency's letter dated the 15th instant, with copies of further correspondence between the Legation and the Brazilian Government respecting the two slavers "*Tejo*," or "*Amizade Constante*" and "*Leopoldina*," and with regard to the note from Sr. Paulino, dat d the 28th of June.

I have, agreeably to your Excellency's request, instructed Lieutenant Foote, of Her Majesty's brig "*Curlew*," to state any particulars wherein the reports of the Brazilian Authorities regarding the "*Tejo*," may be opposed to and inconsistent with the representations on the affair relating to that vessel, which were originally made by him to Commodore Purvis.

I herewith forward to your Excellency a copy of the statement made by Lieutenant Foote.

I have, &c.

(Signed)

M. DONELLAN,

*Lieutenant and Commander.**Hamilton Hamilton, Esq.*

&c.

&c.

Sub-Enclosure in Enclosure No. 239.

Lieutenant Foote to Lieutenant Donellan.

SIR,

Her Majesty's brig "Curlew," at Rio de Janeiro July 24, 1843.

IN answer to your letter of the 15th instant, inclosing a communication from his Excellency Hamilton Hamilton, respecting the "*Tejo*" or "*Amizade Constante*," and instructing me to state any particulars wherein the reports made by the Brazilian Authorities may be opposed to and inconsistent

with the representations of the affairs relating to that vessel, which were originally made to me to Commodore Purvis—

I have to remark, that the President of the Province of St. Paul's states that the boats of this vessel eluded the fortresses, under pretence of casting their nets for fishing, and that they passed the fortresses in the night with their arms hidden. Where the President could have obtained this information seems inexplicable, as my boats had no nets on board; their arms were not concealed; they passed the forts without ever being hailed, and proceeded at once down the Bertioga without touching or communicating with the town, (as stated) in order to proceed to sea by that channel; and I did not know that the "*Tejo*" was in the Bertioga, but hoped and believed that she might be on her passage from Perreque.

With regard to the crew abandoning her on the 28th of November, when aground, and to the boatswain having gone to Santos for assistance to get the "*Tejo*" off, &c., I affirm that not one of the crew of the "*Tejo*" or "*Amizade Constante*" was on board on the 25th of November, the day my boats discovered her, nor even after she had disembarked the slaves at Perreque, and which took place to the best of my belief on the 17th November; and it so happens that the boatswain of the slave brig is personally known to the Officers and crew of the "*Curlew*," as the "*Tejo*" had been previously detained by them in the Moyambique channel; and that on the very day the boats were in the Bertioga river, this man was seen and spoken to by one of the Officers of the "*Curlew*" at Perreque, at a house belonging to Sr. Vergueiro, adjoining the slave barracks; a few fishermen, hired for the purpose of transporting the "*Tejo*" up the river Bertioga to Santos, were found on board, who all declared that they did not belong to her, nor did they know who owned her; they left the vessel, and went on shore, and did not return until after the Brazilian authorities came on board; the best proof of which is, that in their Report they do not say one word about finding prisoners on board. The charge of stopping the passage of canoes coming up the river is purely an invention, as both the Officers employed on this service most positively declare; and that so far from any hostile feeling being exhibited, several canoes voluntarily came alongside on their way up, and sold some fish.

I also notice that in the Reports of the Brazilian authorities, the most important part of the proceedings is omitted, viz., the fact that the Officer commanding the boats, immediately he discovered the slaver was in the river, proceeded to the Bertioga fortress, and denounced her to the Commandant, requesting him either to take possession of her, or allow him (the Officer) to do so, that she might be proceeded against for being employed in the Slave Traffic; the Commandant "replied that he knew nothing about her, nor did he know that she was there," although she must have passed within half pistol shot of the fort; and it is well known that the Commandant of the fort, and the Juiz de Paez of the district were bribed to let her pass, which no vessels (except slavers, which the authorities of Santos favour and protect,) are allowed to do, it being a prohibited entrance.

The Officer in charge of the boats had no intention whatever of capturing the "*Tejo*" in the river; his only object was to get her seized by the Brazilian authorities. I cannot refrain from offering a remark respecting the disinterestedness manifested by the owners of the "*Ipeiranga*," in offering that vessel for the purpose (as they imagined) of recapturing the "*Tejo*;" the guilty parties were in this instance their own accusers; Sr. Vergueiro, part owner and sole agent for the "*Ipeiranga*," is sole owner of the notorious slave depôt at Perreque, where the cargo of slaves brought over by the "*Tejo*" were disembarked, and there, in open day, are African slaves publicly sold: this fact does not admit of a doubt.

I have, &c.

(Signed) JOHN FOOTE, *Lieutenant, Commanding.*

Malachi Donellan, Esq.

&c.

&c.

No. 240.

Mr. Hamilton to the Earl of Aberdeen.

MY LORD,

*Rio de Janeiro, August 12, 1843.**(Received October 25.)*

You will receive from Her Majesty's Commissioners in the Mixed Court by the present mail very voluminous Reports concerning the adjudication of the Brazilian slave vessel "*Dous Amigos*;" and herewith you will receive two notes which, in connection with that adjudication, I deemed it expedient to direct to the Brazilian Government, in reference to various infractions, committed by the Brazilian Commissioners of the Mixed Court, of the regulations enacted by Treaty to determine the procedure in that Court.

No reply has reached me as yet: but I have reason to believe the Government are of opinion that, in some respects, their Commissioners have overstept the strict line of their duty.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 240.

*Mr. Hamilton to Sr Paulino.**Rio de Janeiro, July 23, 1843.*

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has just been informed by Her Majesty's Commissioners that the Marshal of that Court has served on Mr. Hesketh, Her Majesty's Consul, who acted as proctor for the captor in the case of the Brazilian brig "*Dous Amigos*," a document exhibiting a sentence stated to have been pronounced in that case by the aforesaid Mixed Commission, and also a decree of the same Commission for carrying the sentence into execution.

But the Undersigned has been further informed by Her Majesty's Commissioners of the Mixed Court, that the document in question is not what it professes to be;—that it does not bear the signatures of Her Majesty's Commissioners of the Mixed Court; that Her Majesty's Commissioners of the Mixed Court have not joined in or assented to any such order, or process; and that the use on this occasion of the names of Her Majesty's Commissioners of the Mixed Court is entirely unauthorised.

The Undersigned hastens to apprise His Excellency Sr. Paulino, &c., that he informal document here alluded to ought not to be recognised by the proctor above mentioned, or by any of Her Majesty's Authorities at Rio de Janeiro; and that no award whatever proceeding from the Court of Mixed Commission can be considered valid, and be executed by Her Majesty's Authorities here, which shall not carry with it the sanction of the British Members of that Commission, through their signatures affixed thereto, in good and due form.

Under these circumstances, the Undersigned feels persuaded that his Excellency the Minister of Foreign Affairs will take into serious consideration this unprecedented pretension of the Brazilian Members of the Mixed Court.

The Undersigned profits, &c.

(Signed)

HAMILTON HAMILTON.

Sr. Paulino José Soares de Souza,
&c. &c.

Second Enclosure in No. 240.

*Mr. Hamilton to Sr. Paulino.**Rio de Janeiro, August 4, 1843.*

ON the 23rd ultimo, the Undersigned, Her Britannic Majesty's Envoy Extraordinary, &c., had the honour to address to Sr. Paulino, &c., a note adverting to certain proceedings of the Brazilian Authorities of the Mixed Court, respecting the Brazilian slaver "*Dous Amigos*," detained by Her Majesty's brig "*Curlew*."

Of the decision taken by the Brazilian Government, in reference to that communication, the Undersigned as yet remains uninformed. But he has received subsequently from the British Authorities of that Court, other representations regarding ulterior acts of their Brazilian Colleagues on the same subject; and he now proceeds to address his Excellency with reference to these later representations.

The Inclosures sent herewith, are copies of the Minutes of Session in the Mixed Court on the 27th ultimo, and the 1st instant; and they record decisions on the part of the Brazilian Commissioners hostile, not less to the spirit than to the letter of the Slave Trade Conventions between the two countries.

The text of Article 3, in its second clause of Annex No. 3 to the Treaty, dated July 28, 1817, is as follows:

“And in the event of the two Commissary-Judges not agreeing on the sentence they ought to pronounce, whether as to the legality of the detention, or the indemnification to be allowed, or on any other question which might result from the stipulations of the Convention of this date, they shall draw by lot the name of one of the two Commissioners of Arbitration, who, after having considered the documents of the process, shall consult with the above-mentioned Commissary-Judges on the case in question, and the final sentence shall be pronounced conformably to the opinion of the majority of the above-mentioned Commissary-Judges, and of the above-mentioned Commissioner of Arbitration.”

But, by a precept issued *separately* by the Brazilian Commissioners of the Mixed Court, under date of the 22nd instant, the restitution of the “*Dous Amigos*,” with a right to claim indemnities, is decreed, without concurrence in the measure by their British Colleagues; without any reference whatever to arbitration, or decision by lot; as to which of the two Arbitrators should pronounce, or to consultation of the Arbitrator on whom the lot might fall, with the Commissary-Judges: one and all of those provisions, as has just been shown, being distinctly obligatory, as specified in the Annex No. 3.

Therefore, the award by which the “*Dous Amigos*” is directed to be restored to its owner, with right to claim indemnities, is in direct and positive opposition to the compact here quoted; and, as such, must be null and of no effect.

Moreover, the plea set forth by the Brazilian Commissary-Judge, that he had passed sentence in conformity to the dispositions at the end of the aforesaid Article 3, is completely vitiated by the fact, that he had failed to act in conformity to those other provisions of the same Article 3, immediately preceding the disposition he refers to; and the execution of which is an indispensable preliminary. And for the same reason also, that is to say, for not having therein the full participation and agreement, on consultation, of the British Commissary-Judge, the *separate* consent of the Brazilian Commissary-Judge to the petitions presented by the proprietor of the “*Dous Amigos*” must equally be vitiated.

The Undersigned must further observe, that as, keeping in view the provisions of the Article quoted textually above, all the proceedings of the Brazilian Commissioners before adverted to, are found to violate and impair its integrity; so, likewise, do all the subsequent acts of the Brazilian Commissioners, in signing *separately* the sentence which they profess to remit to the Municipal Judge-Executor of the same.

The premises on which the Brazilian Commissioners have based their arguments, so far as they have relation to the Slave Trade Treaties, are defective and erroneous; and the conclusions, therefore, which they deduce therefrom, must, *per se*, be obnoxious to similar objection, and not legitimate or admissible.

In concluding this statement, the Undersigned has only to reiterate the persuasion expressed in the final paragraph of his Note, No. 45, that the Minister of Foreign Relations will take into his most serious consideration the unprecedented pretensions of the Brazilian Members of the Mixed Court, and, at the same time his hope that his Excellency's powerful intervention will bring an effectual remedy to the anomalous state of things those pretensions have induced.

The Undersigned has the honour to renew to Sr. Paulino, &c., the assurances, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Paulino José Soares de Souza,
&c. &c. &c.

P.S. As further illustration of the irregular procedure now followed by the

Brazilian Commissioners, the Undersigned has the honour to add to the Inclosures transmitted above to his Excellency a copy, only this instant received, of another communication from the British Commissary-Judge to his Brazilian Colleague, exhibiting the entire separation, the want of all union, between the Members of the Mixed Court; and the Undersigned would inquire whether, with such dissidence therein, his Excellency is of opinion, that any decree whatever, or document assuming to be such, can be legally carried into execution.

No. 241.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, August 12, 1843.

(Received October 25.)

MY LORD,

I HAVE the honour to inclose, for your Lordship's information, copies of a correspondence which has recently passed between myself, the Officer commanding Her Majesty's brig "Frolic," and the Minister of Foreign Affairs, respecting certain complaints brought against the boats of that ship, when actively employed in the vicinity of Macahé, in the Suppression of Slave Trade. Like all the previous charges brought forward by the local authorities of that district, the addiction of whose population to that traffic is most notorious, the present, on reference to the accused parties, are found, in some particulars, to be inconsistent with the facts.

I have, &c.,

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Translation.)

First Enclosure in No. 241.

Palace of Rio de Janeiro, July 13, 1843.

THE annexed copies of various Despatches which the President of the Province of Rio de Janeiro has remitted to the Undersigned, of the Council of his Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, the Delegate of the Police of the Town of Macahé having addressed them (the Despatches) to the said President, will place Mr. H. Hamilton, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, in possession of the fact of the outrages and manifest violations of the existing Treaties, which have been committed in the port of that town, and in the "*Rio de Ostras*," by armed (boats') crews from British vessels of war.

The Undersigned trusts that Mr. Hamilton will be pleased to give him some explanation of these circumstances, and communicate to him whether the British cruisers have instructions to enter the ports and rivers of the Empire for the purpose of visiting and searching the vessels which may be there.

The Undersigned renews, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

First Sub-Enclosure in First Enclosure in No. 241.

(Translation.)

Estate of Aduellas, July 1, 1843.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

HAVING yesterday gone out of the town in which I reside, in order to proceed to the measurement of the estate "*das Aduellas*," four leagues distant from the same town, and when I was on this duty, even while I was giving audience, I received the enclosed Despatch from the Sub-delegate of Police, in which he relates that a boat, from an English brig at anchor to seaward of the islands of Santa Anna, manned with 16 persons armed, entered the port, and visited the coasting vessels.

Most Excellent Sir,—This fact, which is not the first that has occurred,

clearly shows that the English cruisers, departing from their line of duty, desire only to provoke the peaceable inhabitants of the seashore of this coast; thus, perhaps, to enable them (the English) to break out into the excesses which they contemplate. Immediately on the receipt of the Despatch from the Sub-delegate, I ordered him to proceed with the greatest energy, in case they should again behave in a manner so insulting to the dignity of the Brazilian nation. In laying what has occurred before your Excellency, I cannot resist claiming from your Excellency some other measures which may protect us from this as well as other insults which unhappily are repeated in this place, and give us the means of defence against such aggressions.

I transmit to your Excellency the original Despatch from the Sub-delegate of Police, as well as a copy of the answer which I addressed to him; in the meantime I shall take all the measures in my power for keeping the public tranquillity, which until now continues unaltered, notwithstanding that the minds of the populace are very much irritated, of which manifest proofs have been given.

Of whatever else may occur, I shall give immediate notice to your Excellency; whom God preserve for many years.

(Signed) **GUILHERME BANDEIRA DE GOUVEA,**
Delegate of Police.

The Most Illustrious and Excellent Sr. Doctor Joao Caldas, Vianna,
President of the Province of Rio de Janeiro.

(A true copy.) (Signed) **JOAO CANDIDO DE DEOS E SILVA,**
Secretary.

(A true copy.) In the absence of the Under-Secretary of State,
(Signed) **JOZE DOMINGUES DE ATTAIDE MONCORVO.**

Second Sub-Enclosure in First Enclosure in No. 241.

Office of the Sub-Delegate of the Police of Macahé,
July 1, 1843.

MOST ILLUSTRIOUS SIR,

WHILE we yet feel indignation at the insult offered to our flag at the end of last year by the Commander of the brig of war "Partridge," it happens that, yesterday, immediately after you had set out for your destination, we were again insulted by an English boat, having a crew of 16 men armed, who wished to perform the police duty of this port by visiting the vessels which are employed in the coasting trade; and they actually visited the national patacho, "Saraiva," ordering that her papers should be presented to them, and, what is more, they caused a rigorous search to be made on board. Immediately on this being communicated to me, I sent an Inspector of a district (Inspector de Quarteirao) on board the patacho, to desire them to return to their own vessel, which was anchored near the islands of Santa Anna, and to say, if they refused, that I would order them to be taken prisoners, upon which they immediately retired; at the same time I endeavoured to make them feel that their proceedings were most irregular, and entirely unauthorised by the Treaty which we have with England.

God preserve you, &c.

(Signed) **APOLINARIO JOZE PACHECO,**
Sub-Delegate of Police.

The Most Illustrious Sr. Doctor, Delegate of the Police of Macahé.

(A true copy.) (Signed) **JOAO CANDIDO DE DEOS E SILVA.**

Third Sub-Enclosure in First Enclosure in No. 241.

MOST ILLUSTRIOUS SIR,

Estate of Aduellas, July 1, 1843.

I HAVE received your Despatch of to-day's date, in which you inform me of the insult practised yesterday in this port by the crew of an English vessel of war, which presumed to send a boat to visit the coasting vessels lying at anchor. I am sorry that such a thing has occurred, and it is my duty to desire that, should a similar attempt be made, you will repel by force any foreign launch

which may come to the anchorage, making use of all the means in your power for this purpose, and you will invite the citizens to defend the national dignity.

Under this date I have addressed the Commanders of the Squadron and the Battalion of National Guards, to the end that they afford you every assistance; and you will communicate to me anything that may occur, so that I may return to this (Macahé).

God preserve you, &c.

(Signed) **GUILHERME BANDEIRA DE GOUVEA,**
Delegate of Police.

The Most Illustrious Sr., Sub-Delegate of the Police of the Town of Macahé.

(A true copy.) (Signed) **JOAO CANDIDO DE DEOS E SILVA,**
Secretary.

(A true copy.) In the absence of the Under-Secretary of State,
(Signed) **JOZE DOMINGUES DE ATTAIDE MONCORVO.**

Fourth Sub-Enclosure in First Enclosure in No. 241.

Town of Macahé, July 4, 1843.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

In addition to my Despatch of the 1st of this month, which I addressed to your Excellency from the estate "das Aduelas," where I was on duty, I have to inform your Excellency that having, with the consent of the parties, suspended the measurement of that (sismaria) grant of land for a short time, I went to the town in order to provide promptly for anything which might occur, and to avoid the disagreeable conflict that might, perchance, take place between the crew of the English launch, which (launch) I mentioned in my above-cited Despatch, and the Sub-Delegate, who, in my absence, was charged with the police of the town; and being told that the said boat or launch had retired and did not return to this port, I could hardly suppose she had gone to some other point of the seashore of the district, to commit the same, if not greater, insults. I had scarcely arrived at the town when I received, by an express from the parish of Barra de S. Joaõ, the two Despatches, which I herewith transmit to your Excellency, from the Sub-Delegate of that parish. From their contents your Excellency will see what the same launch, or nother from the same brig, did at that place, and in the Ro de Ostras. Most Excellent Sir, the insults and abusive behaviour of the crews of the English vessels which cruise on the coast, have excited the popular indignation to such a degree, that I have serious apprehensions should the like acts be repeated; the people, as a rule, do not give faith to precautionary measures, neither will they receive the warnings of authority. In cases of such direct provocation they become exasperated, and rush in a body to repel the invaders; and then the authorities, without force, without the means for restraining these, and keeping back those (the invaders), will not be able to obviate a shock which will certainly be of a serious nature.

Your Excellency will be pleased to take the contents of this Despatch under your consideration, and cause them to be laid before the Government of His Majesty the Emperor, from whom I await the necessary measures.

God preserve your Excellency many years.

(Signed) **GUILHERME BANDEIRA DE GOUVEA.**
Municipal Judge and Delegate of the Police of Macahé.

The Most Illustrious and Excellent Senhor Doctor Joao Caldas Vianna,
President of the Province of Rio de Janeiro.

(A true copy.) (Signed) **JOAO CANDIDO DE DEOS E SILVA,**
Secretary.

(A true copy.) In the absence of the Under-Secretary of State,
(Signed) **JOZE DOMINGUES DE ATTAIDE MONCORVO.**

Fifth Sub-Enclosure in First Enclosure in No. 241.

MOST ILLUSTRIOUS SIR,

Bara de S. Joao, June 30, 1843.

YESTERDAY afternoon a boat pulling five oars, and having an Officer in it, left an English brig of war which was hove to off this coast, and steering for this village, came over the bar, and went up the river, sounding and making observations for about 600 fathoms. I supposed that they were in want of something, and came to seek it; but seeing that the boat came down again, and was going away in the same quiet manner in which she entered, I ordered a launch to go to her, and, by means of an interpreter, to ask the Officer to have the goodness to come before the local authority, in order to its being known who he was, and what he wanted? The Officer refusing to land, caused the English ensign to be hoisted in the boat, and ordered the crew to give way in order to get out. I then directed the launch, which was ahead of the boat, to prevent her departure, and oblige her to come to the shore, which (the Officer) seeing my determination, voluntarily complied with; and I asked him who he was, what he wanted, and whether he had instructions or permission from the Imperial Government to go spying about in our rivers and villages? To which he replied that he came to see whether the place was fit for getting water from, that he was called Ala Nerafl, an Officer of the English brig "Frolick," Commander A. W. Willis. I begged that he would retire, and told him that if they were in want of assistance from the shore they could get it, and that it would only be denied to those who wished to get it by force.

The singular manner in which a foreign boat entered the bar, explored the river, and paid no attention to the call of the authorities, caused the people to collect on the beach, and to spread the report that they were pirates who had come to find out the strength of the place, so that they might afterwards return and plunder it; or that they were English, whose forces are accustomed to insult our weakness, or our too great moderation.

I bring this fact under your Excellency's cognisance, in order to its being communicated to the Government, should you deem it necessary; and that you may instruct me whether it is lawful for any foreigners, without either passport or permission from the Government of the country, to sound our rivers, survey our villages, and visit the coasting vessels which may be at the anchorages. And this proves the good feeling of the people here, and for such cases this good feeling is indispensable.

God preserve you.

(Signed) ANTONIO LEOPOLDINO RIBEIRO,
Sub-Delegate of Police.

*The Most Illustrious Sr. Doctor, the Municipal Judge and
Delegate of the Police of the Town of Macahé.*

(A true copy.) (Signed) JOAO CANDIDO DE DEOS E SILVA,
Secretary.

(A true copy.) In the absence of the Under-Secretary of State,
(Signed) JOSE DOMINGUES DE ATTAIDE MONCORVO.

Sixth Sub-Enclosure in First Enclosure in No. 241.

MOST ILLUSTRIOUS SIR,

Bara de S. Joao, July 4, 1843.

AFTER having communicated to you (the circumstances) relating to the entry of an English boat into this district (arraial), I was informed that, on the following day, a launch from the same brig, manned by from 20 to 30 hands, and with a swivel gun in her bows, was seen steering for the Rio de Ostras, where they tried to land. The inhabitants of that place collected on the beach, and, assisted by the crews of the vessels which had put in there in distress, put themselves in a state of defence; on perceiving which the launch put to sea, but her crew tried twice afterwards to jump on shore, coming within the distance of 30 paces, but were still obliged to retire. I relate this occurrence to you, Sir, because I cannot understand why the Commander of the brig "Frolick" has so strong a desire to land his seamen in this place. The inhabitants, after the same manner, being mistrustful, will not consent to the landing which they (the boat's

CLASS B.

crew) wish to effect; and, without doubt, if they continue to carry their efforts further, I cannot but expect that the people will repel them, and that strongly.

I trust you will enlighten me as to the course I ought to pursue in circumstances of a similar nature, should they again occur.

God preserve you.

(Signed) ANTONIO LEOPOLDINO RIBEIRO,
Sub-Delegate of Police.

*The Most Illustrious Sr. Doctor, the Municipal Judge and
Delegate of the Police of the Town of Macahé.*

N.B.—The brig has gone to sea, but the launch is anchored at the “Armaçãõ,” and visits all the vessels which arrive there.

(A true copy.) (Signed) JOAO CANDIDO DE DEOS E SILVA,
Secretary.

(A true copy.) In the absence of the Under-Secretary of State,

(Signed) JOSE DOMINGUES DE ATTAIDE MONCORVO.

(Signed) JOSE AGOSTINHO BARBOZA, JUN.
*Interpreter to the Mixed Brazilian and British Commission,
and Acting Public Translator, duly sworn.*

Second Enclosure in No. 241.

Commander Willis to Mr. Hamilton.

SIR,

Her Majesty's Sloop “Frolic,” at Sea, July 19, 1843.

I HAVE the honour to enclose herein a letter from Lieutenant Read, of Her Majesty's sloop under my command, who was the Officer in charge of this sloop's cutter on the afternoon of the 30th ult., and which boat visited a vessel at anchor off the river of Macahé on that date. His letter appears to me to contain a fully sufficient explanation of his pacific and friendly proceedings upon that occasion, and a refutation of the frivolous and unfounded complaints of the authorities and other individuals at Macahé, whose evident wish is to raise a false ground of complaint, and to create hostile feelings where none before existed, cannot be too much deprecated.

I have the honour also to state to your Excellency, that during my cruise in this neighbourhood, the utmost cordiality and kindly feeling has been mutually shown and experienced, both on board Brazilian vessels visited according to Treaty, and whom I have occasionally put right in their reckoning, and supplied with trifling necessaries, &c., and also at any of the villages where we have landed to obtain supplies of fruit or poultry, &c., as we should have done in our own country; and where medical assistance was frequently offered and accepted, and the best feelings shown, such as should exist between the subjects of friendly powers. The only exceptions have been at “S. João,” and, it now appears, at “Macahé!” At the former place much offensive language and violent threats were used towards an Officer of this sloop, as detailed in his letter enclosed in mine, marked “No. 2,” of this day's date, and which it was my full intention to complain of on my return to Rio de Janeiro. With regard to the letters from the various individuals at Macahé, &c., their violent and offensive remarks and language, as well as exaggerated and false statements, evidently proceed from interested motives, that port being notorious for its unblushing and open practice of the odious traffic in slaves!—a practice fully proved in the case of the “Partridge,” an Officer of which vessel pointed out to the Sub-Delegate of Police at that place, slaves in large numbers, who were being landed in open day, of which no notice was taken, and the waters of the port polluted by the numerous dead bodies of slaves thrown overboard and floating about!—which circumstances, as the Sub-Delegate of Police alludes to the case of the “Partridge,” it is remarkable he should forget to mention. The practice is also proved by the attempt of a large topsail schooner, with a cargo of slaves, to enter the port of Macahé on the 6th inst., but which vessel I had the satisfaction of driving on shore amongst the reefs, and destroying! With regard to the expressed intention of firing into

the boats of Her Majesty's sloops under my command, should they approach "Macahé," or "S. João," such an act (however impotent in its effects) would, I should conceive, be most promptly punished by the higher Brazilian authorities; as I have yet to learn "that a boat, with its national colours displayed, and offering no offence to any one, can (with impunity) be treated as a pirate, when approaching the "shores of a friendly nation." The statement of the Sub-Delegate of the "Barra S. Juan" to the Municipal Magistrate at Macahé, relative to a boat belonging to this sloop entering the "Rio das Ostras," and other places, with a *cannon* in her bow, and 20 or 30 men, and trying to effect a landing, but *being each time obliged to retire*, is a complete tissue of invention! very much resembling the other perversions of facts stated throughout; and only proves the very hostile and bitter feeling of *interested* parties towards British cruisers employed in the Suppression of the Slave Trade, according to existing Treaties. I must add, that no boat belonging to this sloop has ever been furnished with a *gun or cannon*, and that none carry more than 15 *men*! and that all officers under my command, when employed on duty in the boats, have positive and written directions *not* to land; but should stress of weather or night overtake them, and oblige them to anchor for shelter, the most friendly conduct is to be shown to the inhabitants generally, as well as any authorities! and which directions I feel fully convinced have been obeyed.

I have, &c.

(Signed) W. A. WILLIS, *Commander*.

Hamilton Hamilton, *Esq.*
&c. &c.

Sub-Enclosure in Second Enclosure in No. 241.

Lieutenant Read to Commander Willis.

SIR, *Her Majesty's sloop "Frolic," at Sea, July 19, 1843.*

IN compliance with your orders of the 29th of June, I proceeded in the cutter of Her Majesty's sloop under your command to cruise in the neighbourhood of St. Ann's islands.

On the following afternoon, being desirous of ascertaining the depth of water there was between the islands and the main land, and also, if possible, to learn what might be the best mode of obtaining water, wood, and other supplies, I sailed in towards the entrance of the river Macahé; several vessels being at anchor in the roadstead, I went on board the outer one; the master not being on board, a boat was sent for him, which shortly returned with him and another person; but not being able myself to speak Portuguese, or any one on board the vessel English, we were not able to understand each other. The individual who I supposed was the Captain or Mate, showed me his papers, but that not being my object, and no information to be obtained, also observing that my presence appeared to excite mistrust, and being prevented landing by your orders, I shook hands with the Captain and the other person, left her, and forthwith proceeded to sea. Until the letters from the Brazilian authorities setting forth certain complaints were read to me this morning, in your presence, I had not the slightest idea that any angry feeling was shown or existed between us, or that I was ordered by any one to leave the port: and I further beg to state, that upon going on board the vessel in question, I had no idea whatever of violating the Treaties existing between the Governments of Great Britain and Brazil, which, I am perfectly aware, preclude interference with any vessel within Brazilian jurisdiction, but with a sole view of obtaining information: had I gone in with a view of interfering with the police regulations, or to search vessels, I should have gone on board all those at anchor, whereas I only visited the one farthest from the shore, and nearest to me.

I am, &c.

Commander Willis,
&c. &c.

(Signed) CHAS. RUDSTON READ.

Third Enclosure in No. 241.

*Commander Willis to Mr. Hamilton.**Her Majesty's sloop "Frolic," at Sea,
July 19, 1842.*

SIR,

I HAVE the honour to enclose a copy of a letter from Mr. Luckraft, Mate of Her Majesty's sloop under my command, relative to his proceedings while in charge of my gig on the 29th of June last, when in the river of St. Juan, and giving an account of the treatment he met with there.

It was my full intention to lay a statement of these proceedings before you on my return to Rio de Janeiro, considering such not only *inhospitable*, but insulting and disgraceful conduct to a friendly flag, and as requiring at least a satisfactory explanation. It was impossible the Sub-Delegate of Police, or other authorities, could suppose the boat a piratical one, as by their own admission, and the Sub-Delegate's letter of the 30th June, they saw a British vessel of war in the offing, and saw the boat leave her; the boat neither boarded any vessel, or offered any offence to any one; and I must confess that I felt both indignation and surprise that the Brazilian ports should be the only foreign ones where, instead of a friendly and hospitable reception (so universally met with amongst other nations), conduct the most threatening and insulting, both by gesture and words, was experienced by a Government boat, with *British colours displayed*, and inoffensively seeking a little fresh water for her crew!

I have, &c.

(Signed) W. S. WILLIS, *Commander.**Hamilton Hamilton, Esq.
&c. &c.*

Sub-Enclosure in Third Enclosure in No. 241.

*Mr. Luckraft to Commander Willis.**Her Majesty's sloop "Frolic," off Campos,
July 19, 1843.*

SIR,

I HAVE the honour to inform you that, in obedience to your orders, I proceeded in the gig, on the 29th June last, to board a suspicious vessel about four or five miles off the river of St. Juan. The vessel having disappeared long before I could pull so great a distance, and having forgotten to take any fresh water in the boat with me, my men felt much exhausted, and, notwithstanding your orders not to land, I was obliged to pull into the river to procure some, and which I did obtain from a fishing boat in the river, who gave my men some water in a calabash; on returning down the river (which I only ascended about a quarter of a mile), never having sounded, as stated in the letter of complaint of the Police Magistrate, for *I had neither lead or line in the boat!* a large launch, with 14 or 15 men in her, came alongside the gig, and desired to know what we were doing in the river; and he added, "the Magistrate on shore wished to speak to me." I answered him that we had ascended the river for the purpose of obtaining water, and being ordered not to land, I would give the Magistrate any information he required from the boat: on this he pulled on shore, and I proceeded on my way down the river, *slowly*, and without showing any desire to make my escape, as he (the Magistrate) is pleased to state. In two or three minutes the same boat, accompanied by two others, shoved off from the beach, and, from the narrow passage of the river, deterred the gig from proceeding; a man in the bow of the largest boat with a drawn sword attempted to cut down one of my men, on which, to prevent a similar act, I cocked a pistol at him, but, seeing a great crowd of people on the beach, several of which were armed with firearms, I thought it advisable to land, to prevent further mischief: on my doing so, I was met by a person calling himself the Chief Magistrate, and conducted by him to his house through a crowd, who, from their threatening appearance and violent expressions and gestures, I expected would attack me. On my arrival at his residence, I gave him the same answer I had previously given to the interpreter, namely, that I came to procure some water; on which he said, in a very sneering manner, "that the

English flag might protect us outside, but was of no use in the river." This expression was received with great satisfaction by the crowd, with whom the room was filled. Seeing that his intention was to detain me as long as possible, I demanded to know if I was at liberty to return to my boat? He said that he did not think it safe in the presence of the people, who were much infuriated against us, as they considered we were pirates; but, it coming on dark, I thought it advisable at all risks to proceed to my boat, which I did, greatly obstructed by the crowd, who offered every insult they could on the English. On my arrival at the landing-place, I found the gig's crew had been similarly insulted by the crowd.

I have, &c.

(Signed) ALFRED LUCKRAFT, *Mate.*

*W. A. Willis, Esq., Commander,
H.M.S. "Frolic."*

Fourth Enclosure in No. 241.

Mr. Hamilton to Sr. Paulino.

British Legation, Rio de Janeiro, July 27, 1843.

THE complaints brought forward by Sr. Paulino José Soares de Souza, Minister and Secretary of State, &c. &c., in his note of the 13th instant, to the British Legation relative to certain proceedings of boats belonging to Her Majesty's brig "Frolic," cruising to the northward of Cape Frio against Slave Trade, having been communicated, without delay, to the Officer commanding her, have drawn from him the refutations contained in the letters of which the Undersigned, &c. &c., has the honour to transmit to his Excellency the accompanying copies.

Occurrences of the same nature, in the same quarter, when inquired into, and examined thoroughly and dispassionately, have shown how little reliance can be placed in the reports respecting them sent in by the local authorities. Referring to past experience, the Undersigned could not but doubt the accuracy of the reports proceeding from the same authorities, which were forwarded by his Excellency in the note the Undersigned has now the honour of replying to; and Commander Willis' letters, and the statements they cover, evince, that these doubts were not altogether misplaced.

On comparing the relations of both parties, Sr. Paulino will perceive, that some of the details given by the Sub-Delegates, with respect to the capacity and the equipment of one of the boats of the "Frolic," and to the proceedings of another, are directly at variance with the fact; and such misstatements alone, apart from all the prejudice and ill-will and abuse which characterise the official reports of the said Brazilian authorities, might reasonably lead one to question the accuracy of other details. Examined with attention, these relations cannot fail to show who have been the aggrieved parties; and with which power, whether Great Britain or Brazil, if the laws of nations and the stipulations of Treaties are to preserve due weight and value, lies the obligation to impose on its subordinate authorities, civil and military, more stringent laws, and to prescribe to them under more severe penalties and responsibility, a different mode of action.

Sr. Paulino inquires whether the British cruisers have Instructions to enter into the ports and rivers of the Empire, in order to examine and search vessels which may be lying there. The Undersigned has the honour to assure his Excellency, that the Instructions issued for the Government of Her Majesty's ships of war on the Brazilian station, are, in all respects, strictly conformable to the provisions of the different Treaties existing between the two Crowns.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

*His Excellency Sr. Paulino J. S. de Souza,
&c. &c. &c.*

No. 242.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, August 12, 1843.**(Received October 25.)*

MY LORD,

THE accompanying correspondence between Her Majesty's Legation, Her Majesty's Commissioners of the Mixed Court, and the Brazilian Minister of Foreign Affairs, relates to the free African girl Serafina, whose case has recently been reported to your Lordship by those Commissioners. But the circumstances of it, of which many are important, are still under consideration; and I shall have occasion again to address you on the subject.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 242.

*Her Majesty's Commissioners to Mr. Hamilton, May 23, 1843.**(See First Enclosure in No. 166, Class A, page 205.)*

Second Enclosure in No. 242.

*Mr. Hamilton to Sr. Honorio.**Rio de Janeiro, May 30, 1843.*

THE Undersigned, &c. has received from the British Commissioners of the Mixed Court the documents which he has the honour to transmit in copy herewith, respecting an African girl, by name "Serafina," who was one of the emancipated cargo of the Brazilian slave-vessel, "*Leal*," condemned by that Court in June, 1839.

The circumstances detailed therein are briefly these: Having been deprived most unjustly of her certificate of emancipation by the individual to whom she was originally hired out, she was transferred, or rather, as the girl says, was sold to her present master, and by him was treated, was flogged, so barbarously, as to be induced to seek refuge with Her Majesty's Commissary-Judge.

This case is most unquestionably of a nature to require the immediate and earnest interference of the Undersigned with Sr. C. Leão, &c.; and the Undersigned is convinced that his Excellency's sentiments of humanity, not less than his respect for engagements which Brazil has contracted by Treaty, will lead him also to employ without delay his powerful intervention, in order that due redress be given, by rescuing the poor sufferer from the cruel hands into which she has fallen; by providing her with a duplicate of her certificate of emancipation, most unjustly taken from her, and by causing effectual measures to be adopted, in order to secure to her a better master and more humane treatment in future.

When pressed by his Colleagues to aid them in obtaining such redress, the Brazilian Commissary-Judge declined to do more than lay the statement here made before his Government; but in the meantime this liberated African remains virtually a slave, in the hands of those who appear to have shown no commiseration for the sufferings to which she was subjected; and so long as this is the case, the Undersigned cannot but apprehend that little progress will be made in duly investigating the case.

It is under these circumstances, then, that the Undersigned appeals, as he does, to his Excellency, calling on him to co-operate, with his aid and influence, in remedying a wrong manifestly in contravention at once of the letter of the Treaty, and of the true intent and meaning of the high contracting parties.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Sr. Honorio,

&c.

&c.

Third Enclosure in No. 242.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

British Commission, Rio de Janeiro, June 16, 1843.

WE herewith transmit copy of a further Report of the Brazilian Curator of Liberated Africans relative to the girl *Serafina*, and the copy of an official note from Her Majesty's Commissary-Judge to his Brazilian Colleague upon the same subject.

The two Commissary-Judges met this day to confer upon the case; at which meeting the Brazilian Commissioner declared that, with respect to this business, (*Serafina's*), he had nothing more to add to what he had already answered on the 7th instant, except that on his part he would not admit any further question about it; and that if his worthy Colleague considers that he is bound to continue to insist on his first opinion, he can do it by means of his Resident Minister in this Court, that he may come to an understanding with the Brazilian Government upon this subject, and the latter decide what it may consider proper.

We have, &c.

(Signed)

JOHN SAMO.

FRED. GRIGG.

His Excellency the British Minister,

&c.

&c.

&c.

First Sub-Enclosure in Third Enclosure in No. 242.

(Translation.) *Sr. Lisboa to the Secretary to the Mixed Commission.*

ILLUSTRIOUS SIR,

Rio de Janeiro, June 9, 1843.

IN answer to your Despatch of the 7th instant, requesting me to apprise the Mixed Brazilian and British Commission, regarding the information which I obtained from the possession of the free African "*Serafina*," and also whether she were in possession of her ticket of liberty, or whether it were lost; I have to inform you that, having enquired of the African herself the reason of her running away, and who the person was who had inflicted the wounds on the back of her neck, she answered me that she ran away without any motive, and that the wounds proceeded from the bad treatment which she suffered on account of her being about 15 days out of her master's house, without a place to sleep in, being thus obliged to sleep in public houses, or at the houses of her companions.

The present possessor himself informed me that she was in the habit of running away without any motive, merely for strolling about, which she did not deny, but rather confirmed that it was her custom. From her declarations I perceived that some person induces her to absent herself, or that some other with whom she is living obliges her to these repeated absences, and that owing to her not being able to be continually in the company of this person, not coming sometimes as that person expected, she has been ill treated. This ought not to be doubted, because experience in many other cases shows the same thing. For that reason I do not give much credit to these complaints, owing to their being almost always without foundation, and often for the purpose of changing masters, who may give them more liberty and freedom, not caring so much about their doing their duty. I would have taken all necessary measures, if she had maintained in my presence that the wounds were inflicted by her present possessor, in the same manner as I have done with others of whose bad treatment I was convinced, by immediately petitioning for their removal to another master, who knows better the condition to which the person who receives such deposit is bound; but she has given me no satisfactory information, and has not in any manner compromised her present master.

As regards her ticket of liberty, *it exists in the possession of her master, who keeps it in deposit, and only presents it when demanded by the proper authorities for some object, guarding in this manner against the loss of the same by the Africans themselves; because, owing to the state of ignorance in which they are found at the time the tickets are given to them, they hardly attach any*

value to this document, which only becomes of value to them when their reason becomes clearer.

God preserve, &c.

(Signed) JOZE BAPTISTA LISBOA,
Curator of Free Africans.

Sr. Braz Martins Costa Passos,
Secretary to the Mixed Brazilian and British Commission.

(A true Translation.) (Signed) JOZE AGOSTINHO BARBAZOS, JUN.
Interpreter to the Commission.

Second Sub-Enclosure in Third Enclosure in No. 242.

Mr. Samo to the Brazilian Commissary-Judge.

Rio de Janeiro, June 13, 1843.

THE Undersigned, Her British Majesty's Commissary-Judge, hastens to inform his Honourable Colleague, that he yesterday received the report of the Curator of Liberated Africans dated the 9th instant.

The design of that report is to make it appear that the girl "Serafina" has no cause of complaint whatsoever.

With the greatest desire to respect the opinion of the Honourable Curator of Liberated Africans, the Undersigned is compelled to declare most emphatically that this second report of that Officer is equally unsatisfactory with the former. The artless account which the girl gave of her wounds and bad treatment, was received by the British Commissioners in presence of several of the Officers of this Court; its veracity appeared to be unquestionable, and the same testimony was subsequently repeated by herself to the British Consul.

That her wounds should have proceeded (as represented by the Curator,) from "bad treatment" suffered by the girl during her alleged absence of 15 days is most improbable; and the Undersigned must observe that the admissions said to have been made latterly to the Curator by the girl herself, could as easily have been obtained when she appeared before that Officer on the 19th ultimo, (the date of his former report) as at this last examination. But it seems that no measures had been taken on account of the alleged misconduct of the girl in running away from her master, although it is imperative upon that person to give immediate information thereof to the proper officer, agreeably to the 5th Article of the Imperial Instructions of 29th October, 1834.

This neglect, and the ocular evidence of the condition of the girl, appear to the Undersigned eventually to call for the enforcement of the 8th Article of the Decree of the 19th November, 1835, which Decree has been made by the Brazilian Government to apply to Africans confided to its care by virtue of the sentence of the Mixed Court.

With reference to the "Ticket of Liberty" said to be in the possession of the girl's master, but which the 2nd paragraph of Article 6 of the before-mentioned Instructions of 29th October, 1834, directs shall remain in the possession of the African; the Undersigned trusts that his Colleague will require its production before the Court, in order that it may be seen whether that document is in conformity with the "Certificate of Emancipation," received by the girl from the Mixed Commission, in virtue of the 7th Article of Annexa No. 3, to the Treaty of 28th July, 1817.

The Undersigned therefore invites his esteemed Colleague to name an early day for a conference upon this last communication of the Curator of Liberated Africans.

The Undersigned, &c.

(Signed) JOHN SAMO.

Sr. Joao Carneiro de Campos,
&c. &c.

Fourth Enclosure in No. 242.

Sr. Paulino to Mr. Hamilton.

Palace, Rio de Janeiro, June 27, 1843.

THE Undersigned Minister and Secretary of State for Foreign Affairs, &c. had the honour to receive the note, which Mr. Hamilton Hamilton, Her Britannic Majesty's Envoy Extraordinary, &c., addressed to his predeces-

sor, dated 30th May last, transmitting a representation made by the British Commissioners of the Mixed Commission, relative to the free African "Serafina," Muteca, No. 243, of the brig "Leal."

From the papers which accompanied the said note from Mr. Hamilton, it is collected that the said African presented herself at the Mixed Commission during the Session of the 16th of May last, and there declared that her services had been confided to Dona Maria Jacinta, and that this person had sold her to a man residing in the "Campo da Acclamação (Leandro Joze Penido de Andrade). At the Session of the above-mentioned Commission on the 23rd of May, it was noticed that the said African had wounds (but of what quality, or where, was not declared) which she alleged had been caused by the said Leandro.

All these facts rest solely on the word of the said African, to which only the Commissioners above referred to, even after the receipt of the information from the respective Curator, give entire credit.

The Imperial Government, always jealous of the fate of such Africans, whose condition it has always ordered carefully to be enquired into, whenever facts of this nature have come to its knowledge, ordered the Chief of Police of this capital to make himself acquainted with this case, examining the state in which the above-mentioned African was, and finding out if she really suffered bad treatment from her hirer.

From the information given by that Magistrate, and the documents accompanying it, copies of which I hereunto annex, it is seen, first, that the African in question was not sold, but that her services were regularly transferred to her present possessor; a previous audience of the Doctor Curator having taken place, and by order of the Judge of Orphans. This is certified by a document taken from a public department, to which the Imperial Government gives entire and merited credit. Secondly, that this African has several times run away, on account of her bad disposition, from her hirer. Thirdly, that she had run away when she presented herself to the Mixed Commission, and was wandering in the streets, sleeping in taverns, or at the houses of her companions. Fourth, that she had two slight wounds on her face and shoulders, which she declared were caused by blows given her in the street while she was a fugitive.

The representation of the British Commissioners being founded, as it is, only on the words of the African, the Imperial Government, after such information, cannot but believe that they were uttered in order to get away from the service and subjection which her hirer has a right to exact from her.

As to the proceeding of the Brazilian Commissary-Judge, the Imperial Government cannot but approve of it, because the fiscalisation of the condition of the Africans, whose services were distributed within the Empire, belong only to the said Government, agreeably to the means marked in the regulations and respective orders; it cannot consent to this attribution being exercised by a tribunal to which neither the Treaties nor the laws of the country concede such attribution, as Mr Ouseley was informed in a note dated 18th August, 1841.

The Undersigned, &c.

(Signed) PAULINO JOZE SOARES DE SOUZA.

(Signed) JOZE AGOSTINHO BARBOZA, JUN.

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

First Sub-Enclosure in Fourth Enclosure in No. 242.

(Translation.)

Police Office, June 16, 1843.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

IN compliance with the order given me in a Despatch of the 3rd inst., I have the honour to bring under your Excellency's cognisance the result of the inquiries which I instituted with regard to the African, "Serafina."

She having been confided to Dona Maria Jacinta Freire de Freitas, at that time living in the Beco do Mosqueiro, remained there until she was transferred, with the consent of the Judge of Orphans and the Curator, as is seen by the accompanying document, to Leandro Jozé Penido de Andrade, at present reside

CLASS B.

ing at No. 304, Rua de Sabaõ ; from this person's house she has run away several times, and according to the information given by the Curator in his Despatch, of which I enclose a copy, not on account of his ill-treating her, but from her bad disposition.

Not being satisfied with this, I ordered her to be brought before me, and on being interrogated, she told me that she was well-treated in the house of the before-mentioned Penedo, which I supposed to be true, as I see she is in good condition ; and she declared, that the slight wounds which she had on her face and shoulders proceeded from blows which she received in the street while a fugitive.

God preserve, &c.

(Signed)

JOSE MATOZO DE ANDRADE CAMARA.

*To the Most Illustrious Sr. Honorio Hermeto Carneiro Leao,
Minister and Secretary of State for the Affairs of Justice.*

Second Sub-Enclosure in Fourth Enclosure in No. 242.

MOST ILLUSTRIOUS SIR,

Rio, June 9, 1842.

As you requested me, by a Despatch dated 8th of the present month, to report on the papers which were sent me, by the Department for Foreign Affairs, as to a representation which the Mixed Brazilian Commission made, on the condition of the free African, Serafina ; I have to inform you that this African was, in the first place, confided to Dona Maria Jacinta Freire de Freitas, and that afterwards, by order of the Doctor Judge of Orphans, in consequence of a petition from the said Freitas, her services were transferred to Leandro José Penedo, where she at present is. This African having disappeared from this person's house, was wandering about the streets for several days, and sleeping in taverns, or at the houses of her companions, as she confessed to me, until she was sent to me by Her Britannic Majesty's Consul. Immediately I received her, I endeavoured to find out the reason of her running away, and found from herself that there were no plausible grounds for it, but that it was from her perverseness, she being in the habit of doing so, without any particular reason. I inquired whether she were ill-treated by her hirer ; she replied, no, that she wanted for nothing. I inquired further as to the reason of her having wounds near the back of her head, and whether they were caused by her hirer ; she said no, they proceeded from the inconveniences she had suffered in the street, not having a place in which to sleep comfortably. With reference, therefore, to these answers, which did not in any way compromise the hirer, I delivered her faithfully to him, advising him at the same time, that when he had any reason for chastising her, to avoid abuse, and in order that she might not complain of him, to bring her to me, because I myself would wish to apply the necessary chastisement, graduating it according to the crime. This is all I can inform you of.

God preserve you, &c.

(Signed)

JOZE BAPTISTA LISBOA,
Curator of Free Africans.

*Most Illustrious Sr. Doctor José Matozo de Andrade Camara,
Judge of Right, and Chief of Police, ad interim.*

(A true copy.)

(Signed)

JOAQUIM JOZE MOREIRA MAIA.

Most Illustrious Sr. Administrator of the Receiving Office.

LEANDRO JOSE PENEDO DE ANDRADE, says, that in order to justify himself, he requires that the respective Clerk of Free Africans pass a certified copy of the act of transfer which Maria Jacinta Freire de Freitas made to him of the free African, named Serafina, of the Muteca nation, No. 243, in the brig "Leal," for which he begs you to be pleased to order the certificate petitioned for to be passed. E. R. M.—Rio, June 8, 1843. FONSECA.

I, Antonio Gregorio Cordeiro, Clerk of the Receiving Office, of the Municipality of the Court, Acting-Clerk of Free Africans, certify, that referring to the

mass of petitions for the transfer of the services of Free Africans, I found that of the petitioner, in virtue of which, and the orders on it, the petitioner signed an act of responsibility for the receipt of the free African, Serafina, Muteca, No. 243; which petition is of the following tenor:

Illustrious Sr. Doctor Judge of Orphans: Dona Maria Jacinta Freire de Freitas, says that he wishes to transfer a free African, named Serafina, Muteca nation, whose services were confided to her on the 28th of June, 1839, to Leandro José Penedo de Andrade, a person of probity and honour. For these reasons, and it not being convenient for the petitioner, for very particular motives, to have that African in her power, she begs you will grant her the faculty or permission petitioned for, the same being preceded by the usual "Termos" (acts), the petitioner being exonerated from all responsibility.

(Order.)—To the Doctor Curator of Free Africans.—Rio, 31st January, 1842.
(Signed) CEZAR DO AMARAL.

(Answer.)—Illustrious Sir, I require that the Clerk who now serves for the distribution of Free Africans certify whether the petitioner has the said African in her service, and in the second place, who is the person to whom her services are to be transferred, and I shall then give my opinion.—Rio, 1st of February, 1843. (Signed) JOSE BAPTISTA LISBOA.

(Information.)—The petitioner is a fit person to be intrusted with the African "Serafina," Muteca, No. 243, belonging to the brig "*Leal*," who was confided to Dona Maria Jacinto Freire de Freitas, who has already paid her wages up to the end of the financial year of 1842 to 1843, and therefore you will determine what may be just, due attention being paid to that which the Doctor Curator may more properly allege.—Rio de Janeiro, 4th February, 1843. (Signed) ANTONIO GREGORIO CORDEIRO.

Let this go again to the Doctor Curator.—Rio, 7th February, 1843.
(Signed) CEZAR DO AMARAL.

(Answer.)—Illustrious Sir, as the person to whom the services of the free African, Serafina, are wished to be transferred is in circumstances to receive such deposit, I do not oppose the transfer petitioned for, so that the person to whom she is transferred be bound to all the conditions inherent to such deposits; but you will determine what you may consider just.—Rio de Janeiro, 8th February, 1843. (Signed) JOSE BAPTISTA LISBOA.

(Order.)—Let the Note be received.—Rio, 8th February, 1843. (Signed) CEZAR DO AMARAL.

In virtue of such order, the petitioner, Leandro José Penedo de Andrade has signed the "Termo" (act), of responsibility for receiving the free African, Serafina, Muteca, No. 243, at page 327 of the book of the brig "*Leal*," on the 8th of February, 1843. Nothing further was contained in the said petition, information, answers, and orders, the present having been extracted from the original, in virtue of the order retro, Receiving Office of the Municipality, 9th of June, 1843. And I, Antonio Gregorio Cordeiro wrote it, and signed it.

(Signed) ANTONIO GREGORIO CORDEIRO.

(A true copy.) In the absence of the Under-Secretary of State.

(Signed) JOSE DOMINGUES D'ATTAIDE MONCORVO.

(Signed) JOSE AOGSTINHO BARBOZA, Jun.

*Interpreter to the Mixed Brazilian and British Commission
and Extra Public Translator duly sworn.*

Fifth Enclosure in No. 242.

Mr. Hamilton to the British Commissioners.

GENTLEMEN,

Rio de Janeiro, July 3, 1843.

THE accompanying document is the copy of a note, with Enclosures, which I have received from the Minister of Foreign Affairs, in answer to cer-

tain representations made by me in behalf of the free African, "Serafina," whose case was made known to me by your Despatches Nos. 9 and 12.

I have not had leisure yet to examine attentively the details given in the Enclosures; but it is evident from Sr. Paulino's note, that there is an endeavour to throw discredit on the girl's statement. Another prominent point in the note is the pretension advanced that it is to the Brazilian Government alone, and not to the Mixed Court, that belongs all which has relation to the care or the superintendence of free Africans who are apprenticed out in the Empire.

It will be my duty, I conceive, to reply to this communication; and I shall be happy, therefore, to receive any opinions or elucidations you may have to offer on the points mooted therein.

I have, &c.

(Signed) HAMILTON HAMILTON.

The British Commissioners,
&c. &c.

No. 243.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 16, 1843.

(Received November 10.)

MY LORD,

YOUR Lordship's Despatch (Slave Trade) of the 3rd May last, instructed me to prepare and send to the Foreign Office a Report, showing the state of Slave Trade and Slavery in Brazil; and it gave a summary of the principal points as to which the required information was to be afforded.

Similar instructions were at the same time issued by your Lordship to Her Majesty's Commissioners and Her Majesty's Consul in Rio Janeiro; and these Gentlemen, acting in conformity therewith, have prepared and transmitted the Reports in question to the Foreign Office.

As the sources of information on these matters, which are open to them, are nearly the same as are open to Her Majesty's Legation—as the information acquired is communicated reciprocally—and as we act thereon very much in concert, the only Report which it is in my power to submit to you would differ in no material degree from those transmitted by Her Majesty's Commissioners and Consul; and to those, therefore, I take leave to refer your Lordship, instead of forwarding what would prove only a duplicate.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

No. 244.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 16, 1843.

(Received November 10.)

MY LORD,

A MAN and woman, two of the Africans liberated from the "*Flor de Loanda*," having with my consent been returned on board the "*Crescent*" receiving ship several weeks ago by Mr. Lukin, the gentleman to whom they were hired out, and no opportunity offering at present for their removal to Trinidad, whither, in deference to your Lordship's last Instructions for the disposal of liberated negroes, they ought in strictness to be sent; I have, in order to save the expense of their keep here for an indefinite period, taken on myself the responsibility of transferring them, with their three children, to the Cape of Good Hope, the Government of that Colony being liable for the cost of their voyage, of their keep on board, &c., &c.

They sailed hence a few days ago in the British brig "*Ann*," and, as the enclosed Document certifies, they were in perfect health.

Trusting that the motive assigned for this departure from your Lordship's instructions will not be considered insufficient.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 244.

Rio de Janeiro, August 25, 1843.

THESE are to certify that the five liberated Africans discharged into the brig "Ann," for a passage to the Cape of Good Hope, are in a perfect state of health.

(Signed) W. GUNN, M.D., *Surgeon.*

Given under my hand on board Her Majesty's ship "Crescent," at Rio de Janeiro, this 25th August, 1843.

(Signed) THOS. SABINE PASLEY,
Captain and Senior Officer.

No. 245.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 16, 1843.
(Received November 10.)

MY LORD,

I HAVE the honour to lay before you herewith copies of three letters received from Commander Willis, of Her Majesty's ship "Frolic."

In the first of these communications Commander Willis makes some additional observations, in refutation of the exaggerated statements advanced by the local authorities of the Barra de S. João, respecting certain proceedings in that vicinity of the boats of the "Frolic," which were the subject of my Despatch of the 12th ultimo, "Slave Trade Series."

The second reports the destruction, by the boats of the "Frolic," of two slavers, one the "*Emprehendedora*" schooner of 180 tons, near Macahé, on the 6th July; the other a brig of 153 tons, name unknown, near Campos, on the 1st August; the negroes on board them having been landed previously by their respective crews.

With reference to the last mentioned vessel, I have to add, that various articles, sufficient to establish the illegal traffic she was employed on, having been removed from her by the "Frolic's" boats, and preserved, Commander Willis has determined to carry her case for adjudication into the Vice-Admiralty Court at the Cape of Good Hope, and for that purpose he has sent thither an Officer and some men of the "Frolic" to serve as witnesses.

The third letter reports his having visited the French barque "*Fanny*," proceeding to Benguela, &c., but that notwithstanding the large quantity of corn, farinha, and spare plank on board, he did not consider himself justified, these articles being declared in her manifest, further to interrupt her voyage.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 245.

Commander Willis to Mr. Hamilton.

Her Majesty's Sloop "Frolic,"
Off St. Ann's Islands, July 23, 1843.

SIR,

SINCE the date of the letters (July 19,) I had the honour of addressing to your Excellency in refutation of certain exaggerated and false statements

made by the Sub-Delegate of the "Barra S. Juan," and others, who alleged "impropriety of conduct" and the "infraction of existing Treaties" against the boat's crews of Her Majesty's sloop under my command, and stating, amongst other matters, that "a boat of the British man of war 'Frolic,' having 20 or 30 men, and a cannon in the bow, went into the Rio de Ostras, where they attempted to disembark. The people of that place assembled on the beach, joined by the crews of the vessels which were there anchored, and placed themselves in an attitude of defence; at sight of which the boat went out to sea again, since which time the crews have again attempted to land, arriving at a distance from the beach of about 30 paces, but were again obliged to retire," &c. Also, "I cannot allow them to effect the disembarkation they have attempted, and undoubtedly, if they continue their attempts any more, I expect the population will repel them forcibly," &c. &c. Lieutenant Cumming, the Officer in charge of this sloop's pinnace, at that period, has returned on board; and I therefore have the honour to enclose a copy of his letter to me, stating his proceedings with reference to the accusation above mentioned.

Lieutenant Cumming's letter completely corroborates what his general Report to me had previously convinced me of, namely, that the accusation was partly invention, and the remainder gross exaggeration and distortion of facts.

I have, &c.

(Signed) W. A. WILLIS, *Commander.*

Hamilton Hamilton, Esq.
&c. &c.

Sub-Enclosure in First Enclosure in No. 245.

Lieutenant Cumming to Commander Willis.

*Her Majesty's sloop "Frolic,"
Off St. Ann's Islands, July 21, 1843.*

SIR,

IN obedience to your directions, I have the honour to lay before you the following statement of my proceedings while in charge of this sloop's pinnace, from the 29th June to the 7th July, a period comprehending the dates upon which the Sub-Delegate and other Brazilian authorities have thought proper to invent the most absurd and false statement of my proceedings, &c. It is hardly necessary to remind you, Sir, that the boat under my command never carried a *cannon*, or any other *great gun*, and that her crew consisted of 13 men and two Officers. On the 30th June last, perceiving the weather to be threatening and a strong breeze from the S.W. coming on, I sought shelter under a small island about a mile off the village of the Rio de Ostras, where I remained the whole of that night at anchor. On the following day, the wind moderating, I put to sea, and performed the various duties required of me, until the morning of the 4th July, when, being very short of water, I sailed towards the Rio de Ostras, and once more anchored under the shelter of the same island, and on the following morning pulled towards the river for the purpose of filling the boat's breakers with fresh water. On approaching, I observed it was flood-tide, and the salt water going in. I did not, therefore, enter the river, whose banks appeared to be desolate for a considerable distance, but immediately proceeded, with my ensign and pendant hoisted, to the beach opposite the village, where a few people came down, and, on my asking them to point out to me where to obtain fresh water, they, in the most friendly manner, did so, and stock and fruit were brought by several persons to the boat for sale, and two or three wished to make a present of fruit to the men, which however, I would not allow to be received without payment being given. I remained on shore about a quarter of an hour, and departed from the people in the most friendly manner, not having seen any official person whatsoever, neither was there the smallest indication of any hostile *act or attitude*. We returned to that neighbourhood no more. With regard to the accusation of boarding all vessels that arrived at Armazeni, I beg to state that I only boarded one vessel while in that neighbourhood, and she was some distance in the offing.

I have, &c.

(Signed) ARTHUR CUMMING, *Lieutenant.*

*Commander Willis,
H.M.S. "Frolic."*

Second Enclosure in No. 245.

*Commander Willis to Mr. Hamilton.*SIR, *Her Majesty's sloop "Frolic," Rio de Janeiro, August 15, 1843.*

HAVING on the date hereof returned to this harbour to revictual and refit after cruising for the Suppression of the Traffic in Slaves, according to existing Treaties since the 27th June last, I seize the earliest moment to do myself the honour of informing your Excellency, that although I have not been so fortunate as to capture any vessels with slaves actually on board, and thus have the gratification of liberating many suffering and miserable fellow-creatures, yet I have succeeded in driving on shore and destroying *two* very fine and fast vessels, completely fitted for and employed in that shameful traffic, viz., on the 6th of July, a few leagues to the eastward of Macahé, the *Empreendedorora*, topsail schooner of 180 tons, no colours or documents found on board to prove her nationality; the vessel bilged; and unable from very heavy surf to heave her off, and no doubt remaining of her character, having witnessed the slaves landed from her; and she being completely fitted for that traffic, I deemed it my duty to set fire to and destroy her, which was done accordingly.

Also, August 1st, a fine brig of 153 tons driven on shore the preceding day by the "Frolic's" boats near Campos: during the night she had landed her slaves, and many other fittings; but, fortunately, a more than sufficient number of articles to condemn her as a slaver remained on board, she being deserted and no documents or colours found to prove her nationality; and it being found impossible to heave her off, to send her to some Vice-Admiralty Court or Mixed Commission Court for condemnation, I ordered her to be burned, which was accordingly done. I beg to assure your Excellency that no time shall be lost, or effort wanting on my part, to give a farther check to this odious, and, I regret to add, widely-spread traffic in slaves.

I have, &c.

Hamilton Hamilton, Esq.

(Signed)

W. A. WILLIS, *Commander.*

&c. &c.

Third Enclosure in No. 245.

*Commander Willis to Captain Sir Thomas Pasley, Bart.*SIR, *Her Majesty's ship "Frolic" Rio de Janeiro, August 24, 1843.*

I HAVE the honour to inform you that I followed the barque "*Fanny*" under French colours, some leagues out to sea, on the evening of the 20th instant, having previously received information of her having a cargo on board intended for the supply of vessels engaged in the Slave Trade.

At daylight on the morning of the 21st, the barque "*Fanny*" was about a mile to windward of the "*Frolic*," whose ensign and pendant I directed to be hoisted; but as the barque took no notice of this, and the wind being light and a heavy swell, it might have taken many hours to pass within hail: I ordered about half an hour afterwards a shot to be fired well a-head of her, which was done, and, lowering a gig, sent a Lieutenant in her towards the barque, who then hove to. Wishing (should my suspicions not be well founded) not to detain the French barque longer than the duty I was charged with rendered absolutely necessary, I ordered the Lieutenant, on reaching the vessel, to desire the master to make sail on his course; we ran thus together until about half-past ten A.M. during the search, and many articles of her cargo, particularly the large quantity of "*farinha*," and "*corn*," a quantity of "*spare planks*," left little doubt in my mind as to the *true* object of her voyage to Benguela, and Loanda! but as these articles appeared in her manifest I did not detain her. The Lieutenant and other Officers and men selected for the duty of visiting and searching the French barque, were strictly charged by me to show the master my *authority* to give the requisite certificates, &c. &c., also to treat the master and others on board the French barque (whatever their conduct might be) with civility and consideration, the more on account of the two vessels being of two *different* but *friendly* nations. All these orders were strictly obeyed, notwithstanding the

impatient threats of the master of the "*Fanny*," that he would complain to his Minister, &c., and which very properly my Officers did not condescend to notice.

I am, &c.

(Signed)

W. A. WILLIS, *Commander.*

Captain Sir Thomas Pasley, Bart.,
Senior Officer.

No. 246.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 16, 1843.

(Received November 10.)

MY LORD,

I HAVE the honour to acquaint your Lordship of the arrival here of the pinnacle of Her Majesty's ship "*Frolic*," in command of Lieutenant Cumming of that ship, bringing in a slave schooner, whose nationality is uncertain, called the "*Vencedora*," or "*Tartaruga*," having 338 Africans on board; of whom 64 men, 56 women, 114 boys, and 104 girls; the average age of the children being from 5 to 9 years.

These individuals, together with the crew of the slaver, have been removed to the "*Crescent*" receiving ship. The sick received there are in a deplorable state: the mortality has already been great; and from the disease and exhaustion of the rest, will probably still be severe. One hundred deaths, or more, are supposed to have occurred on the passage.

The date of capture, and other details, have not yet been reported to me.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

No. 247.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 16, 1843.

(Received November 10.)

MY LORD,

REQUESTING reference to my Despatch of the 12th ultimo, (Slave Trade Series) respecting the Brazilian slaver "*Dous Amigos*," I have the honour to lay before you the answer of the Brazilian Government to the representations I had made in the two notes inclosed therein, against certain infractions by the Brazilian Department of the Mixed Court, of the Forms made and provided by Treaty for regulating the judicial proceedings therein.

I likewise submit to your Lordship the comments of Her Majesty's Commissary-Judge on Sr. Paulino's communication, together with my reply to his Excellency.

It will be seen that what professes to be an answer to my representations above referred to, is, in fact, little more than an analysis of the general proceedings of the British Commissary-Judge throughout this particular adjudication—an analysis which, in the Minister's inability to vindicate satisfactorily the measures of the Brazilian Commissary-Judge, is directed to impugn the decisions of his British Colleague.

Mr. Samo is of opinion, that the questions at issue can be properly debated only in the Mixed Court itself, to which, however, Sr. Carneiro de Campos had demurred; and, as I coincide in this opinion, I have, in my reply to Sr. Paulino, declined, on my part, to enter at large into the consideration of it.

To these several communications, I have to add a second note from Sr. Paulino, wherein he exposes the sinking state of the vessel, and again calls on me to enforce her restitution; but it appears to me I ought not to depart from the decision expressed in my note of the same date; and I shall postpone giving an answer till I next see his Excellency.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 247.

Sr. Paulino to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, August 14, 1843.

THE Undersigned, &c. Minister and Secretary of State for Foreign Affairs, had the honour to receive the notes which, under date of the 23rd of last month, and of the 4th of the present, Mr. Hamilton Hamilton, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, addressed to him, both relating to the circumstances which accompanied the adjudication of the Brazilian brig "*Dous Amigos*," and the publishing of the respective sentence.

From the above-mentioned notes, the papers which accompanied them, and the information which the Undersigned has obtained, the following facts arise, which will serve as a basis to the question.

Firstly.—There having arisen, in the adjudication of the brig referred to, a question whether or not she were captured within Territorial Waters.

Secondly.—The Brazilian Commissary-Judge having considered this question as preliminary or pre-judicial, because it being decided that the brig was taken within Territorial Waters, the rest of the process would fall to the ground, and the said brig must be immediately released.

Thirdly.—That the British Commissary-Judge not agreeing with this opinion, recourse was had to the drawing of lots, in conformity to the 3rd Article of the Regulation of the 28th July 1817, for the Mixed Commission, and the lot fell on the British Commissioner of Arbitration.

Fourthly.—That the British Commissioner of Arbitration agreed with the Brazilian Commissary-Judge, in consequence of which it was decided in a lawful and competent manner that the question, whether or not the brig was captured within the Territorial Waters, ought to be treated of and settled before the rest of the case.

Fifthly.—That the British Commissary-Judge, not agreeing with the Brazilian Commissary-Judge on this point, (place of capture,) recourse was again had to the drawing of lots, (seeing that the functions of the British Commissioner of Arbitration, who was drawn to decide only whether the question ought or ought not to be considered as preliminary, had ceased,) and the Brazilian Commissioner of Arbitration was drawn.

Sixthly.—That the Brazilian Commissioner of Arbitration thus drawn, agreed with the Brazilian Commissary-Judge, that the brig was taken within the Territorial Seas, the detention being therefore illegal and null, the said brig ought to be released and delivered to her owner, with the right of petitioning for indemnity; the two votes of these Commissioners being therefore in unison, and constituting the majority

Seventhly.—That the British Commissary-Judge was, for various reasons, of an entirely different opinion, refusing on that account to sign the respective sentence, notwithstanding he was pressed to do so, for which reason the Brazilian Commissary-Judge, not being able to induce him (the British Commissary-Judge) to accede to this request, ordered the sentence to be passed.

Such is the undeniable exposition of the fact as deduced from the papers above-mentioned. It is, in the opinion of the Undersigned, sufficient to demonstrate the legality of the decision come to by the Brazilian Commissary-Judge and Commissioner of Arbitration, and the want of reason in the proceedings of the British Commissary-Judge.

The following are his reasons:—

He says, "The Brazilian Commissioner of Arbitration decreed the restitution of the vessel to the claimant; this point was not submitted to that Member of the tribunal, the exact spot of the capture being the only question which he had to consider, according to what the British Commissioner of Arbitration decided on the 14th instant, (viz.) that the question should be considered in the first place separately, and as preliminary."

This reason appears to the Undersigned of so little weight, that he would not give himself the trouble of refuting it, had it not been honoured with the acquiescence of Mr. Hamilton.

In the first place, the Undersigned will observe how fatal and prejudicial is the precedent which is wished to be established. To the Mixed Commission, by the majority of its members, the decision of incidental questions belongs, and if the overruled were permitted to refuse their signature, and endeavour

to give validity out of the same Commission, to the reasons which its majority did not attend to, the nature, proceedings, and functions of the said tribunal would be entirely overturned and out of order, and its independence and regular discharge of its duties destroyed. All the questions which ought to be removed and decided in its precincts, would then have to be decided by diplomatic measures. The consequence of such a precedent would be a departure from and a violation of the respective Convention and Regulation.

The Undersigned cannot conceive the distinction which the British Commissary (Judge) endeavours to establish between the decision; the brig "*Dous Amigos*" was taken within the Territorial Waters, and the acquittal, with a right to indemnity. This acquittal, with a right to indemnity, is the necessary and logical consequence of that decision; they are two things so joined and connected, that they cannot in any manner be separated,

Because, it being once decided that the brig was taken in Territorial Waters, the nullity of her detention, the incompetency of the Commission to take cognisance of the case, and the right to indemnity were, *per se*, decided. If the detention were null and void, and took place only as a fact and not as a right, the necessary consequence, owing to such a decision, would be to place her (the brig) in the state in which she was before detention, that is, she ought to be released.

The contrary (opinion) can only be established by those who wish to maintain that the Mixed Commission, after having recognised its own incompetency, can, notwithstanding, proceed in the adjudication; which is inadmissible. The incompetency being recognised, its decision is limited only to replacing the things in their former state, that is, ordering the release of the vessel, and admitting the right to indemnity. Now, this is exactly what the Brazilian Commissary-Judge and Commissioner of Arbitration have done.

The Undersigned will admit, for an instant, the doctrine of the British Commissary-Judge, only to weigh the consequences which would arise therefrom. Let it be supposed, that the question called preliminary being decided, that is, that the vessel was taken in the Territorial Waters, the functions of the Brazilian Commissioner of Arbitration, who was drawn by lot, had ceased:

The British Commissary-Judge would not agree with the Brazilian (Commissary-Judge) in the release (of the vessel) and in the indemnity. Recourse would be had to the drawing of lots. Could the Arbitrator drawn, proceed in the adjudication of a case, in which the Mixed Commission had already recognised its incompetency? Could he declare as valid, against the express disposition of the Treaties, a detention made in Territorial Waters? Could he consider as existing a detention already virtually declared null, by the said Commission, because, contrary to the Treaties, it was made in Territorial Waters.

The Undersigned does not hesitate a single moment in declaring negatively. And thus it is, because, as is above stated, the acquittal and the admission of the right to indemnity, are unavoidable consequences of the decision that the brig was taken in Territorial Waters.

Thus, even if the improper proceeding had taken place which the British Commissary-Judge wished, the decision of the Arbitrator drawn, would be inevitable and forced, and therefore the same as that which the Brazilian Commissary-Judge and Commissioner of Arbitration have given.

The British Commissary-Judge further adds, "I had hoped that the Brazilian Commissary Judge would have agreed with me in order that this vessel might be delivered to the Imperial authorities, adopting in this manner the same mode of proceeding which was followed in the case of the "*Africano Atrevido*" and others of a similar nature."

The British Commissary-Judge is, however, quite mistaken. The case of the "*Africano Atrevido*" does not present any similitude. It was submitted by the Imperial Government to the cognisance of the Commission, and this (Commission) recognising its incompetency, returned the papers to the Government which had forwarded them to it. The practice followed by the Mixed Commission in similar cases is entirely contrary to the opinion and proceeding of the said Commissary (Judge), as Mr. Hamilton Hamilton will see by the annexed certificate extracted from the books of the Minutes of the Commission by the respective Secretary. From the same it is seen that ten are the number of cases adjudicated, in which there have been differences of opinion between the Commissary-Judges, the drawing of lots having been had recourse

to they are the barque "*Eliza*," patacho "*Dous de Marco*," brigantines "*Rio da Prata*," "*Amizade Felix*," schooner "*Angelica*," brig "*Brilhante*," barque "*Maria Carlota*," a canoe, brigs "*Asseiceira*," and "*Convencao*." In these cases, after proceeding to the drawing of lots, the Arbitrator chosen, examined the process, and, with the Commissary Judge with whom he agreed, gave the sentence. And immediately that the detentions are adjudged illegal, the restitution of the vessels to the claimants is ordered.

The Brazilian Commissary-Judge and Commissioner of Arbitration acted therefore very properly, following a practice used for a length of time, and in numerous cases, in which, they were not the only ones who took part, the British Commissary-Judge and Commissioner of Arbitration having been likewise concerned therein. They certainly ought to prefer this practice to the innovations which, without having any plausible foundation, the present British Commissary-Judge wishes to introduce; he, perhaps, not considering that the innovation desired would tend to injure the decisions which might be taken with respect to indemnities guaranteed by Treaties; because the process being remitted to the Imperial Government, in order to its being carried on, the Commission could not decide this point, neither could the Imperial authorities decide it, because its decision belongs exclusively to the Mixed Commission.

The Undersigned cannot but note the contradictory (opinions) under which the British Commissary-Judge labours. He considers that the vessel was properly taken; that this capture was not made in Territorial Waters; and in the paragraph above transcribed, he says, that he hoped that the Brazilian Commissary-Judge would agree with him that the vessel should be delivered to the Imperial authorities. One thing excludes the other.

Further on he declares that the British cruiser, *in the excess of his zeal, prematurely* captured the vessel on her voyage, notwithstanding that he had maintained that she was not detained in Territorial Waters.

From the exposition which the Undersigned has had the honour to make to Mr. Hamilton, it is evident that the proceeding of the British Commissary (Judge) tends to nothing less than putting a *veto*, by his declining to sign the sentence, on the decisions in which he may be overruled by the majority of the Commission. The Undersigned firmly believes that if such a precedent should prevail, the above-mentioned Commission, and the Rules which govern it, would be completely destroyed.

As regards the decisions come to on the petitions presented by the proprietors of the "*Dous Amigos*," the reasons herein set forth are entirely applicable.

Persuaded that these reasons cannot but move the illustrious mind of Mr. Hamilton Hamilton, the Undersigned hopes that the said Mr. Hamilton Hamilton will intervene in order that the British Commissary-Judge, desisting from his ill-founded pretensions, may sign the sentence of the majority of the Commission, with the declaration of "*overruled*," or with the specification of his vote, which, singular as it is, cannot prevail against two which agree.

The Undersigned, &c.

(Signed)

PAULINO JOZE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c.

&c.

JOZE AGOSTINHO BARBOZA, JUN.,

*Interpreter to the Mixed Brazilian and British Commission
and Extra Public Translator, duly sworn.*

Second Enclosure in No. 247.

Mr. Sano to Mr. Hamilton.

SIR,

Rio de Janeiro, August 31, 1843.

YOUR Excellency's letter of the 17th inst., together with copies of a correspondence with the Imperial Minister for Foreign Affairs regarding the proceedings had in the Court of Mixed Commission in the case of the alleged Brazilian slave vessel "*Dous Amigos*," has been received by Her Majesty's Commissioners.

Mr. Gregg, not deeming it to be within his functions under the present circumstances, to offer any remarks upon that correspondence, I proceed to make the following remarks.

The Enclosure marked "No. 3," of the 14th instant, from Sr. Paulino, has received my particular consideration; and from its contents I gather that his Excellency has had a separate correspondence with the Brazilian Commissioner, and has obtained certain returns of cases extracted by the Secretary from the archives of this Brazilian and British Mixed Commission, in pursuance of an order dated 28th July last from the Brazilian Commissary-Judge.

I am humbly of opinion that it is inexpedient (and would be highly objectionable in the judicial character of the Commissioners) to enter at present upon the line of argument and advocacy brought forward in that note of his Excellency Sr. Paulino, in support of the conduct and views of the Brazilian Commissioners in this case, inasmuch as the Brazilian Commissary-Judge himself, at the Session of the Board of Mixed Commission on the 22nd July, declined to offer any further remarks in reply to the Memorandum of Her Majesty's Commissary-Judge. A copy of the Minute of that day is herewith transmitted for the information of your Excellency.

I have to assure his Excellency the Brazilian Minister of my desire to continue at the Board itself the adjudication of the "Seal" question which has arisen as to the restitution of this vessel, and the application of the owner for the right to claim indemnities.

The additional and important reasons advanced by Sr. Paulino in his note might there, properly, be taken into consideration, and would receive the most respectful attention.

I have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed)

JOHN SAMO.

Sub-Enclosure in Second Enclosure in No. 247.

(Translation.)

Extract of Minute of Session of July 22, 1843.

THE Commissary-Judges and Arbitrators being present, the Brazilian Commissary-Judge read the following paper which the British Commissary-Judge communicated to him yesterday, viz.—

Rio de Janeiro, July 21, 1843.

The British Commissary-Judge earnestly prays his Honourable Colleague to desist from other proceedings in the case of the "*Dous Amigos*," as relating to her restitution to the owner. The Brazilian Commissioner of Arbitration has decreed the restitution of the ship to the claimant; this point has not been referred to that Member of this Board; the only question for his consideration was the exact spot of capture, which was decided by the British Arbitrator at the Session of the 14th instant, should be taken as a separate and preliminary question.

In pronouncing upon the restitution of the brig, the Brazilian Arbitrator has exceeded his authority, and that part of his award is consequently of no avail.

The question which now presents itself for consideration is, whether the ship shall be given up to the claimant.

In all cases where a wrongful detention of a vessel takes place, for instance, with slaves on board, this Court have never given up such property to the claimant, but have transmitted the same to the local authorities to be dealt with according to law.

Is there any doubt of the equipment of this vessel for Slave Trade? That all the requisite articles are on board has been fully proved, and her real character established, upon the same principle as was laid down by the Brazilian Commissary-Judge in the case of the "*Dom Joas de Castro*." His own words upon that occasion were these: "And it appearing from the proceedings that this brig was employed in the illicit traffic in slaves, of which there can be no doubt, from the utensils found on board, from the state of the vessel, and from other indications, which all conspire to establish this truth."

It has not been attempted to deny that all the articles and indications for a slave voyage are on board the "*Dous Amigos*," and it is consequently impossible to doubt her real character.

The decision of the Brazilian Arbitrator takes the case out of the jurisdiction of this Court, and it therefore belongs to the tribunals of this country to deal with the property and with Brazilian subjects concerned in fitting out this Slave Trade in the port of Rio de Janeiro.

As it appears that the noted José Bernardino de Sã is the owner of this slave brig, I had hoped that the Brazilian Commissary-Judge would have agreed to deliver the vessel to the Imperial Authorities, thus adopting the same course as was pursued in the case of "*Africano Atrevido*," and others of a similar nature.

To place the ship in the power of her present owner, would only enable that man to complete his slave adventure, which the British cruiser, in an excess of zeal, has prematurely arrested in its progress.

Punishment is justly due to all the persons concerned in the equipment of the vessel, and it would be monstrous to entertain any application for indemnities in this case.

I feel compelled under these circumstances, and not having been consulted on the subject, to decline affixing my name to any sentence of the two Brazilian Members of this Court regarding the restitution of the vessel.

(Signed) JOHN SAMO.

After reading the same, he (the Brazilian Commissary-Judge) replied, that he had nothing further to add to that which he had already frequently said.

(A true Translation.)

(Signed)

Third Enclosure in No. 247.

Mr. Hamilton to Sr. Paulino.

British Legation, Rio de Janeiro, September 9, 1843.

THE Undersigned, &c. has had the honour to receive the note (No. 49,) addressed to him on the 14th ult., by Sr. Paulino, &c. relating to the adjudication of the Brazilian brig "*Dous Amigos*."

The Undersigned lost no time in laying this communication before Her Majesty's Commissioners in the Mixed Court, and herewith he forwards to his Excellency the answer returned by Her Majesty's Commissary-Judge.

From this answer Sr. Paulino will perceive that the British Commissary-Judge considers it to be inexpedient and objectionable to enter into discussion of the arguments adduced in his Excellency's note in any extra-judicial manner, assigning his reasons for this conclusion; but that the British Commissary-Judge is nevertheless desirous to proceed at the board of the Mixed Court, as, indeed, he has been throughout, to the further consideration of the points on which the respective Commissary-Judges are at issue. In Mr. Samo's opinion it is therein that the reasons advanced by his Excellency can best receive all the consideration and attention which they demand.

With reference to Sr. Paulino's note, as a reply to the observations brought forward in the two notes, which the Undersigned had the honour to address to his Excellency on the 23rd July and 4th August, the Undersigned feels himself called on to remark, that the point to which those notes principally adverted, namely, the illegality of the measures resorted to by the Brazilian Commissioners in proceeding to restore the "*Dous Amigos*" to its owners, with right to claim indemnities, *without the consent or participation in any way of the British Commissioners*, is not noticed in that direct and specific form which the importance of the question involved would seem to require.

Without entering at large into consideration of the arguments developed in Sr. Paulino's note, which the Undersigned coincides with Her Majesty's Commissary-Judge in thinking had better be discussed in the Mixed Court, the Undersigned will permit himself to make one observation, with reference to the ten cases adjudicated in the Mixed Court, which are quoted by his Excellency, and to the argument which his Excellency builds thereon, that indemnity for the detention of a vessel is a necessary and logical consequence of the acquittal of such vessel; namely, that the converse rather of his Excellency's proposition holds good, inasmuch as that of the said ten adjudications, five, namely, the barque "*Eliza*," the patacho "*Dous de Marco*," the brig "*Amizade Feliz*," the schooner "*Angelica*," and the canoe, were all released by sentence of this Mixed

Commission, without any decree of right to claim indemnities; while in one, that of the brig "*Convenção*," it was expressly declared in the sentence of acquittal, that the right to claim indemnities was withheld.

The Undersigned would also take the liberty of observing on the silence maintained by the Brazilian Commissioners throughout the adjudication, in relation to the guilty character of the articles and the equipments found on board the "*Dous Amigos*."

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Sr. Paulino,
&c. &c.

Fourth Enclosure in No. 247.

(Translation.)

Sr. Paulino to Mr. Hamilton.

Palace of Rio de Janeiro, September 9, 1843.

THE Undersigned, of the Council of His Majesty the Emperor, Minister and Secretary of State for Foreign Affairs, has the honour to transmit to Mr. Hamilton Hamilton, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, the enclosed copy of a Despatch, dated the 6th of the present month, with the document to which it refers, which the Brazilian Commissary-Judge of the Mixed Brazilian and English Commission, wrote to him (the Undersigned), in order to call the attention of the said Mr. Hamilton to the state in which the Brazilian brig "*Dous Amigos*," and her cargo, are; the delivery of which (vessel) is only delayed by the unfounded opposition which the British Commissary-Judge makes to signing a sentence given by the majority of the members of the above-mentioned Commission.

The Undersigned, referring to that which he had the honour to lay before Mr. Hamilton in his note (No. 49) dated the 14th of August last, trusts that he (Mr. Hamilton) attending to the urgency of the case, will hasten to remove the only difficulty which prevents the delivery of the brig referred to, to her owner; and the more so, as the damages arising from retarding the said delivery cannot be sustained, either by the Imperial Government or by the owner (of the vessel), according to the decision of the Mixed Commission.

The Undersigned, &c.

(Signed)

PAULINO JOZE SOARES DE SOUZA.

Hamilton Hamilton, Esq.
&c. &c.

JOZE AGOSTINHO BARBOZA, JUN.

*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

First Sub-Enclosure in Fourth Enclosure in No. 247.

The Brazilian Commissary-Judge to Sr. Paulino.

(Translation.)

Rio de Janeiro, September 6, 1843.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

DURING yesterday's Session, the British Commissary-Judge having presented to me a Despatch from the Commander of the English frigate "*Curacoa*," anchored in this port, soliciting, from the Mixed Commission, measures for the safety of the Brazilian brig "*Dous Amigos*," and her cargo, which are in imminent peril, I deemed it necessary to give for answer that which will be found in the enclosed copy, because, attributing the present state of the brig to the delay attending the execution of the sentence passed upon her, (which delay) perhaps is owing to the British Commissary-Judge not being willing to sign it (the sentence), I considered that it was not competent for me, and that I ought not, to take any steps in this respect.

God preserve your Excellency.

JOAO CARNEIRO DE CAMPOS,

Brazilian Commissary-Judge.

Sr. Paulino Jose Soares de Souza,
&c. &c.

(A true copy)

(Signed)

J. T. ATTAIDE MONCORVO.

Second Sub-Enclosure in Fourth Enclosure in No. 247.

Copy of the Session of the 5th of September, 1843.

THE British Commissary-Judge presented to his Brazilian Colleague the Translation of a Despatch, which he had just received, of the following tenor:—

GENTLEMEN, *Her Majesty's ship "Curaçao," September 5, 1843.*

I HAVE the honour to request you to give immediate directions for the removal of the cargo of the "*Duos Amigos*" into a bonded warehouse, or such other place as may seem fit to you, in order that it may be preserved; the state of the vessel being such, that not only will the cargo be utterly destroyed, if not removed, but the vessel herself will sink, as she has now five feet water in her, and all the efforts of the men I have sent for that purpose cannot keep her free. I have also to request that your Honourable Court will give an order, or take the necessary measures for procuring permission for the vessel herself to be laid on shore, for examination and repair, or she will sink at her anchors.

I beg to add, that *immediate* measures are necessary.

I have, &c.

(Signed) THOMAS S. PASLEY,

Captain H. M.'s schooner "Curaçoa," and Senior Officer.

*The Judges of the British and Brazilian
Mixed Commission Court.*

(A true Translation.) (Signed) JOSE AGOSTINHA BARBOZA, JUN.
Interpreter to the Commission.

To which the Brazilian Commissary-Judge replied, that the brig "*Duos Amigos*" being still in the power of her captor, notwithstanding that the competent sentence had been issued with regard to her detention; which (sentence), perhaps, because it was not signed by his worthy Colleague, the Brazilian Commissary-Judge, either from the want of this formality, or from some other circumstance which may have occurred on the part of the Imperial Government, has not yet passed through the Chancery, in order to its due execution, it was not competent for him to take any measures on the representation which is made, as to the state in which the above-mentioned brig is, and the steps necessary to be taken to save her and her cargo from the imminent danger in which they are said to be, seeing that the brig is, as has already been said, still in the power of her captor, all the risks which may be run in this respect must be on his account.

It was ordered that a copy of to-day's Minute should be sent to Captain Pasley, in order that he, seeing the Brazilian Commissary-Judge's answer, might take whatever steps he considered necessary. A Despatch was sent to him.—The Session closed.

(A true copy.) (Signed) BRAS MARTINS COSTA PASSOS,
Secretary.

(A true copy.) (Signed) J. T. ATTAIDE MONCORVO.
JOZE AGOSTINHO BARBOZA, JUN.
*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

No. 248.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 16, 1843.

(Received November 10.)

MY LORD,

I HAVE the honour to forward herewith the answer of the Minister of Foreign Affairs to a note I addressed to him on the subject of the manifests of Brazilian merchant vessels, which was communicated to your Lordship in my Despatch, Slave Trade, of the 18th July last.

His Excellency states that no memorandum exists in his department of the conversation which passed between Senhor Aureliano and myself relative to a

duplicate manifest thought desirable for such vessels, and that the Brazilian Government had expressed no approval of any such arrangement; and that he does not consider either that he is obliged or that he ought to acquiesce in the demand to that effect, altogether novel as it is, and unprovided for and unauthorised by Treaty.

His Excellency then enters into an examination of some parts of my note; and, referring to the 1st Article of the Instructions of July 20, 1817, which forbids the detention of ships on board of which are not found Africans intended for purposes of traffic, he observes, that with a vessel having slaves on board there ought to be a detention at all risks; that with one without slaves, the mere absence of a duplicate manifest, duly certified, ought not to be considered to justify or to permit it.

Sr. Paulino endeavours likewise to make it appear that a discrepancy exists between the opinion I have advanced at different times in my notes, with reference to the modes which might be adopted by Her Majesty's ships of war, in order to ascertain the legal or the contraband nature of a vessel's cargo. But the arguments advanced seemed to possess not even a shadow of plausibility.

In conclusion, his Excellency states that the Imperial Government consider it to be incumbent on them not to impose on the coasting trade of Brazil any obligation like the one above-mentioned; and that they will protest against the detention and the bringing back of Brazilian ships to the port whence they may have sailed, consequent on the absence of a duplicate manifest.

The arguments set forth in this note are very open to reply; but it is a hopeless task, I conceive, to enter on an attempt to convince the Brazilian Government of error in any opinions they have pronounced, or in any measures they have adopted regarding Slave Trade; and your Lordship, perhaps, will be of opinion that the real drift of Senor Paulino's note is to protect or advocate the cause of all vessels which, not having actually slaves on board, may yet present indications of employment in the contraband, rendering her seriously obnoxious to capture or detention.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 248.

(Translation.)

M. de Souza to Mr. Hamilton.

Palace of Rio Janeiro, August 27, 1843.

THE Undersigned, &c. had the honour to receive the note which Mr. Hamilton, &c. addressed to him of the 6th July last.

Without doubting in any manner that which Mr. Hamilton states in the said note, he understood to be the personal opinion which Senhor Aureliano de Souza e Oliveira Coutinho, when Minister for Foreign Affairs, expressed in a conversation with the said Mr. Hamilton, as to the necessity of merchant vessels being furnished with a duplicate of the manifest; that is, one (manifest) sealed as up to the present time, and the other open but duly authenticated; the Undersigned must, nevertheless, declare to Mr. Hamilton that as there is no Memorandum of this fact in the Department for Foreign Affairs, neither had that opinion been approved of by the Imperial Government, he (the Undersigned) considers that he is neither obliged to, nor ought he, acquiesce in an exigence entirely new, the same not being supported either by the Treaties or by the laws or regulations by which Brazilian merchant vessels are governed.

The 1st Account of the Instructions destined for the Portuguese and English vessels of war, dated the 28th of July, 1817, and which form an integral part of the Convention of the same date, expressly says that "Ships on board of which no slaves shall be found, intended for the purposes of traffic, shall not be detained on any account or pretence whatever."

Now it is beyond all doubt, in reference to so clear a disposition, that the simple fact of the vessel's not carrying a duplicate of the manifest, cannot of itself alone justify her detention, because detention is the capture, for the purpose of carrying her (the vessel) to the port whence she sailed. Either she

has slaves on board destined for the traffic, or she has not. If she has them (slaves), she ought to be detained at all risks; and if she has not, the want of a paper cannot justify such a proceeding; a paper which the said vessels, when employed in the coasting trade, have not carried until the present time, and which there is neither Convention, law, nor regulation to oblige them to carry, as Mr. Hamilton requires. The cases and mode of detention are marked in the Treaties, and it is not lawful for one of the contracting parties to extend them as it may think proper, without the acquiescence of the other. If this were allowed, the Treaties would be useless, the independence of nations would be done away with, and the principles of the rights of nations would be vain and barren principles substituted by the right of force.

In the note which Mr. Hamilton addressed to one of the Undersigned's predecessors, Senhor Aureliano de Souza e Oliveira Coutinho, on the 10th of February, 1842, he (Mr. Hamilton) said, endeavouring to justify the proceedings of the British Officer who visited the brig "*Bomfim*," "that this Officer broke the envelope sealed with the Imperial Arms, which covered the manifest, in order clearly to avoid the more vexatious manner of ascertaining the nature of the cargo (viz.) by opening the hatches," &c.

Mr. Hamilton therefore considered, at that time, that, as the nature of the cargo could not be ascertained by the original manifest, an examination of the said cargo should be proceeded to, opening the hatches, &c.

Now, however, he (Mr. Hamilton) considers that as the nature of the cargo cannot be ascertained by the duplicate of the manifest, which is the same as the original, the vessel ought to be detained and brought back to the port whence she sailed, in order to the original manifest being opened there, notwithstanding this proceeding to be in an extraordinary degree more vexatious than that (of opening the hatches), and might of itself alone put an end to the coasting trade of a friendly country, without any benefit to the suppression of the traffic (in slaves).

In his note of the 10th of February above cited, Mr. Hamilton did not establish the alternative of "either opening the manifest, to ascertain the nature of the cargo, or bringing the vessel back to the port whence she sailed," certainly because he did not find this latter case authorised by any existing Treaty. And if it were not authorised at that time, it cannot be so now, because no stipulations have been added to the Treaties referred to.

The British cruisers, where they visit vessels, examine every part of them; they do not forget a single circumstance which might indicate that they (the vessels) brought slaves; and they even go further, for they do not forget any which might indicate that they are destined for the traffic. Then what necessity is there for the manifest, or its duplicate, or to cause them (the vessels) to return to the port whence they sailed, only to have the manifest opened?

The Imperial Government consider, therefore, that it ought not to impose on coasting vessels an obligation which is neither derived from the Treaties, from the laws, nor from the regulations, and further, which is not necessary for the suppression of the traffic, considering the manner in which the British cruisers proceed.

And if, notwithstanding the just reasons which the Undersigned has set forth, Brazilian merchant vessels, which do not carry a duplicate of their manifests, be detained and brought back to the port whence they sailed, the Imperial Government will consider this proceeding as a violence, contrary to the Treaties, and founded only on the right of force; and it will protest in the strongest manner, before the whole world, against a measure useless as regards the suppression of the traffic, the only results of which would be the vexation and consequent annihilation of the already very limited navigation of Brazil.

The Undersigned, &c.

(Signed)

PAULINO JOZE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c.

&c.

(L.S.)

JOZE AGOSTINHO BARBOZA, JUN.

Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.

No. 249.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, November 27, 1843.

I HAVE received your Despatch marked "Slave Trade," of the 16th of September last, reporting that you had despatched to the Cape of Good Hope five negroes, part of those from on board the "*Flor de Loanda*," (with their three children) who had been in the service of a Mr. Lukin, and who had been returned by him to Her Majesty's ship "*Crescent*."

I approve of your having sent to a British Colony the negroes in question, in preference to hiring them out again to service in Brazil, and I have to desire that you will follow a similar course with any of the negroes from that vessel when their services may be no longer required by the persons to whom they have been apprenticed, or whenever their present bond of apprenticeship, from lapse of time, or other circumstances, may cease.

I have further the satisfaction of informing you that I am of opinion that you were justified, under the circumstances explained by you, in sending these negroes to the Cape of Good Hope.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 250.

*M. Lisboa to the Earl of Aberdeen.**York Place, le 27 Novembre, 1843.**(Received November 29.)*

MYLORD,

J'AI l'honneur de porter à votre connaissance la nomination que mon Gouvernement vient de faire du Sieur Manoel de Oliveira Santos pour l'emploi du Commissaire Arbitre Brésilien de la Commission Mixte Brésilienne et Anglaise séant à Sierra Leone.

Je prie votre Excellence de vouloir bien expédier les ordres nécessaires pour que le Sieur Manoel de Oliveira Santos soit dûment reconnu par qui de droit en sa sus dite qualité officielle.

Veuillez agréer, &c.

(Signé) MARQUES LISBOA.

Son Excellence, Le Très Honorable Comte d'Aberdeen,
&c. &c. &c.

No. 251.

*M. Lisboa to the Earl of Aberdeen.**York Place, le 4 Décembre, 1843.**(Received December 4.)*

MYLORD,

PERMETTEZ-MOI de rappeler à votre souvenir l'objet principal de notre dernière entrevue: le jugement du bric Brésilien "*Dous Amigos*" par la Commission Mixte séant à Rio de Janeiro.

Pour la confirmation et le développement de tout ce que j'ai eu l'honneur de représenter de vive voix à ce sujet à votre Excellence, je l'ai instamment priée de prendre connaissance de la note passée à Mr. Hamilton, le 14 Août par la Ministre des Affaires Etrangères de sa Majesté Impériale: je craindrais d'en affaiblir la valeur en ajoutant quelques considérations à celles de son Excellence, qui me semblent d'ailleurs incontestables.

Après cette lecture, j'ose me flatter, Mylord, que vous reconnaîtrez avec nous qu'il est urgent de mettre un terme à la conduite gratuite, arbitraire de Mr. Samo; je prie votre Excellence de vouloir bien prendre en considération la demande verbale que j'ai eu l'honneur de lui faire à cet égard, et, dans l'espoir que, par le prochain Paquebot, votre Excellence voudra bien y faire droit, je lui en anticipe l'expression de ma reconnaissance.

J'ai l'honneur, &c.

(Signé) MARQUES LISBOA.

Sen Excellence Le Très Honorable Comte d'Aberdeen,
&c. &c. &c.

No. 252.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, October 19, 1843.**(Received December 12.)*

MY LORD,

I HAVE the honour to enclose copy of a communication made to me by the Brazilian Government, renewing a demand made to Mr. Ouseley in the month of July, 1840,—a demand respecting which Mr. Ouseley does not appear to have acted, at least there are no indications to that effect in the archives of this Legation,—for the liberation of a slave by name André, claimed as the property of a Brazilian subject, Sr. Antonio José Gomes Moreira, the said slave having belonged to the crew of the "*Maria Carlota*," Portuguese slave ship, when captured by the "*Grecian*" in 1839.

I likewise send a copy of my answer, and of a communication from the Officer commanding the "*Crescent*" receiving ship, respecting the individual in question, showing him to be still on board the "*Crescent*."

But Lieutenant Donellan has also stated to me that this negro is his right-hand man; and that his removal from the "*Crescent*" would prove an irreparable loss, from the great assistance he affords as an interpreter, and through his general usefulness and good conduct; and that he has not gone on shore once since his removal to the "*Crescent*," from the apprehension of falling into the hands of his late master.

Your Lordship may be of opinion, perhaps, that he is a fit subject to receive at the hands of Her Majesty's Government the same bounty which I have been authorised to extend to another African who is the property of Sr. Gonzalez da Luz.

For the documents substantiating the claim of Sr. A. J. G. Moreira, I beg reference to the note of Sr. Lopes Gama, to Mr. Ouseley, enclosed under No. 4.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 252.

(Translation.)

*Sr. Paulino to Mr. Hamilton.**Palace of Rio de Janeiro, June 28, 1843.*

ONE of the predecessors of the Undersigned, &c. &c. having, under date of the 7th July, 1840, sent a note to Mr. Ouseley, &c., forwarding him a requisition from Antonio José Gomez Moreira, a Brazilian subject, and merchant of this place, in which he called for the delivery of his slave, by name André, of the Angola nation, who, running away from his service, had entered on board the Portuguese barque "*Maria Carlota*," afterwards captured by the English brig of war "*Grecian*," and condemned by the Mixed Commission at this capital; and this Department of State not having, up to this moment, received any reply on this subject, the Undersigned considers it his duty to address himself to Mr. Hamilton, &c., in order to reclaim afresh his intervention, to the effect that, seeing the documents annexed to the above requisition, which prove clearly the right of the claimant, his said slave may be restored; Mr. Hamilton returning to this Department of State the documents on which the said demand is founded.

The Undersigned renews, &c.

(Signed) PAULINO JOSES. DE SOUZA.

Hamilton Hamilton, Esq.

&c.

&c.

Second Enclosure in No. 252.

Mr. Hamilton to Sr. Paulino.

British Legation, Rio de Janeiro, October 10, 1843.

ON the 28th June last, Sr. Paulino, &c. &c. addressed the Undersigned touching a requisition transmitted to the British Legation in July 1840, by the Brazilian Minister of Foreign Affairs, for the delivery of a slave by name André, belonging to the crew of the Portuguese barque, "*Maria Carlota*," captured by her Majesty's brig of war "*Grecian*" in June, 1839, and the property of a Brazilian subject, Antonio Jozé Gomes Moreira.

After a very minute search in the archives of the Legation, it has been impossible to discover what measures, or whether any, were taken at the time, in consequence of the requisition of the Brazilian Government; no papers whatever on the subject, save the note from Sr. Lopes da Gama, above referred to, have presented themselves; but the Undersigned will lose no time in referring the case to Her Majesty's Government, and in putting his Excellency in possession of the result.

The Undersigned has to apologise for so much delay in replying to Sr. Paulino in this matter, yet it was almost unavoidable.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Sr. Paulino J. S. de Souza,
&c. &c. &c.

Third Enclosure in No. 252.

Lieutenant Donellan to Mr. Hamilton.

Her Majesty's Receiving Ship "Crescent,"
Rio de Janeiro, October 12, 1843.

SIR,

IN reply to your letter of yesterday's date, requesting me to furnish you with the particulars of one of the crew lately belonging to the "*Maria Carlota*" slaver, captured by Her Majesty's brig of war "*Grecian*" in 1839, by name "Andre," stated to be the property of Antonio Jozé Gomes Moreira, a Brazilian subject, I have the honour to inform your Excellency that the African above alluded to is now on board the "*Crescent*;" he states "Andre" is not his proper name, but was called by that name whilst belonging to the "*Maria Carlota*;" his proper name is Jozé de Faria, and acknowledges that the above-mentioned Brazilian subject was his master at the time of capture.

I beg leave to add that this is the first correspondence that has taken place since I have had the honour to command Her Majesty's receiving ship "*Crescent*," relative to this African.

I have, &c.

(Signed)

M. DONELLAN,
Lieutenant and Commander.

Hamilton Hamilton, Esq.
&c. &c.

Fourth Enclosure in No. 252.

(Translation.)

Sr. Lopes Gama to Mr. Ouseley.

Palace of Rio de Janeiro, July 7, 1840.

THE Undersigned, of the Council of His Majesty the Emperor, Senator of the Empire, Minister and Secretary of State for Foreign Affairs, has to address himself to Mr. W. G. Ouseley, Her Britannic Majesty's Chargé d'Affaires, for the purpose of forwarding to him the annexed Petition of Antonio Jozé Gomes Moreira, a merchant of this place, in which he claims his slave, by name André Angola, who having run away from his service, went and entered on board of the barque "*Maria Carlota*," which was captured by the English

squadron, and condemned by the Mixed Brazilian and British Commission; the said slave having been transhipped to the British prison-ship "Presiganga," where he is at present.

The Undersigned, therefore, begs that Mr Ouseley will intercede with the Commander of the British Forces in this port, to the end that he, in reference to the Documents annexed to the above-mentioned Petition, may order the restitution of the slave now claimed, as appears to be just.

The Undersigned, &c.

(Signed) CAETANO MARIA LOPES GAMA.

JOZE AGOSTINHO BARBOZA, JUN.,
*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

Sub-Enclosure in Fourth Enclosure in No. 252.

Petition of Antonio Jozé Gomes Moreira.

(Translation.)

Rio de Janeiro, July 6, 1840.

ANTONIO JOZE GOMES MOREIRA, a registered merchant of this place, says, that having purchased in October, 1838, at a public sale by auction, at the Court of the Judge of Orphans, a slave named André, of the Angola nation, belonging to the effects of the late Francisco Manoel Pereira, for the sum of 430 milreis, as is seen by Document No. 1, and for which slave he paid the competent excise duty, as is seen by Document No. 2, and was duly authorised by the Judge to take possession of the same, as is proved by the Order No. 3; and has constantly, since that time, employed the said slave as a sailor on board of the steam vessel "*Paquete do Sul*," as is well known, and may be seen by Document No. 4: It happened that in May, 1839, he missed the said slave, and a short time ago he (the Petitioner) was informed by report, that the same slave was on board of the barque "*Maria Carlota*," which had sailed for Quillimane, and had been captured and condemned by the Mixed Brazilian and British Commission, and that the same slave was afterwards removed to the English prison-ship "Presiganga," where he is at present.

The Petitioner having claimed from the competent Authorities of the country the delivery of this his slave, has not up to the present time been satisfied, because the slave exists still in the possession of the English, and the jurisdiction of the Empire does not reach so far, as is seen by the annexed order of the Municipal Judge, No. 5.

In consequence thereof the Petitioner comes before your Imperial Majesty to beg that the Imperial Government will address itself, in a diplomatic manner, to Her Britannic Majesty's Chargé d'Affaires, demanding the delivery of the said slave, as has already been done with other slaves; the Imperial Government having claimed and received, amongst others (slaves), some from the very same barque "*Maria Carlota*," and others from different vessels which have been captured, and this not long ago.

(Signed) ANTONIO JOZE GOMES MOREIRA.

No. 1.

(Attested Copy.)

RECEIVED from Sr. Antonio José Gomes Moreira the sum of four hundred and thirty milreis, being the amount for which he purchased, in public sale at the Court of the Judge of Orphans, a slave called André, of the Angola nation, belonging to the effects of the late Francisco Manoel Pereira, of whom I am Executor "Inventariante."—Rio de Janeiro, tenth of October, One thousand eight hundred and thirty-eight.—(Signed) JOSE BEUTO DE ARAUJO BARBOZA.—Four hundred and thirty Milreis.

(Attestation.)—I certify that the above is the true signature.—Rio de Janeiro, fifth June, One thousand eight hundred and thirty-nine.—In testimony of the truth. (L.S.) (Signed) JOAO PINTO DE MIRANDA.

(Seal.)—No. 51.—(L.S.)—Paid four hundred reis for Seal.—Rio de Janeiro, One thousand eight hundred and thirty-nine.

Nothing further was contained in the above receipt to which I refer; and after having written, conferred, and signed this, I gave it, with the original, to

the person from whom I received the latter.—Rio de Janeiro, fifth of June, One thousand eight hundred and nine.—I, Joao Pinto de Miranda, Notary-public, wrote it and signed it.

In testimony of the truth,
(Signed) JOAO PINTO DE MIRANDA.

No. 2.

ANTONIO JOSE GOMES MOREIRA says that he requires a certificate of his having paid the excise duty for the slave André, of the Angola nation, belonging to the effects of the late Francisco Manoel Pereira, whose "Inventariaute" is José Bento de Arango Barbozo, to whom he paid the sum of 430 milreis, the amount for which he bought the said slave at the Orphans' Court, and for which he paid the competent duty into this tribunal; he therefore begs that you, Sir, will be pleased to order the said certificate to be passed.

(Order.) Let it be passed.

Rio de Janeiro, 5th of June, 1839.—In the absence of the Administrator.
(Signed) The Clerk: DUARTE MT^{ro}.

At page 49 of the 5th Book of the Revenue of the half excise Duty on Slaves, is found a note of the payment made by Sr Antonio José Gomes Moreira, of the sum of twenty-one milreis and five hundred reis, being the half excise duty on four hundred and thirty milreis, amount for which he purchased in public sale at the Orphans' Court, a slave called André, of the Angola nation, belonging to the effects of the late Francisco Manoel Pereira.—I refer to the said book, in faith of which the present certificate was passed.—Receiving Office of the Municipality, 5th of June, 1839.—In the absence of the Clerk.

(Signed) JOAO BAPTISTA DA SILVA.

No. 3.

WRIT ("Mandado") for the delivery of the slave André, of the Angola nation, to Antonio José Gomes Moreira, against José Bento de Arango Barbozo, "Inventariante" of the effects of the late Francisco Manoel Pereira. The Doctor, Lourenço Caetano Pinto, Knight of the Order of Christ, Gentleman of the Imperial Household, Judge of Right of the 3rd Civil Court, and Judge of Orphans, *ad interim*.—I order José Bento de Arango Barbozo, as "Inventariante," to deliver, at sight of this (order) signed by me, and according to the Petitioner's claim, the slave André, of the Angola nation, to him (the Petitioner), he having bought the said slave at the sale of the effects of the late Francisco Manoel Pereira, held at this Court; the excise duty thereon and amount of purchase money having been paid, he having presented documents to show the same.—Let this be complied with.—Rio, 13th of October, 1838.—And I, Virgilio José de Almeida Campos wrote it.

(Signed) L. C. PINTO.

No. 4.

Rio de Janeiro, September 19, 1839.

MOST ILLUSTRIOUS SIR (Administrator),

ANTONIO JOSE GOMES MOREIRA says, that he requires a certificate, extracted from the Book of the Register of Ships' Crews, of all that may relate to his slave André, of the Angola nation, who served as a seaman on board of the steam vessel "*Paquete do Sul*," during the months of October, November, and December, 1838, and of January of the present year, 1839; and on board the vessel "*Paquete do Norte*," during February, March, April, and May, also of this year, 1839.

He, therefore, begs that you, Sir, will be pleased to order the said certificate to be passed.

(Order.) "Let it be passed.

(Signed) "SA."

I, José Joaquim de Freitas, Clerk of the Board of Exports of this capital, *et cetera*, certify, that on referring to the Registers of the Crews of Brazilian Merchant Vessels, there is, at page 384, No. 608, the list of the crew of the steam vessel "*Paquete do Sul*," which vessel cleared out on a voyage to Santos, touching at the intermediate ports, on the 26th of October, 1838, and in it (the said list) is found registered as follows:—"No. 19, slave, André, of the Angola nation, belonging to Antonio José Gomes Moreira, ordinary stature, long visage." On referring to the 6th Book, which also serves as a register for the said muster-rolls, in the same is found, at page 24, No. 768, the muster-roll of the steam vessel "*Paquete do Sul*," which was cleared out at the said Board, on the 22nd of November, 1838, on a voyage to Monte Video, to call at St. Catharine's; and in it (the muster-roll) is found registered as follows: "No. 24, slave André, of the Angola nation, belonging to Antonio José Gomes Moreira, ordinary stature, long visage." In the same book, at page 120, No. 1179, is found the muster-roll of the steam vessel "*Paquete de Norte*," the same having cleared out to proceed on a voyage to Santos, touching at the intermediate ports, on the 14th of February of the present year, and it (the muster-roll) contains the following note: "No. 10, slave André, of the Angola nation, belonging to Antonio José Gomes Moreira; ordinary stature, long visage."

This is all that the said books contain, and to the same I refer.

(Signed) JOSE JOAQUIM DE FREITAS.

No. 5.

To the Illustrious Senhor Doctor Municipal Judge.

Rio de Janeiro, May 15, 1840.

ANTONIO JOSE GOMES MOREIRA, a registered merchant of this place, says, that having purchased, in October, 1838, at public sale at the Judge of Orphans' Court, a slave called André, of the Angola nation, belonging to the estate and effects of the late Francisco Manoel Pereira, for the sum of 430 milreis, as is seen by Document No. 1, and for which (slave) he has paid the competent excise duty, as is proved by Document No. 2; and that he took possession of the same, being duly authorised for so doing by an order from the said Judge, as is seen by the writ No. 3; and he has constantly, since that time, employed the said slave as a sailor on board of the steam-vessel "*Paquete do Sul*," as is clearly seen by Document No. 4; but in May, 1839, the said slave disappeared, and it has lately come to the petitioner's knowledge that he (the slave) was on board of the barque "*Maria Carlota*," when she sailed for Quillimane; and she (the barque) having been captured, and condemned by the Mixed Brazilian and English Commission, the said slave was afterwards sent to the English prison-ship ("*Presiganga*") where he is at present. (Here follow three lines with a dash through them) to claim the delivery of his said slave, who, together with the rest of the crew of the barque "*Maria Carlota*," was sent on board of the English prison-ship ("*Presiganga*"), and, as they were not found guilty, they were not included in the sentence which condemned the said barque; and the petitioner's slave is the only one (of the crew) now on board of the prison-ship, owing, perhaps, to his not having been claimed; and he was not claimed before, because the petitioner did not know that he (the slave) was there; but now he is certain that his slave is there, concealing his owner's name, and has changed his own: for which reason he now comes before you, Sir, as the competent authority (to claim him); and the petitioner considers that the documents which he lays before you, including No. 4, which gives all the characteristic marks by which the said slave may be known, are sufficient for proving his title to the same; should you, Sir, however, deem it necessary, in order to give the documents greater weight, that an examination of witnesses be taken, the petitioner is ready to produce the same before you, or before any other Judge.

He begs you, Sir, will be pleased to take the necessary measures for the said slave André being delivered to the petitioner, his legitimate owner, who binds himself to sign a receipt, and to give bond if necessary.

(Order.)—In order that the claim be taken into consideration by this Court, it is necessary that the slave be comprehended in the sentence; because then I, as Judge-Executor of the same, have a right, and it is my duty, to claim the same, in order thus to execute the sentence. He (the slave) not being comprehended (in the sentence), steps must be taken through the Government.

(Signed) DOR. SIQUEIRA.

(Signed) JOZE AGOSTINHO BARBOZA, Jun.
*Interpreter to the Mixed Brazilian and British Commission,
and Extra Public Translator, duly sworn.*

No. 253.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, October, 19, 1843.

(Received December 12.)

MY LORD,

WITH reference to my Despatch (Slave Trade) of the 16th ultimo, and its Enclosure No. 3, I forward, for your Lordship's information, copy of a communication from the Brazilian Minister, replying to the latter, wherein his Excellency is pleased to reiterate his opinion that the arguments advanced by myself and Her Majesty's Commissary-Judge, in defence of the refusal of the latter to affix his signature to the sentence passed by the Brazilian Commissioners in the case of the "*Dous Amigos*," because of the illegality conspicuous in their proceeding, are not maintainable; and that the decision of Her Majesty's Commissary-Judge ought to be overruled.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 253.

Sr. Paulino to Mr. Hamilton.

Palace of Rio de Janeiro, September 30, 1843.

THE Undersigned, &c. had the honour to receive the note No. 60, which on the 9th instant Mr. Hamilton, &c. addressed to him, accompanied by the reply given by the British Commissary-Judge of the Mixed Brazilian and English Commission, upon the subject of the note which the Undersigned addressed to Mr. Hamilton on the 14th ultimo.

The Undersigned attentively examined the arguments and reasons again brought forward by Mr. Hamilton and the British Commissioners in the said note and answer, and consider that they do not in any manner alter the question, which is very simple, and one of the few whose decision does not belong to the Mixed Commission, namely, whether one of its members when overruled, can, by refusing to sign the sentence, nullify the decision of the majority overruling in the said Commission? It is evident that in a case like the one in question the dissenting Commissioner or Arbitrator can only be compelled to do his duty by his Government, or by their representative. The case in question cannot by any means be again submitted to the Commission, whose office ceased with the sentence, so far as concerns the proceedings hitherto.

The Undersigned, therefore, cannot but adhere to the conclusion come to in the note which he had the honour to address to Mr. Hamilton on the 14th of last August, and avails, &c.

(Signed) PAULINO JOZE SOARES DE SOUZA.

Hamilton Hamilton, Esq.
&c. &c.

No. 254.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, October 19, 1843.**(Received December 12.)*

MY LORD,

WITH reference to your Despatch (Slave Trade,) of the 2nd of August last, I have the honour to forward herewith the copy of a note which, acting on the Instructions it conveys, I addressed to the Brazilian Government, respecting the treatment experienced by the liberated female African, Serafina, in particular, and all liberated Africans in general, as well as regarding the irregular appropriation by the Brazilian Government of the wages accruing to the said individuals from their own labour.

The Report which the same Despatch instructed me to send home on the present condition of these liberated Africans, must be the subject of a later communication; but I apprehend considerable difficulty, with such people as I have to deal with, in arriving at any fair approximation to the truth, upon a question of this nature.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 254.

*Mr. Hamilton to Senhor Paulino.**British Legation, Rio de Janeiro, October 14, 1843.*

THE Government of Her Britannic Majesty have at different times addressed to the Government of His Imperial Majesty urgent representations in behalf of the natives of Africa, liberated under the Treaties between Great Britain and Brazil for the Suppression of Slave Trade,—calling on that Government to secure kind treatment to those negroes during their period of apprenticeship, and to give to them that effectual and entire freedom which has been guaranteed to them by the two Governments.

It is with deep regret Her Majesty's Government have learnt that these representations have proved in vain; and that, subsequent to the communication which, under their Instructions, the Undersigned, &c. &c., had the honour to make to the Brazilian Minister of Foreign Affairs, on the 4th December, 1841, nothing has occurred to weaken the ground on which Her Majesty's Government then came to the conclusion, that it was their duty to take care that all Africans who should be captured by British cruisers, under the Convention with Brazil, should be sent to a British colony, as the only means whereby good treatment, in the first instance, and entire freedom subsequently, could be secured to them.

Two cases, in particular, have occurred, in the course of the present year, bearing on this subject—cases showing the prevalence of the evil, against a recurrence of which it is the desire, as well as the duty, of Her Majesty's Government, to provide.

One case relates to the ill-treatment to which the free African woman, Serafina, had been subjected; with reference to which case, the Brazilian Government took an opportunity to deny the claim of the Mixed Commission to inquire how far the sentence pronounced by them, in virtue of the Treaty, had been carried into execution—a proceeding on the part of that Government, affording an additional reason for adhering to the declaration already made by the Undersigned to the Minister of Foreign Affairs.

The other case concerns the wages of liberated Africans, which, instead of being given over to them, form an admitted source of revenue to the State—an unjust practice on the part of the Brazilian Government, against which the Undersigned is instructed to remonstrate; Her Majesty's Government considering the individuals in question entitled to the full benefit of any moneys which may accrue from their own labour.

The Undersigned, in thus carrying out the Instructions of his Government, will only add here a repetition of the statement which he had the honour to

CLASS B.

make to Senhor Aureliano, on the 4th December, 1841, namely, that Her Majesty's Government have come to a decision not to deliver over to the Brazilian Government any more free negroes to be treated as slaves; but that, until the Brazilian Government shall show that the engagements they have contracted towards the emancipated negroes are faithfully performed, all negroes who may in future be brought to Rio Janeiro, in a captured Brazilian slave vessel, shall be retained on board the "Crescent" receiving ship till the slaver has been condemned; and then, instead of being delivered over to the Brazilian Government, shall be sent to a British colony.

The Undersigned seizes, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c. &c. &c.

No. 255.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, October 19, 1843.

(Received Dec. 12.)

MY LORD,

You will receive herewith copy of a note recently addressed by me to the Brazilian Government, urging the reimbursement of the moneys advanced by Her Majesty's Government for the maintenance of Africans who have been liberated under judicial sentence of the Mixed British and Brazilian Commission.

There yet remains to be urged on the Government, an equal division of the proceeds of sale of the slave vessels "*Paquete de Benguela*" and "*Asseiceira*," at present in the Treasury of the Mixed Court; but it has appeared desirable to keep the two questions, as indeed they are, separate and distinct.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 255.

Mr. Hamilton to Senhor Paulino.

British Legation, Rio de Janeiro, October 15, 1843.

THE Undersigned, &c., has just received from his Government renewed Instructions to urge upon the Government of His Imperial Majesty reimbursement of the money advanced by the former, for the support and maintenance of Africans who have been emancipated at different times, by sentence of the British and Brazilian Mixed Courts of Justice.

A Memorandum of the items of this demand is subjoined, showing Rs.13,454 171½ to be the sum due to the Brazilian Government.

It does not appear at all requisite to advert to the whole of the correspondence which has passed on this subject, between Her Majesty's Legation and the Brazilian Government. It will suffice to observe, that Snr. Aureliano's note to Mr. Ouseley, dated January 18, 1841, contains the ultimate grounds on which the Brazilian Government have persisted hitherto in their decision to resist the claim of the British Government.

In the opinion, however, of Her Majesty's Government, Snr. Aureliano's note not only fails to bear out the Brazilian Government in their refusal, but does even more; showing likewise that the principle contended for by the former, whereby payment of the expenses in question devolves altogether on the latter, is clearly in accordance with the stipulations of the Conventions between the two Crowns on Slave Trade; and from that principle Her Majesty's Government would not consider themselves justified in departing.

The arguments and reasoning by which Her Majesty's Government support their demand, have been given so frequently in the communications proceeding from this Legation, recapitulation of them on the present occasion would seem superfluous, but it is indispensable to state the persistence of Her Majesty's Government in that demand; and their reliance, that the Imperial

Government, recognising, at last, its justice, will issue the needful orders for its due liquidation.

With reference to similar contingencies, in future, the expense of maintaining liberated Africans is not likely to become again the subject of discussion. Snr. Paulino, &c., will have perceived by the note which the Undersigned had the honour to address to his Excellency yesterday, that Her Majesty's Government propose to adhere strictly to the declaration made by the Undersigned to Snr. Aureliana, in his note of December 4, 1841, that Her Majesty's Government will not deliver over any more liberated Africans to the Government of His Imperial Majesty.

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Sr. Paulino J. S. de Souza,
&c. &c. &c.

Sub-Enclosure in Enclosure in No. 255.

Estimate of Sums to be reimbursed to the Brazilian Government, in respect to the expenses incurred for the support and maintenance of Slaves subsequent to date of sentence.

Name of Vessel.	Date of Sentence.	Amount.
		Dollars.
Duqueza da Braganza	21 July, 1834	18,312
Rio da Prata . . .	6 February, 1835	359,252
Orion	18 January, 1836	146,428
Cesar	26 May, 1838	369,758
Brilhante	25 June „	4,428,577
Diligente	10 January, 1839	3,205,617
Feliz	30 „ „	1,236,178
Carolina	16 April „	768,331
Especulador	4 May „	464,245
Ganges	31 „ „	467,403½
Leal	17 June „	1,990,070
		13,454,171½

No. 256.

The Earl of Aberdeen to M. Lisboa.

Foreign Office, December 16, 1843.

THE Undersigned, &c., has received the note which was addressed to him on the 4th instant by M. Lisboa, &c., respecting the case of the Brazilian vessel "*Dous Amigos*;" and he has the honour to acquaint M. Lisboa, for the information of his Court, that Instructions will be sent by the earliest opportunity to Mr. Samo, Her Majesty's Commissary-Judge at Rio de Janeiro, to the effect that Her Majesty's Government acquiesce in the propriety of the sentence given for the restitution of the vessel, and that Mr. Samo should govern himself accordingly.

The Undersigned, &c.

The Chevalier Marques Lisboa,
&c. &c.

(Signed)

ABERDEEN.

No. 257.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, December 19, 1843.

I HAVE received your Despatch of the 22nd June last, upon the subject of José and Francisco; negro slaves, seized on board the "*Dois de Fevereiro*" slave vessel, and forming part of the crew of that vessel; and I have to authorise you to draw upon the Lords Commissioners of Her Majesty's Treasury a bill at 30 days' sight, for a sum in sterling money equal in value to 1600 milreis, as the amount of compensation to be allowed to M. da Luz, for the

negro slaves in question: such bill to be accompanied by a letter of advice, addressed to me, with vouchers, as to the rate of exchange at Rio de Janeiro at the time it was drawn, and with a receipt from M. de Luz in full compensation of his claims upon the two negroes referred to.

I am, &c.

Hamilton C. J. Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 258.

M. Lisboa to the Earl of Aberdeen.

*York Place, Portman Square,
Le 19 Décembre, 1843.*

LE SOUSSIGNÉ &c., a eu l'honneur de recevoir la note du 16 de ce Mois qu'a bien voulu lui adresser Son Excellence le Très Honorable Comte d' Aberdeen, &c., au sujet du navire Brésilien "*Dous Amigos*," illégalement detenu par le navire de la Marine Royale d'Angleterre "*Curlew*" et relâché en conséquence par la respective Commission Mixte à Rio de Janeiro.

Le Soussigné se flatte d'avoir déjà rendu justice à l'équité de Lord Aberdeen quand il avançait que la simple lecture, de la note passée le 14 Août dernier, à Monsieur Hamilton, par le Ministre des Affaires Etrangères de sa Majesté Impériale, suffirait pour convaincre Son Excellence, que la conduite du Commissaire-Juge, Monsieur Samo, a été dans toute cette affaire Arbitraire et gratuite.

Cette opinion du Soussigné se trouve virtuellement adoptée par le Gouvernement Britannique d'après les ordres que Son Excellence annonce qu'elle se propose d'expédier incessamment à Monsieur Samo. Le Soussigné s'en félicite, et aime à croire que ce fonctionnaire, en se conformant aux injonctions de Lord Aberdeen, et aux Traités existants, ne mettra plus le Soussigné dans la désagréable nécessité d'appeller sur ses actes et sur sa conduite la sevére attention de Son Excellence.

Le Soussigné, &c.

(Signé) MARQUES LISBOA.

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

BRAZIL. (*Consular*)—*Rio de Janeiro.*

No. 259.

Mr. Hesketh to the Earl of Aberdeen.

MY LORD,

*Consul's Office, Rio de Janeiro, October 14, 1842.**(Received January 17, 1843.)*

I HAVE the honour to enclose a return of the vessels that have arrived from the coast of Africa during the quarter ending 30th ultimo. I also transmit a return of the vessels departing to Africa during the same period.

From these returns it appears that three American vessels have arrived, and that only one Brazilian vessel is reported in the returns.

The Custom-house returns do not, however, afford any means by which to ascertain the extent and nature of the trade now carried on between Brazil and Africa, because the present system of fitting out vessels for Africa at different outports, and landing the cargoes of slaves at the numerous secluded harbours, is so general, and well organized, and receives such protection from the Brazilian authorities, that a considerable Slave Trade is continued without a possibility of obtaining exact information as to its extent, much less particulars that can be made available in suppressing or even impeding it.

I have, &c.

(Signed)

ROBERT HESKETH,
*H.B.M. Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 259.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending September 30, 1842.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1842.								Days.		
July 25 . . .	Ship . . .	Whitmore. . .	Thomas Robinson . .	American. . .	281	10	Angola	23	Ballast	Detained by police.
August 28 . . .	Barque . . .	Rosalba . . .	G. N. Lamb . . .	Ditto	215	10	Benguela	22	Ditto.	In quarantine.
Sept. 4	Brig	Roxburg . . .	M. M'Donald . . .	Ditto	215	9	Angola	43	Ditto.	Detained by police.
Sept. 15	Smack . . .	Amizade . . .	I. dos Martyres . . .	Brazilian . . .	40	19	Ditto	33	Wax and oil.	Ditto ditto

ROBERT HESKETH, H.B.M. Consul.

Second Enclosure in No. 259.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending September 30, 1842.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported nature of Cargo.	Remarks.
1842.									
August 24	Brig	Duan	E. Foster	American. . .	278	10	Angola and Benguela	General.	

ROBERT HESKETH, H.B.M. Consul.

No. 260.

*The Earl of Aberdeen to Mr Hesketh.**Foreign Office, March 8, 1843.*

INSTRUCTION to make a Report on Slave Trade and Slavery in the province of Rio de Janeiro.

(See Despatch of same date to the Rio Commissioners, Class A. No. 149, page 176.)

No 261.

Mr. Hesketh to the Earl of Aberdeen.

MY LORD,

*Consul's Office, Rio de Janeiro, January 3, 1843.**(Received March 13.)*

I HAVE the honour to enclose a return of the vessels that arrived in this port from the coast of Africa during the quarter ending on 31st ultimo. I also enclose a list of the departures from this for Africa during the same period.

From the above-mentioned returns, your Lordship will perceive that five vessels have arrived, and three departed. I regret to state that of late the slavedealers have been very fortunate in landing slaves on this coast; several vessels have successfully reached different outports with full cargoes, both to the north and south of Rio de Janeiro, from whence they have again refitted and returned to the African coast, without meeting with any obstruction on the part of the local authorities.

I have &c.

(Signed)

ROBERT HESKETH,

*The Right Hon. the Earl of Aberdeen, K. T.**H. B. M. Consul.*

&c.

&c.

&c.

First Enclosure in No. 261.

ARRIVALS at Rio de Janeiro, from the Coast of Africa, during the Quarter ending 31st December, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1842. October 20 . . .	Brig . . .	Prudencia . . .	J. L. da Silva . . .	Brazilian . . .	140 . . .	17 . . .	Angolo . . .	40 . . .	Ballast . . .	Detained by Police. Do. Prizes taken by the Brazilian brig- of-war, "Tres de Mato," and brought to Rio de Janeiro, they having landed slaves.
October 20 . . .	Do. . .	Conceicao de Maria . . .	M. Joo. Pinto . . .	Portuguese . . .	140 . . .	17 . . .	Do. . .	48 . . .	Wax, Oil, & Sundries . . .	
November 10 . . .	Do. . .	Duan . . .	E. Foster . . .	American . . .	288 . . .	9 . . .	Do. . .	24 . . .	Oil, Wax, &c. . .	
December 11 . . .	Do. . .	Leopoldina . . .	Not stated . . .	Portuguese . . .	Not stated . . .	Not stated . . .	Not stated . . .	Not stated . . .	Not stated . . .	
December 11 . . .	Schooner . . .	Domingos . . .	Do. . .	Brazilian . . .	Do. . .	Do. . .	Do. . .	Do. . .	Do. . .	

ROBERT HESKETH, H.B.M. Consul.

Second Enclosure in No. 261.

DEPARTURES from Rio de Janeiro, for the Coast of Africa, during the Quarter ending 31st December, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported nature of Cargo.	Remarks.
1842. November 28 . . .	Brig-schooner . . .	Felisbella . . .	L. J. de Oliva. e Sa. . .	Brazilian . . .	79 . . .	12 . . .	Benguela . . .	Brandy & Sundries . . .	
December 22 . . .	Lugger . . .	Agua . . .	Ato. Lda. C. Rocio . . .	Do. . .	61 . . .	13 . . .	C. Verde and Africa . . .	Do. . .	
December 25 . . .	Smack . . .	Flora . . .	A. M. Bandeira . . .	Do. . .	51 . . .	12 . . .	Angola . . .	Do. . .	

ROBERT HESKETH, H.B.M. Consul.

No. 262.

*The Earl of Aberdeen to Mr. Hesketh.**Foreign Office, May 30, 1843.*

QUERIES as to the state of Slave Trade and Slavery in the Province of Rio de Janeiro.

(See Despatch of same date to Her Majesty's Commissioner at Surinam, Class A. No. 212, page 301.)

No. 263.

*Mr. Hesketh to the Earl of Aberdeen.**Consul's Office, Rio de Janeiro, April 28, 1843.**(Received July 22.)*

MY LORD,

I HAVE the honour to transmit herewith returns of the arrivals from, and departures for the coast of Africa, during the quarter ending 31st ultimo, officially reported in this place, but bearing a very small proportion to the intercourse clandestinely carried on between the outports and Africa.

I have, &c.

(Signed)

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

&c.

&c.

&c.

ROBERT HESKETH,
H. B. M. Consul.

First Enclosure in No. 263.

ARRIVALS at Rio de Janeiro from the Coast of Africa, during the Quarter ending March 31, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
1843. February 1 . . .	Brig	Maria II. . . .	Joze de S ^s Velho	Portugal . . .	210	18	Angola	Days. 34	Wax, &c. . . .	Detained by Police.

ROBERT HESKETH, H.B.M. Consul.

Second Enclosure in No. 263.

DEPARTURES from Rio de Janeiro for the Coast of Africa, during the Quarter ending March 31, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where Bound.	Reported Nature of Cargo.	Remarks.
1843. January 17 . . .	Brig	Kentucky . . .	John Ankers . .	American . . .	272	9	Quillimane . .	Sundries . . .	
January 29 . . .	Ditto	Isabel	Fco. de Souza . .	Brazilian . . .	120	11	Angola	Ditto	
February 26 . . .	Barque	Duarte IV. . . .	Fco. A. d. Santos	Portugal . . .	377	16	Ditto	Ditto	
March 1	Brig	Duan	E. Foster	American . . .	278	9	Ditto	Ditto	
March 12	Brigantine . . .	Voador	M. J. de Carvalho	Brazilian . . .		14	Benguela . . .	Wood and B. andy	

ROBERT HESKETH, H.B.M. Consul.

No. 264.

*Mr. Hesketh to the Earl of Aberdeen.**Consul's Office, Rio de Janeiro, May 23, 1843.**(Received July 24.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of this Series, dated March 8, 1843, ordering a return of the Slave Trade throughout the district of this Consulate during the last five years, and pointing out all the particulars which that return is to embrace. And also directing that a return of a similar nature for the period of a year is to be transmitted on the 1st of January.

I have commenced to prepare the return for the period of five years, and it will be forwarded as soon as it can be completed; and your Lordship's directions for the annual transmission of similar returns shall be strictly attended to.

I have, &c.

(Signed)

ROBERT HESKETH,

*The Right Hon. the Earl of Aberdeen, K.T.**H.B.M. Consul.*

&c.

&c.

&c.

No. 265.

*Mr. Hesketh to the Earl of Aberdeen.**Consul's Office, Rio de Janeiro, June 23, 1843.**(Received September 22.)*

MY LORD,

WITH reference to my Despatch of this Series, dated 23rd May last, I have the honour to state, that the collection of the requisite data for the Report ordered by your Lordship's Despatch, dated 8th of March last, was found so difficult by Her Majesty's Commissioners and myself, that we conceived the most efficient and prompt manner of carrying into effect your Lordship's Instruction was to act in concert, and to make a joint report.

Our object being to furnish the most perfect Report in our power, I hope that the method we have adopted will meet your Lordship's approval.

I have, &c.

(Signed)

ROBERT HESKETH,

*The Right Hon. the Earl of Aberdeen, K.T.**H.B.M. Consul.*

&c.

&c.

&c.

No. 266.

*Mr. Hesketh to the Earl of Aberdeen.**Consul's Office, Rio de Janeiro, July 3, 1843.**(Received September 22.)*

MY LORD,

I HAVE the honour to transmit herewith Returns of the arrivals from Africa during the quarter ending 30th ultimo, and of departures from hence to Africa, during the same period.

Of the arrivals, the only Reports of their landing which have been ascertained as correct are, that from the Spanish brigantine "*Marcial*;" from 180 to 200 slaves were landed in the neighbourhood of Campos. The three American vessels appear to have returned in ballast after landing in Africa every article for the purchase and transport of slaves; the slavedealers adopting this ready and safe means of placing in African ports the needful merchandise and equipments for the purchase and conveyance of slaves, and for the transport of which vessels are sent with less risk of capture.

The landing of African negroes at all the neighbouring harbours in the part of the Coast between Campos and Ubatuba, has been effected to a very great extent during last quarter, most of the negroes being brought overland into this city and its suburbs for sale, and the vessels are generally now fitted out at those harbours for a return voyage to Africa.

The slaves landed at more distant ports, such as Santos and Bahia, are either sent from thence into the interior, or brought here by coasting vessels, from

which they are now generally disembarked at the several depôts lately formed for the purpose close to, but outside of the entrance of, this harbour, and at night brought into the port of Rio de Janeiro, in canoes; and the coasters are afterwards entered at the Custom-house and other departments, without any cognisance being taken of the great quantity of negroes landed in that manner.

The Brazilian patacho "*Feliz Uniao*" arrived from Bahia on the 24th ultimo, with 192 slaves on board, and the necessary canoes for landing them not being found ready at one of the landing places on the Marica Islands, which are close to the entrance of Rio de Janeiro, the "*Feliz Uniao*" was, without hesitation, steered into the anchorage of Rio de Janeiro with all the slaves on board, and which were landed that evening, and are now on sale in this town.

I have, &c.

(Signed)

ROBERT HESKETH,
H. B. M. Consul.

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

&c.

&c.

&c.

First Enclosure in No. 266.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending June 30, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1843.								Days.		
April 13 . . .	Brig . . .	Sociedade . . .	J. M. Alvez . . .	Portuguese . . .	292	16	Angola . . .	38	Wax and Oils.	
May 17 . . .	Barque . . .	St. Helena . . .	W. Lambert . . .	American . . .	245	7	Cabinda . . .	28	Ballast . . .	Detained by police.
May 17 . . .	Brigantine . . .	Marcial . . .	G. Ferreira . . .	Spanish . . .	120	7	Ditto . . .	32	Ditto . . .	Ditto
June 8 . . .	Schooner . . .	Rosario . . .	J. Taylor . . .	American . . .	155	7	Coast of Africa.	32	Ditto.	
June 11 . . .	Brig . . .	Duan . . .	M. Foster . . .	Ditto . . .	218	10	Benguela . . .	31	Ditto.	
June 26 . . .	Barque . . .	Fanny . . .	M. Yiterl . . .	French . . .	251	14	Ditto . . .	41	Sundries.	

ROBERT HESKETH, H.B.M. Consul.

Second Enclosure in No. 266.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending June 30, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported nature of Cargo.	Remarks.
1843.									
April 14 . . .	Smack . . .	Conceicao Flora.	J. S. Delgado . . .	Brazilian . . .	80	10	Angola . . .	Sundries.	
April 24 . . .	Brig . . .	Anna . . .	J. A. Veira . . .	Ditto . . .	212	15	Ditto . . .	Ditto.	
April 26 . . .	Ditto . . .	Maria II. . .	J. de S. Velho . . .	Portuguese . . .	161	17	Ditto . . .	Ditto.	
May 18 . . .	Ditto . . .	Mello . . .	J. A. de Natividade.	Brazilian . . .	194	15	Benguela . . .	Ditto.	
May 29 . . .	Schooner . . .	Pamelis . . .	C. S. Piat . . .	American . . .	174	6	Ditto . . .	Ditto.	

ROBERT HESKETH, H.B.M. Consul.

No. 267.

*Mr. Hesketh to the Earl of Aberdeen.**Consul's Office, Rio de Janeiro, July 18, 1843.**(Received September 22.)*

MY LORD,

I HAVE the honour to state that the Report on Slave Trade, ordered in your Lordship's Despatch, dated March 8, 1843, is now transmitted by Her Majesty's packet "Petrel," the same having been conjointly drawn up by Her Majesty's Commissioners and myself, as I have had the honour to explain in a Despatch of this Series, dated 23rd ultimo.

I have &c.

(Signed)

ROBERT HESKETH,
*H. B. M. Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 268.

*Mr. Hesketh to the Earl of Aberdeen.**Consul's Office, Rio de Janeiro, August 2, 1843,**(Received October 12.)*

MY LORD,

IN obedience to the directions with which I am honoured in your Lordship's Despatch of this Series, dated May 30, 1843, I most respectfully submit the following answers to the Queries therein made:

1st. The amount and description of the Population in this Province and Capital, I state to be as follows:

	Men.	Females & Children.	Totals.
Whites . . .	58,579	54,394	112,973
Free coloured . . .	33,657	36,550	70,207
Slaves . . .	423,625	254,175	677,800
Total in the Province . . .			860,980
Whites . . .	41,418	35,282	76,700
Free coloured . . .	14,320	18,980	33,300
Slaves . . .	31,500	52,500	84,000
Total in the Capital of Rio de Janeiro			194,000
Total of whites . . .		189,673	
.. Free coloured . . .		103,507	
.. Slaves . . .		761,800	1,054,980

There does not exist any record by which the state of the population in the years 1832 and 1837 can be ascertained.

The increase of the population, including European settlers and imported slaves, during the last 15 years, has been lately variously estimated in the Legislative Assembly, namely, from 30 to 60 per cent.

2nd. The importation of slaves into almost every Brazilian port from Africa direct is undoubted.

It is not possible to ascertain the quantity of slaves landed during the last ten years; but I believe that the average number may exceed, though it cannot be less, than 40,000 per year.

3rd. The law does not protect a slave in criminal cases equally with a free man.

4th. The laws protecting a slave against his master's ill-conduct have fallen into disuse.

5th. The evidence of a slave is not admitted in a court of law; but slaves are often questioned for the information of the Judge.

6th. In towns slaves are tolerably fed and treated, but, generally, not so in the country.

7th. Slaves are not more liable to disease than free persons; but slaves do not live as long as free men, owing to careless treatment on the part of their masters, and the debauched habits of the slaves.

There are a few estates in which, owing to proper treatment, the number of slaves is maintained without purchasing others.

8th. The slave population has increased by extensive importation.

9th. The manumission of slaves is frequently practised.

10th. Since the year 1835 the laws and regulations respecting slaves have become much more unfavourable to them.

11th. A party exists favourable to the Abolition of Slavery, chiefly consisting of native Brazilians; but they are not sufficiently opulent to have much influence, or even to secure on their behalf any portion of the press.

The political influence now exercised by the slavetrading interest, comprising most of the Portuguese population, is keenly felt by a large portion of Brazilians, and this feeling extends and strengthens the anti-slavery party.

12th. There is no difference in the eye of the law between a white man and a free coloured man, provided the latter be not an emancipated slave.

13th. Coloured men, born free, have been admitted to offices of the State.

14th. The 5th, 10th, and 12th answers are taken from the Brazilian code; and the remainder are the result of private enquiries.

No periodical census of the population, either in this province or capital, is taken; and although orders have long since been issued for that purpose, the only result is an imperfect census of the population in the province for the year 1840, the Government not being yet in possession of any exact return regarding the population of this capital.

I have, &c.

(Signed)

ROBERT HESKETH,

H. B. M. Consul.

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

&c.

&c.

&c.

No. 269.

Mr. Hesketh to the Earl of Aberdeen.

Consul's Office, Rio de Janeiro, October 4, 1843.

(Received December 12.)

MY LORD,

I HAVE the honour to transmit inclosed a Return of the Arrivals at this port from Africa during the quarter ending 30th ultimo, and also a Return of the Departures from this to Africa during the same period.

I have, &c.

(Signed)

ROBERT HESKETH,

H. B. M. Consul.

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

&c.

&c.

&c.

First Enclosure in No. 269.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending September 30, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1843.								Days.		
July 3 . . .	Brig . . .	Kentucky . . .	Jno. Ankers . . .	American . . .	223	8	Quillimane . . .	76	Ballast . . . Wax and Oil . . . Sundries.	In Quarantine. Detained by Police.
August 27 . . .	Brigantine . . .	Romeo . . .	T. G. Richard . . .	Hamburg . . .	115	10	Angola . . .	27		
September 7 . . .	Brig . . .	Eina . . .	M. Isnar . . .	French . . .	134	10	Benguela . . .	26		

ROBERT HESKETH, H.B.M. Consul.

Second Enclosure in No. 269.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending September 30, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported nature of Cargo.	Remarks.
1843.									
July 3 . . .	Brigantine . . .	Hemeguete . . .	L. J. Baptista . . .	Brazilian . . .	143	14	Benguela . . .	General. Sundries. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do.	
July 4 . . .	Smack . . .	Alegria Constante . . .	J. P. Keller . . .	American . . .	46	6	Do. . .		
July 17 . . .	Barque . . .	Lucey Penniman . . .	J. G. Rocha . . .	Portuguese . . .	300	9	Goa . . .		
July 23 . . .	Brig . . .	Zulmira . . .	J. P. Ferreira . . .	Portuguese . . .	171	14	Angola . . .		
July 27 . . .	Schooner . . .	Augusta . . .	M. A. Rodrigues . . .	Portuguese . . .	107	6	Loanda . . .		
August 13 . . .	Brig . . .	Sociedade . . .	J. B. Yteir . . .	Portuguese . . .	260	19	Benguela . . .		
August 19 . . .	Barque . . .	Fanny . . .	L. J. O. Silva . . .	French . . .	343	14	Loanda . . .		
August 26 . . .	Brig . . .	Pacquete de Campos . . .	J. G. Moraes . . .	Brazilian . . .	108	15	Benguela and Angola . . .		
September 3 . . .	Do. . .	Pacquete de Terceira . . .	B. J. Almeida . . .	Portuguese . . .	138	14	Loanda . . .		
September 11 . . .	Brigantine . . .	Feliz Amizade . . .	E. D. Lorette . . .	Brazilian . . .	147	12	Do. . .		
September 20 . . .	Brig . . .	Sterling . . .	W. B. Whiting . . .	American . . .	238	7	Angola . . .		
September 27 . . .	Schooner . . .	Boston . . .		Do. . .	60	5	Ambriz . . .		

ROBERT HESKETH, H.B.M. Consul.

BRAZIL. (Consular)—Bahia.

No 270.

*The Earl of Aberdeen to Mr. Porter.**Foreign Office, March 8, 1843.*

INSTRUCTION to make a Report on Slave Trade and Slavery in the Province of Bahia.

(See Despatch of same date to the Rio Commissioners,
Class A. No. 149, page 176.)

No. 271.

Mr. Porter to the Earl of Aberdeen.

MY LORD,

*British Consulate, Bahia, December 31, 1842.**(Received May 23, 1843.)*

I HAVE the honour to acknowledge the receipt of Foreign Office Despatch, (Slave Trade,) of November 10, 1842.

I have, &c.

(Signed) EDWARD PORTER, *Consul.*
The Right Hon the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 272.

*The Earl of Aberdeen to Mr. Porter.**Foreign Office, May 30, 1843.*

QUERIES as to state of Slave Trade and Slavery in the Province of Bahia.

(See Despatch of same date to Her Majesty's Commissioner at Surinam,
Class A. No. 212, page 301.)

No. 273.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, March 31, 1843.*

MY LORD,

(Received June 12.)

I HAVE the honour to transmit herewith Returns, Nos. 1 and 2, of the trade between this place and the coast of Africa, for the quarter ending this day.

I have, &c.

(Signed) EDWARD PORTER.
The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 273.

No. 1.—List of Vessels which have entered the Port of Bahia from the Coast of Africa, from January 1, to March 31, 1843.

No.	Date of Entry.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported cargo.	Whence.	Days out.	Remarks.
1	February 8 .	Brazilian	Schooner	Theodora	173	17	S. J. Torres .	C. J. da Silva .	Ballast .	Put back . . .	73	Landed 611 slaves. Was going to Cape Verd, and put in here in dis- tress, as reported.
2	March 7 .	Swedish . .	Brig	Mary		13	C. Wiseng . .	A. Tredhohn .	Ditto .	Hamburg . . .	54	
3	March 24 .	Hamburg . .	Barque	Margareth		17	C. A. Budle .	C. A. Budle . .	General .	Coast	36	
4	March 28 .	French . . .	Brig	Philanthrope . . .	184	10	C. Hay	C. T. Hay . . .	Ditto .	Ajudá	41	

British Consulate, Bahia, March 31, 1843.

EDWARD PORTER, Consul.

Second Enclosure in No. 273.

No. 2.—List of Vessels which have sailed from the Port of Bahia to the Coast of Africa, from January 1 to March 31, 1843.

No.	Date of Clearance.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported cargo.	Whither bound.	Remarks.
1	January 7 .	French . . .	Barque	Tourville	362	17	A. Ronname .	Le Yavasin . .	Rum, &c. .	Coast.	Slaver. Ditto. Suspicious. Ditto. Ditto. Slaver.
2	January 27 .	Sardinian . .	Brig	Galileo	176	13	J. Solares . .	N. Dodero . .	Ditto .	Ditto.	
5	February 15 .	Brazilian . .	Schooner	Brilhante	129	17	L. J. de S. Pinto	J. A. d'Almeida	Ballast . . .	Para	
4	February 17 .	Ditto	Brig	Furia	226	11	J. S. Monteiro .	F. L. de Souza .	Ditto .	Rio Grande, N.	
5	February 19 .	Ditto	Schooner	Marcial	182	16	M. S. Teixeira .	T. J. de Campos	General .	Ditto Louh	
6	March 14 .	Ditto	Ditto	Clara	115	15	J. J. d'Oliveira	J. J. da Silva .	Ditto .	Ditto	
7	March 29 .	Ditto	Ditto	Theodora	173	12	S. J. Torres . .	C. J. da Silva .	Ballast . . .	Ditto	
8	March 30 .	French . . .	Barque	Jenne Leon	232	11	C. S. Enet . . .	C. S. Enet . . .	Rum, &c. .	Coast.	
9	March 30 .	American . .	Brig	Escalus	219	15	P. R. Stanhope	L. Sampson . .	Ditto .	Ditto.	

British Consulate, Bahia, March 31, 1843.

EDWARD PORTER, Consul.

No. 274.

(Extract.)

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, March 31, 1843.
(Received June 12.)*

WITH reference to the quarterly returns of the trade between this port and the Coast of Africa, I have the honour to inform your Lordship, that a considerable increase has taken place in the number of vessels which have sailed with cargoes to that coast during the last six months.

No. 275.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, May 2, 1843.
(Received June 12.)*

MY LORD,

IN compliance with the orders obtained in your Lordship's Despatch, (Slave Trade,) of the 10th November, 1842, I have the honour to transmit herewith authentic documents from the public departments of this city relative to the French brig "*Marabout*."

No. 1. Manifests of cargoes brought by that vessel from the Coast of Africa in her two last voyages from this port.

No. 2. Manifests of cargo on board at the time of her seizure by Her Majesty's ship "*Rose*."

No. 3. Certificate from the Treasury of this province, showing the prices at which the goods on board the said vessel were valued and cleared at the Export department.

No. 4. Showing that such value is regulated weekly in accordance with the current marked prices; and that no goods are legally permitted to exist on board, unless specified and declared in the manifest, excepting those actually intended for the use of the vessel.

No. 5. Affidavit of Udo Schleusner, book-keeper in the house of Diego or Domingos, Gomes Bello, at the period of the "*Marabout's*" departure, showing that the 277 mangotes shipped by the said D. G. Bello, were for his account, and the freight actually paid here before that vessel's departure.

No. 6. Calculation, attested by three merchants of this city, showing the average gains on palm oil from the Coast of Africa to this port during the last two years.

The foregoing are the only authentic documents which, with the utmost diligence, I have been enabled to procure, owing to the general reluctance here to give even the slightest information connected with the trade to the Coast of Africa, and more particularly if known that such is sought after by British authority.

To avoid their being cavilled at in France, if there required, I thought it expedient to have these documents certified by the French Consul, and also by a Notary-public of this city.

The expenses which I was compelled to incur in the attainment of these certificates amount to Rs.23. 300, about 2*l.* 10*s.* 6*d.* sterling, which sum I have to solicit your Lordship's permission to enter as an item in my annual account of expenditure for the public service.

I have, &c.

(Signed) EDWARD PORTER, *Consul.**The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

First Enclosure in No. 275.

(Translation.)

To the Inspector of the Customs.

UDO SCHLEUSNER saith, that for the benefit of his interest he requires that a Certificate be given to him of the Goods and Manufactures manifested in the Import Department, by the French brig "*Marabout*," on her two

voyages from the Coast of Africa to this Port, arriving on the 24th November, 1840, and 3rd August, 1841; he therefore requests that you will order the Certificate to be drawn out.

Pass it. Bahia.

E. R. M.

Custom-House, April 18, 1843.

(Signed)

REIS.

In this Custom-House of Bahia, and on its archives, is shown that] she discharged into this department on the voyage she made from the Coast of Africa to this Port, on the 28th November, 1840, the following:

LL.	1 Half pipe palm oil.
	1 Barrel ditto.
	1 Half pipe Elephants' teeth.
	2 Pipes with divers skins of animals.
	2 Half pipes with divers skins of animals.
	1 Barrel ditto.
LM.	22 Elephants' teeth.
	1 Box of money.
LM.	12 Cases.
	2 Trunks.
I GA RD.	1 Case.
LM.	1 Barrel.
M.	1 Case.
M 2 v.	72 Cases.
2 v.	32 Ditto.
	32 Baskets.
	110 Iron pans.
M.	2 Half pipes.
2 v.	125 Dutch tiles.
	11 Barrels vinegar.
	1 Half pipe ditto.
	118 Iron bars.

And on the voyage from the Coast of Africa to this Port, on the 3rd of August, 1841, the following:

L.	60 Casks of various sizes, with palm oil.
	1 Barrel ivory.
	39 Elephants' teeth.
	2 Casks palm oil.
	1 Barrel glue.
4.	94 Casks palm oil.
20.	9 Ditto ditto
12.	10 Ditto ditto.
B.	10 Barrels ditto.
F.	1 Ditto ditto.
	8 Demijohns.
	1 Bag of straw.
G.	1 Case.
P.	1 Barrel.
	1 Case.
	28 Empty pipes.
	2 Ditto half pipes.
	1 Box of money.
	1 Trunk.

And nothing else relating to the foregoing petition was found.

That this is the truth, and to make it manifest wherever it be necessary, I ordered this to be passed, and which by me is signed.—Custom House, at Bahia, the 25th April, 1843; and I, Acting Writer, signed it,

(Signed)

JOZE DE SOUZA FREIRE.

Second Enclosure in No. 275.

(Translation.)

*To the Superintendent of the Export Department.*Pass in conformity, B^a. April 26th, 1843. (Signed) CUNHA.

UDO SCHLEUSNER saith, that for the benefit of his interest, he requires a Certificate of what consisted the cargo taken to the Coast of Africa, by the French brig "*Marabout*," which left this port in September, 1841; he therefore requests that you will order the necessary Certificate to be drawn out.

E. R. M.

(For which he will feel obliged.)

IN observance of the above Despatch, I certify, that in the archives of this department there exist the checks of manifests of vessels making distant voyages, of the month of September, in the year 1841, from which it appears that the French brig "*Marabout*" sailed for Nantes, by way of the Coast of Africa, and manifested the following articles:—

- 1560 Mangotes, for Mina.
- 201 Barrels refuse tobacco, with 347 Arrobas.
- 47 Pipes rum with 3193 Canadas.
- 18 Half pipes ditto „ 692 ditto.
- 8 Quarter pipes ditto „ 265 ditto.
- 47 Barrels ditto „ 647 ditto.
- 1 Ditto anniseed „ 8 ditto
- 75 400 segars.
- 4 Barrels molasses „ 44 ditto.
- 1 Bag of coffee „ 4 Arrobas
- 1 Case white sugar „ 48 ditto.
- 4 Barrels ditto „ 27½ ditto.
- 200 Earthen water mugs.
- 1 Hide.
- 2 Leather sides.
- 1 Cotton hammock.
- 15lbs, snuff, "*areia preta*."
- 1 Grindstone.
- 1 Box sugar with 5 Arrobas.

Foreign Goods.

- 7 Barrels leaf tobacco, 224 Arrobas.
- 1 Box, 54lbs. coral.
- 84 Bundles hoop iron, 35 quintals.
- 5 Arrobas, 5lbs.
- 6 Dozen pine planks.

I moreover certify that, relative to the value at which said goods were despatched, it cannot be certified by this department, because the respective Despatches have been delivered up to the General Treasury.

To make this manifest wherever it be necessary, I ordered this to be extracted, and which is signed by me, Bahia.—Export Department, 1st of March, 1843.
The Acting Writer,

(Signed) MANOEL ANTUNES D'OTBREGO.

Third Enclosure in No. 275.

(Translation.)

*To the Inspector of the General Treasury of this Province.*Pass in conformity—B^a. April 27th, 1843.

(Signed) MIRANDA.

UDO SCHLEUSNER saith, that for the benefit of his interest he requires a Certificate of what were the prices at which the goods exported by the French

brig "*Marabout*," in September, 1841, were despatched, and which goods appear in the annexed Certificate passed by the Export Department; he therefore requests that you will order the Certificate to be passed.

E. R. M.

In observance of the above Despatch, I certify, that on referring to books two and three of the Checks, the following appears:—Goods despatched for the Coast of Africa, in the French brig "*Marabout*," sailed in September, 1841, viz.:—

1360 Mangotes of Mina,	at	5r. 500
200 Ditto ditto	,,	2r. 200
347 Arrobas refuse tobacco,	,,	1r. 200
4797 Canadas rum,	,,	r. 600rs.
8 Ditto aniseed,	,,	1r. 000
57,400 Segars,	,,	6r. 000 per 1000.
18,000 Ditto,	,,	3r. 000 per ,,
which make together 75,400 segars.		
44 Canadas molasses,	,,	r. 400rs.
4 Arrobas coffee,	,,	3r. 600
48 Ditto white sugar,	,,	1r. 600
27½ Ditto ditto,	,,	2r. 000
200 Earthen mugs,	for	5r. 120
2 Leather sides,	,,	3r. 600
1 Hide,	,,	2r. 000
1 Cotton hammock,	,,	10r. 000
15lb. Snuff,	,,	15r. 000
1 Grindstone,	,,	1r. 200
5 Arrobas white sugar,	at	2r. 000 per

I moreover certify, that respecting the despatches of foreign goods exported, nothing appears. And to make this manifest wherever it be necessary, the present was passed in the Treasury Office of the Province of Bahia, on the 29th April, 1843; and I, Acting Book-keeper, have written and signed it,

(Signed) MANOEL BAPTISTA DE SOUZA.

Fourth Enclosure in No. 275.

(Translation.) *To the Superintendent of the Export Department.*

Passed in conformity.—Bahia, 20th April, 1843.

(Signed) CUNHA.

UDO SCHLEUSNER, for the benefit of his interest, requires the following Certificates:—

Firstly.—Whether all produce and goods embarked on board of any vessel for exportation or re-exportation must be mentioned in the Manifest, and be known by the Export Department.

Secondly.—Whether the value given to goods or other articles in the act of exportation is the actual and true value in conformity with the current market prices; he therefore requests that you will order the necessary certificate to be given.

(E. R. M.)

(For which he will feel obliged.)

In obedience to the foregoing Despatch, I certify that all articles of exportation and re-exportation, despatched for any vessel, must be manifested, in conformity with the 172nd Article of the Regulations of 30th of May, 1836; and I also certify that the value of articles, produce of this country, in the act

of re-exportation is that fixed by the weekly Tariff, made upon the market prices, in conformity with the 7th Chapter of the said Regulations.

To make this manifest wherever it be necessary, I ordered this to be passed and signed it.—Bahia, Export Department, 20th April, 1843.

The Writer,
(Signed) MANOEL ANT. D'ABREU.

Fifth Enclosure in No. 275.

I, UDO SCHLEUSNER, late Book-keeper in the house of Domingos Gomes Bello, merchant of this city, do declare on oath, that the 277 Mangotes tobacco, shipped in the name of Diego or Domingos Gomes Bello, on board of the French brig "*Marabout*," Captain Dejoie, in September, 1841, were actually and truly the property of the said Domingos Gomes Bello; that they were shipped on his account; and that the freight for the same was paid here to the parties interested before the departure of the "*Marabout*" for the Coast of Africa.

(Signed) UDO SCHLEUSNER.

Sworn before me at the British Consulate, Bahia, this 2nd day of May, 1843,

(L.S.) (Signed) EDWARD PORTER.

Bahia, 2nd Maio do, 1843.

(Signado) TIBURCIO TAVARES DE OLIVEIRA.

THE Undersigned, Consul of Her Britannic Majesty for this city and province of Bahia, hereby certifies that Tiburcio Tavares de Oliveira, who hath signed the foregoing, is a Public Notary of this city, and that to all acts, thus by him signed, full faith and credit are and ought to be given in Court and thereout.—British Consulate, Bahia, 2nd May, 1843.

(L.S) (Signed) EDWARD PORTER, *Consul.*

(Tranlation.) Sixth Enclosure in No. 275.

Cost of 1 pipe of palm oil on the Coast of Africa.

140 gallons at 1 dollar per 3 gallons—		
46½ at 1800rs. each	Rs.84,000	
Cask	4,500	
		88,500
Commission, 5		4,425
		92,925

PUT ON BOARD.

Freight to Bahia, 10	18,000
Duties 25 on a valuation of 180 measures	
Rs.156,512	39,127
Store rent	2,000
Cooperage	640
Leakage 5 on cost	4,646
Commission 3 on 175,000	5,250
	69,663

Little more or less, Rs.162,588

SOLD.

70 Canadas at 2500rs.	175,000
Gain per pipe	Rs.12,412

We, the Undersigned, Merchants of this city, attest that the prices marked in the forgoing account, are those generally current on the Coast of Africa and here; that the charges are the customary ones; and that palm oil, in larger quantities, has during the last two years left little more profit than that of 13 per cent. as above calculated.—Bahia, 29th of April, 1843.

(Signed)

JN. S. GILLMER.

ANT. FRAN. DE LACERDA.

DOMINGO GOMES BELLO.

No. 276.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, May 2, 1843.**(Received June 12.)*

MY LORD,

FROM the inquiries which I have made relative to the French brig "*Marabout*," it appears that she has not been engaged in the transport of slaves to this province, although it is well known that the greater part of the cargoes shipped by her; and other vessels from this port, bound to the Coast of Africa, is intended to be exchanged for slaves, which are brought hither by a set of small fast-sailing craft, sent there in ballast for that express purpose.

There is not the least doubt, though authentic proof cannot be obtained, that the greater portion of the goods on board the "*Marabout*" belong to the respective shippers named in the invoice, as is shown in one instance; but, to facilitate reclamations in case of seizure, fictitious bills of lading are made out, declaring the Captain to be owner, and deposited at the respective Consulates; the true ones of a later date remaining in the possession of the real proprietors of the cargo. An instance fully proving this statement, occurred during the last voyage of the French barque "*Ceres*," from the Coast of Africa, whose Captain having died there, on return to this port, the French Consul laid an embargo on the specie and cargo existing on board, in the name of the Captain's heirs, and under authority of bills of lading and manifest deposited at the French Consulate, which declared the said Captain to have been sole owner of the cargo she took from this port. This embargo was afterwards withdrawn, in consequence of the real owners coming forward, and producing bills of lading and other documents of a later date, signed by the Captain, and declaring the cargo to belong to the respective parties laying claim thereto; which circumstance, if necessary, can doubtless be corroborated by the Acting French Consul of this city.

It likewise appears that the passengers principally consisted of free blacks, proceeding to the Coast of Africa on private speculation, and who doubtless had paid their passage money previous to the vessel's departure: I have only been able to discover one of them, and he refuses to give any information relative thereto.

The difficulties which I have had to encounter, to obtain information relative to the brig "*Marabout*," compelled me to petition for the documents which I have transmitted, in the name of my senior Clerk, and, to serve in case of need, I thought it right to enclose a certificate to prove that such had been done at my desire.

The report is current here among the mercantile body, and I believe with some foundation, that the cargo of the "*Marabout*" was transhipped on board another French vessel at Cayenne, and sent direct to the Coast of Africa, the "*Marabout*" taking on board the cargo intended for that vessel, and proceeding to France: consequently the detriment of the goods exported in her from this port, cannot have been very considerable, as, tobacco excepted, but few perishable articles existed on board.

Trusting that the information which I have had the honour to transmit to your Lordship may not only be the means of doing away with at least a part of the exorbitant damages awarded by the French Court at Cayenne, but likewise expose the underhand means very generally practised by those engaged in this detestable traffic,

I have, &c.

(Signed)

EDWARD PORTER, *Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure in No. 276.

British Consulate, Bahia, May 2, 1843.

I, EDWARD PORTER, Esquire, Her Britannic Majesty's Consul for this city and province of Bahia, do hereby certify that Mr. Udo Schleusner is employed in the Consular Office, and that at my desire he petitioned the public departments of this city for the four accompanying documents relating to the cargoes imported and exported by the French brig "*Marabout*."

(Signed) EDWARD PORTER, *Consul*.

No. 277.

*Extract of a Letter from Mr. Porter to Mr. Bidwell,
dated Bahia, May 3, 1843.*

THE infinity of trouble which I have gone through to obtain authentic documents relating to the French brig "*Marabout*" is far beyond description; the few papers that I have succeeded in getting, have been absolutely forced from the public departments here, and that only on the interference of the President of this Province, with whom, fortunately, I am on terms of intimacy. Even the French Acting Consul refused his certificate to the signatures, until I wrote to him officially.

Almost every person here is interested in the trade to the Coast of Africa, either directly or indirectly: it therefore renders it impossible to obtain correct information. All-powerful money will sometimes accomplish this, but I have no instructions at present to avail myself of it. Were an individual discovered in giving information as to the arrival of slave vessels, he would, in all probability, be stabbed, and the authorities here could not prevent it, such is the actual state of this country.

Observe the value given in the French invoice on cigars—15 lb. per 1000; value given to the Export Department here, and at which they are manufactured, 6 lb. per 1000, 3 lb. per 1000. Also, in the article of tobacco, they have been laying it on pretty largely.

No. 278.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, May 30, 1843.**(Received July 24.)*

MY LORD,

I HAVE the honour to inform your Lordship that a system has been recently introduced which greatly facilitates the importation of slaves into this province.

Fast-sailing American vessels arrive here from the United States, and after discharging, are sold to a company of slave-dealers, the master of the vessel engaging to take her under American colours to the Coast of Africa. A cargo of tobacco and rum is put on board by these individuals, and sent direct to some well known depôt on the Coast, where it is exchanged for slaves. The American master then gives up the command of the vessel, the slaves are put on board, Brazilian colours are hoisted, and she sails immediately for some port in the Brazils.

An instance of this kind has lately been successfully practised.

The American brig "*Yankee*," after being sold, proceeded to the Coast under American colours, with a cargo belonging to individuals engaged in the Slave Trade, which being exchanged for slaves, they were received on board, and it is said that she has succeeded in landing them at the port of Santos.

The master, "John Goodrich," of the "*Yankee*," has returned here in a Sardinian brig, and reports having disposed of his vessel on the Coast; however, it is well known that the sale was concluded before the vessel left this port.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 279.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, June 30, 1843.**(Received August 21.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of Foreign Office Circular, (Slave Trade,) of the 30th April, with enclosed Treaty for the Abolition of the Slave Trade with the Republic of Chili.

I beg leave to acquaint your Lordship that "farinha," or mandioca flour and water, are exported from this to the Coast of Africa in puncheons, on board foreign vessels, manifested under the denomination of "cachaça," or rum, and which are intended for the use of the vessels alluded to in my Despatch (Slave Trade separate) of May 30, 1843.

This discovery was accidentally made, by the bursting of a puncheon on board the Belgian barque "*Amalia*," now loading for that Coast.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 280.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, June 30, 1843.**(Received August 21.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, Slave Trade of the 8th of March, 1843, and I beg leave to lay before your Lordship the accompanying Returns, Nos. 1 and 2, of the Trade between this and the Coast of Africa, for the quarter ending this day.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 280.

No. 1.—List of Vessels which have sailed from the Port of Bahia for the Coast of Africa, from April 1 to June 30, 1843.

No.	Date of Clearance.	Nation.	Class.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Cargo.	Whither Bound.	Remarks.
1	April 1	French	Barque	Industrie	250	14	LARRIEROIS	Louchet	General	Coast	Suspected of going to the Coast. Slaver. No particulars, as she ran away during the night. Slaver. Slaver.
2	" 1	Swedish	Brig	August	313	13	C. J. THURDIN	C. R. Roth	ditto	ditto	
3	" 4	Brazilian	ditto	Restaurador	129	"	J. F. Santos	J. C. F. de Mello	Ballast	Pernambuco	
4	" 26	Brazilian	Yacht	Esperanga	"	"	A. Gonçalves	J. da Costa, Jun.	ditto	Paranagua	
5	" 28	Brazilian	ditto	Maria	"	"	"	"	ditto	Santos	
6	May 6	American	Schooner	Leda	72	7	M. Pearce, Jun.	W. Pearce, Jun.	General	Coast	
7	" 16	Sardinian	ditto	Magdalena	"	"	M. Doderó	M. Doderó	ditto	ditto	
8	" 24	Portuguese	Yacht	Graciosa Vingativa.	24	8	M. F. Reis	M. Durano	ditto	Princes island	
9	June 17	Brazilian	Brig	Furia	226	11	F. S. Monteiro	F. L. de Souza	Ballast	Rio Grande	

British Consulate, Bahia, June 30, 1843.

EDWARD PORTER, Consul.

Second Enclosure in No. 280.

No. 2.—List of Vessels which have entered the Port of Bahia from the Coast of Africa, from April 1 to June 30, 1843.

No.	Date of Entry.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Cr w.	Name of Master.	Name of Owner.	Cargo.	Whence.	Days Out.	Remarks.
1	April 2	Portuguese	Yacht	Graciosa Vingativa.	24	8	M. F. dos Reis	M. Durano	Ballast	Onim	36	Landed 102 slaves
2	" 6	American	Schooner	Leda	72	7	W. Pearce, Jun.	W. Pearce, Jun.	General	Coast	26	
3	" 26	Sardinian	ditto	Isabella	113	13	N. Tobino	G. Domingos	ditto	Onim	35	
4	May 14	ditto	Brig	Anseatico	196	14	A. Torres	S. Noli	ditto	ditto	23	
5	" 18	Brazilian	ditto	Furia	226	11	J. S. Monteiro	F. L. de Souza	Ballast	Put back	"	do 480 do
6	June 24	ditto	Schooner	Theodora	173	12	S. J. Torres	C. J. da Silva	ditto	ditto	"	do 406 do
7	" 28	ditto	Yacht	Esperanga	44	"	A. Gonçalves	J. da Costa, jun.	ditto	ditto	"	do 280 do

British Consulate, Bahia, June 30, 1843.

EDWARD PORTER, Consul.

1268

No 281.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, July 30, 1843.
(Received October 9.)*

MY LORD,

IN compliance with your Lordship's orders contained in Foreign Office Despatch (Slave Trade) of March 8, 1843, I have the honour to lay before you the following Report, showing the state of Slave Trade and of Slavery in this province.

The number of vessels which annually, during the last five years, have sailed for Africa, and likewise the number of those which have, during the same period, arrived from that Coast, are detailed in the accompanying Lists, Nos. 1 and 2, and in which are marked the vessels supposed to have been engaged in Slave Traffic; but as no regular copies of the returns were kept at this Consulate, up to the end of 1839, I am not able to state the number of slaves imported up to that period.

The great secrecy with which the Slave Traffic is carried on; the facilities which this extensive Coast offers for the landing of slaves; together with the connivance and venality of the petty authorities, render it impossible to obtain a correct statement as to the number of slaves imported, or places at which they have been landed; but from the best information I have been enabled to obtain, they are calculated to average about 4000 annually.

The number of slaves which have been actually landed in the vicinity of this city is stated in the List, and which is supposed to be nearly correct.

Slave vessels mentioned in List No. 1, as sailed for Africa, and do not appear in List No. 2 as returned hither, have either been captured, or have proceeded to other ports, none being ever reported as lost.

The conduct of the authorities is in general favourable to Slave Trade, with the exception of our present President, Senhor Joaquim Jose Pinheiro de Vasconcellos, who has exerted himself to put a stop to it; but not being seconded by the subordinates in office, his efforts have been almost rendered ineffectual. He has succeeded only in one instance in capturing newly-imported negroes, 57 in number; they are now apprenticed to different individuals, being still under the control of Government.

The persons connected with Slave Traffic are chiefly foreigners, namely, Portuguese, Italians, and French, with some few Brazilians. They are mostly second-class merchants, who form joint-stock companies on the sailing of their vessels for the Coast, making their arrangements with the authorities of the place where they intend to disembark the slaves. These authorities are paid either in negroes or money.

The plan generally followed by these companies is to purchase fast-sailing vessels which arrive here from America, with the understanding that the American masters proceed with them to the Coast under American colours, which are only exchanged for Brazilian ones at the moment the slaves are put on board.

The provisions, water, and other necessaries required, are either conveyed by these vessels, or surreptitiously placed on board foreign vessels sailing for that Coast with a general cargo, as particularised in my Despatch (Slave Trade, No. 3) of June 30, 1843.

Other noted vessels leave this port fully equipped for Slave Traffic, and which do not meet with any interruption from the authorities.

Slave Traffic may be said to have considerably increased in this Province during the last 12 months, owing partly to the want of cruisers on this station, which circumstance has caused several individuals to engage in it, who hitherto considered the risk too great.

As no statistical returns have ever been made of the number of slaves existing in this Province, or of the white and coloured population in general, no correct estimate can be given, but from a calculation made by the President of this Province, founded on the number of voters at the elections. He states it to be about 900,000, in proportions of two white, three coloured, and four blacks.

A census has been several times attempted to be put in force by the Government, but from the determined resistance of the inhabitants, who fear enlistment for themselves, and a tax for their slaves, no correct returns have ever been obtained.

The amount and value of exports for the last five years of the staple productions of this country are shown in Lists No. 3 to 5, from which may be deducted, for free labour, about one per cent. from sugar, and five per cent. on the other articles, the remainder being obtained by slave labour.

The treatment of slaves in the city and towns is in general humane; at the plantations greater severity is practised towards them: the same may be said relative to their food and clothing, which in the city and towns may be called good, but in the interior it depends entirely on the disposition and means of their owners. Their hours of labour are from 10 to 12 per day.

Slaves are protected by law from serious ill treatment, which is effective in the city and towns; but in the interior, where defiance is bid to all authority, such protection is of little avail, and may be said to exist chiefly in the sum which the slave may be valued at by his master.

A general emancipation of the slaves belonging to an estate has never yet occurred; but instances are frequently met with where household slaves are liberated by will of their owner on his death, or allowed to purchase their own freedom, and of which indulgence they often avail themselves.

Many of the respectable Brazilians are fully aware of the curse which slavery entails upon their country, and have expressed to me their wish that it could be done away with, remarking, at the same time, that as the whole of their property consists in slaves, by freeing them they would bring beggary upon themselves and their families; but were it possible for the Brazilian Government to remunerate them in a similar manner to that which has been practised by the British Government towards its colonies, and could any suitable substitute be found for the cultivation of their plantations, they would gladly see a general manumission.

I have, &c.

(Signed)

EDWARD PORTER, *Consul*.

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

&c.

&c.

&c.

First Enclosure in No. 281.

No. 1.—List of Vessels which have sailed from Bahia for Africa, from 1st of January 1838, to 31st December, 1842.

Date.	Nation.	Class.	Name of Vessel.	Remarks.
1838.				
April 5	Brazilian	Schooner	Heroína.	
April 6	French	Brig	Montezuma.	
June 5	Portuguese	Schooner	Trovao.	
June 9	Brazilian	Ditto	Duarte Felicidad ^{de} .	
June 19	French	Barque	Napoleon.	
June 26	Brazilian	Schooner	Catharina.	
August 9	Portuguese	Brig	Emprehendedor.	
August 13	Ditto	Yacht	Conceicao.	
August 29	Brazilian	Ditto	Juliana.	
September 29	Ditto	Barque	Augusto.	
October 2	Ditto	Brig	Triumpho.	
October 6	Ditto	Schooner	D. Monica.	
October 19	American	Ditto	Eagle.	
November 3	Portuguese	Brig	Firmeza.	
November 12	Brazilian	Ditto	Nova Aurora.	
December 6	Portuguese	Schooner	Maria.	
December 9	Ditto	Polacca	Destemida.	
December 13	Brazilian	Yacht	Xisto.	
1839.				
January 5	Ditto	Schooner	Simpathia.	
January 19	Portuguese	Ditto	Margarit.	
January 27	American	Ditto	Mary.	
January 27	Brazilian	Ditto	Pampeiro.	
January 27	Portuguese	Yacht	Nova Magdalena.	
March 9	Ditto	Ditto	Conceicao.	
March 9	Brazilian	Ditto	Juliana.	
April 9	American	Brig	Alexandre.	
April 25	Portuguese	Schooner	Emprehendedor.	
May 5	Brazilian	Ditto	Conceicao.	
May 13	American	Brig	Dido.	
May 14	Portuguese	Ditto	Firmeza.	
June 11	Brazilian	Schooner	Duarte Felicidade.	
June 12	French	Brig	Marabout.	
June 17	American	Barque	Louise.	
July 5	Portuguese	Brig	Intrepido.	
July 5	French	Barque	Claudina.	
July 11	Brazilian	Ditto	Augusta.	
July 22	Portuguese	Schooner	Maria.	
July 29	Brazilian	Brig	Nova Aurora.	
August 17	Ditto	Schooner	Golfinho.	
August 18	Portuguese	Ditto	Destinada.	
August 20	Brazilian	Ditto	D. Clara.	
September 15	Ditto	Ditto	Calliopa.	
September 29	Portuguese	Brig	Vigilante.	
October 9	Ditto	Schooner	Nova Magdalene.	
October 22	Brazilian	Ditto	Sociedade Feliz	Slaver.
December 1	Danish	Brig	Margareth.	
December 2	Portuguese	Smack	Conceicao.	
1840.				
January 15	Brazilian	Schooner	Juliana	Slaver.
January 20	Portuguese	Ditto	Maria.	
January 22	Brazilian	Ditto	Picon	Slaver.
February 1	English	Brig	Guiana	Taken.
February 10	Brazilian	Ditto	S. Antonio Victoria.	
March 8	Portuguese	Ditto	Melvira	Slaver.
April 14	American	Ditto	Dido.	
May 19	Brazilian	Schooner	Nova Intrepido.	
May 21	Sardinian	Lugger	Furia.	
July 7	French	Brig	Marabout.	
July 28	American	Ditto	John R. Gardner.	
August 6	Portuguese	Yacht	N. S. das Dores	Slaver.
August 13	Brazilian	Schooner	Juliana	Ditto.
August 22	Ditto	Ditto	Virtude e Uniao	Ditto.
October 21	Ditto	Ditto	Feliz Ventura.	
October 21	French	Barque	Ceres.	
November 4	Portuguese	Schooner	Gracioso Vingativa	Slaver.
November 13	Brazilian	Ditto	Picon	Ditto.
November 29	Portuguese	Barque	Flor d'Amizade.	
December 11	Brazilian	Schooner	Pedro Segundo.	
December 12	Ditto	Ditto	Juliana	Slaver.

List of Vessels which have sailed from Bahia for Africa, &c.—(continued.)

Date.	Nation.	Class.	Name of Vessel.	Remarks.
1841.				
January 7 . . .	Portuguese . . .	Ditto . . .	Gentil Africano.	
February 19 . . .	French . . .	Brig . . .	Marabout.	
February 22 . . .	Brazilian . . .	Ditto . . .	Nova Aurora.	
March 21 . . .	Ditto . . .	Smack . . .	Fortuna.	
March 24 . . .	American . . .	Schooner . . .	Illinois.	
April 15 . . .	Brazilian . . .	Ditto . . .	Novo Intrepido.	
April 23 . . .	French . . .	Brig . . .	Saphir.	
April 25 . . .	Brazilian . . .	Schooner . . .	Firm.	
April 27 . . .	Ditto . . .	Ditto . . .	Pico	Slaver
May 8 . . .	Portuguese . . .	Yacht . . .	N. S. dos Dores . . .	Ditto.
May 30 . . .	Ditto . . .	Schooner . . .	Gracioso Vingativa	
June 5 . . .	English . . .	Cutter . . .	Prince Oscar.	
June 9 . . .	French . . .	Brig . . .	Courier de la Seine.	
July 25 . . .	Portuguese . . .	Ditto . . .	Melvira	Slaver.
August 1 . . .	Brazilian . . .	Yacht . . .	Socorro.	
August 6 . . .	Ditto . . .	Barque . . .	Ermelinda.	
August 16 . . .	Ditto . . .	Schooner . . .	Vencedora.	
August 19 . . .	American . . .	Ditto . . .	Illinois.	
August 29 . . .	Portuguese . . .	Brig . . .	Viagant Feliz . . .	Slaver.
September 5 . . .	Brazilian . . .	Schooner . . .	Picon	Ditto.
September 18 . . .	French . . .	Brig . . .	Cezar.	
September 26 . . .	Ditto . . .	Ditto . . .	Marabout.	
September 29 . . .	Brazilian . . .	Schooner . . .	Juliana	Slaver.
October 3 . . .	Portuguese . . .	Ditto . . .	Anna	
October 8 . . .	French . . .	Ditto . . .	Luiz d'Albuquerque	Suspicious.
October 16 . . .	Portuguese . . .	Smack . . .	Conceição.	
December 12 . . .	Brazilian . . .	Yacht . . .	Mosquito.	
1842.				
January 26 . . .	French . . .	Brig . . .	Philantrope.	
January 26 . . .	French . . .	Ditto . . .	Amelia.	
January 31 . . .	Austrian . . .	Schooner . . .	Eliza Louise.	
February 25 . . .	Sardinian . . .	Brig . . .	Empirio.	
March 5 . . .	American . . .	Schooner . . .	Illinois.	
April 1 . . .	Ditto . . .	Ditto . . .	Shakspere.	
April 10 . . .	Brazilian . . .	Ditto . . .	Novo Intrepido.	
April 25 . . .	French . . .	Ship . . .	Industrie.	
May 5 . . .	American . . .	Brig . . .	Yankee.	
May 25 . . .	Portuguese . . .	Ditto . . .	Novo Paquete.	
June 10 . . .	French . . .	Schooner . . .	Luiz d'Albuquerque	Suspicious.
July 7 . . .	Brazilian . . .	Ditto . . .	Lobo	Slaver.
July 10 . . .	English . . .	Ditto . . .	Dolphin.	
July 18 . . .	Hambro . . .	Barque . . .	Margareth.	
July 20 . . .	Brazilian . . .	Brig . . .	Bomfim.	
July 22 . . .	Ditto . . .	Schooner . . .	Brilhante	Slaver.
July 28 . . .	Ditto . . .	Ditto . . .	Resolução.	
August 5 . . .	Ditto . . .	Ditto . . .	Bomfim	Slaver.
August 26 . . .	Portuguese . . .	Yacht . . .	Graciosa Vingativa .	Ditto.
August 26 . . .	American . . .	Schooner . . .	Shakspere.	
September 20 . . .	French . . .	Brig . . .	Philantrope.	
September 21 . . .	Brazilian . . .	Schooner . . .	Botecudo.	
October 26 . . .	Portuguese . . .	Ditto . . .	Andorinha.	
October 28 . . .	Brazilian . . .	Ditto . . .	Botecudo.	
October 28 . . .	Ditto . . .	Ditto . . .	Carolina.	
November 2 . . .	Ditto . . .	Ditto . . .	Vencedora.	
November 29 . . .	Ditto . . .	Ditto . . .	Theodosia	Slaver.
December 11 . . .	Ditto . . .	Ditto . . .	Bomfim	Ditto.
December 11 . . .	Sardinian . . .	Brig . . .	Anseatico.	
December 20 . . .	Brazilian . . .	Schooner . . .	Graciosa Vingativa .	Slaver.
December 20 . . .	Sardinian . . .	Ditto . . .	Isabella.	
December 24 . . .	American . . .	Brig . . .	Yankee.	

British Consulate, Bahia, 30th July, 1843.

EDWARD PORTER, Consul.

Second Enclosure in No. 281.

No 2.—List of Vessels which have arrived at Bahia from Africa, from 1st January, 1838, to 31st December, 1842.

Date.	Nation.	Class.	Name of Vessel.	Remarks.
1838				
March 18 . . .	Brazilian . . .	Brig . . .	Espadarte.	
April 5 . . .	French . . .	Barque . . .	Napoleon le Grand.	
April 5 . . .	Portuguese . . .	Smack . . .	Dores.	
May 4 . . .	Brazilian . . .	Brig . . .	Amanhao Fallaremos	
June 2 . . .	Portuguese . . .	Do. . .	Intrepido.	
June 11 . . .	Brazilian . . .	Yacht . . .	Maria Victoria.	
June 18 . . .	Ditto . . .	Brig . . .	Porfiro.	
June 26 . . .	Portuguese . . .	Yacht . . .	Maria Magdalena.	
July 3 . . .	Brazilian . . .	Brig . . .	Americano.	
July 13 . . .	American . . .	Do. . .	Alexandre.	
September 17 . . .	Ditto . . .	Schooner . . .	Aguia.	
September 19 . . .	Brazilian . . .	Brig . . .	Feliz Constancia.	
October 12 . . .	Ditto . . .	Schooner . . .	Eroina.	
November 13 . . .	American . . .	Do. . .	Mary.	
December 7 . . .	Brazilian . . .	Yacht . . .	Conceição	
1839.				
January 10 . . .	Brazilian . . .	Schooner . . .	Providencia.	
January 19 . . .	Ditto . . .	Brig . . .	Emprehendedor.	
January 31 . . .	American . . .	Do. . .	Dido.	
February 3 . . .	Brazilian . . .	Barque . . .	Augusta.	
February 7 . . .	English . . .	Brig . . .	Mary.	
March 2 . . .	Portuguese . . .	Do. . .	Firmera.	
March 4 . . .	Brazilian . . .	Do. . .	Triumpho.	
March 19 . . .	Portuguese . . .	Schooner . . .	Maria.	
April 5 . . .	Brazilian . . .	Brig . . .	Nova Aurora.	
April 11 . . .	Portuguese . . .	Smack . . .	Conceição.	
April 25 . . .	Brazilian . . .	Schooner . . .	D. Monica.	
May 22 . . .	Portuguese . . .	Barque . . .	Claudina.	
June 11 . . .	American . . .	Brig . . .	Oriental.	
July 12 . . .	Portuguese . . .	Schooner . . .	Nova Magdalena.	
September 6 . . .	Ditto . . .	Do. . .	Conceição.	
September 7 . . .	Brazilian . . .	Do. . .	S. Ant. Victorioso.	
October 7 . . .	Hamburg . . .	Barque . . .	Margareth.	
November 1 . . .	American . . .	Do. . .	Louise.	
November 6 . . .	Brazilian . . .	Schooner . . .	Duarte Felicidade.	
November 6 . . .	Portuguese . . .	Do. . .	Maria.	
November 27 . . .	Brazilian . . .	Do. . .	Xisto.	
December 21 . . .	American . . .	Brig . . .	Dido.	
1840.				
March 28 . . .	Brazilian . . .	Schooner . . .	Coquette.	
March 29 . . .	Ditto . . .	Do. . .	Juliana.	
April 1 . . .	Danish . . .	Brig . . .	Margareth.	
April 7 . . .	Brazilian . . .	Do. . .	Nova Aurora.	
April 15 . . .	Ditto . . .	Do. . .	Sociedade Feliz . . .	230 Slaves.
April 18 . . .	Sardinian . . .	Do. . .	Vigilant.	
June 7 . . .	Brazilian . . .	Yacht . . .	Grasidao . . .	380 Slaves.
June 22 . . .	Ditto . . .	Do. . .	Juliana . . .	256 Ditto.
August 3 . . .	Portuguese . . .	Do. . .	Gratiosa Vingativa . . .	80 Ditto.
September 19 . . .	Sardinian . . .	Lugger . . .	Furia.	
November 17 . . .	Portuguese . . .	Yacht . . .	N. S. das Dores . . .	137 Slaves.
November 19 . . .	Brazilian . . .	Schooner . . .	Novo Intrepido.	
November 20 . . .	Belgian . . .	Barque . . .	Independence.	
November 24 . . .	French . . .	Brig . . .	Marabout.	
November 26 . . .	Brazilian . . .	Schooner . . .	Juliana . . .	330 Slaves.
December 5 . . .	American . . .	Brig . . .	Alexandre.	
1841.				
January 6 . . .	Brazilian . . .	Schooner . . .	Picon	550 Slaves.
January 8 . . .	Ditto . . .	Do. . .	Virtude e Uniao . . .	80 Ditto.
January 26 . . .	French . . .	Barque . . .	Ville de Marseille.	
March 13 . . .	Portuguese . . .	Schooner . . .	Graciosa Vingativa . . .	60 Slaves.
March 31 . . .	French . . .	Barque . . .	Ceres.	
May 2 . . .	English . . .	Cutter . . .	Prince Oscar.	
June 24 . . .	Portuguese . . .	Smack . . .	Conceição.	
June 28 . . .	American . . .	Schooner . . .	Illinois.	
July 16 . . .	French . . .	Brig . . .	Cesar.	
August 2 . . .	Brazilian . . .	Schooner . . .	Picon	480 Slaves.
August 3 . . .	French . . .	Brig . . .	Marabout.	
September 18 . . .	French . . .	Do. . .	Saphir.	
October 7 . . .	Brazilian . . .	Schooner . . .	Intrepido.	
October 27 . . .	French . . .	Brig . . .	Courier de la Seine.	
December 1 . . .	American . . .	Schooner . . .	Illinois.	
December 2 . . .	Brazilian . . .	Do. . .	Picon	300 Slaves.

List of Vessels which have arrived at Bahia from Africa, &c.—(continued.)

Date.	Nation.	Class.	Name of Vessel.	Remarks.
1842.				
January 3 . . .	Austrian . . .	Schooner . . .	Elisa Louise.	
January 23 . . .	Portuguese . . .	Do.	Anna	Suspected
March 15 . . .	Hamburg . . .	Barque . . .	Margareth.	
March 24 . . .	English . . .	Schooner . . .	Dolphin.	
March 29 . . .	French	Do.	Luiz d'Albuquerque.	Suspected.
March 29 . . .	Brazilian . . .	Do.	Vencedora	Ditto.
March 29 . . .	Ditto	Do.	Picon	450 Slaves.
March 29 . . .	Portuguese . . .	Brig	Viagante Feliz . . .	450 Ditto.
May 13	American . . .	Do.	Lancet.	
June 14	Portuguese . . .	Schooner . . .	Graciosa Vingativa .	80 Slaves.
June 30	French	Barque	Amelia.	
July 6	Ditto	Brig	Philantrope.	
July 7	Austrian	Schooner . . .	Eliza Louise.	
July 11	American	Do.	Shakspere.	
August 24 . . .	Sardinian	Brig	Empirio.	
September 17 . .	American	Do.	Yankee.	
September 27 . .	Brazilian	Schooner . . .	Brilhante	480 Slaves.
October 2	Swedish	Barque	Active.	
October 30 . . .	Brazilian	Schooner . . .	Bomfim	500 Slaves.
November 25 . . .	Portuguese	Yacht	Graciosa Vingativa .	80 Ditto.
December 26 . . .	French	Ship	Industrie.	
December 26 . . .	Brazilian	Schooner . . .	Lobo.	480 Slaves.

British Consulate, Bahia, 30th July, 1843.

EDWARD PORTER, Consul.

TABLE of the Principal Articles of Produce exported from Bahia

Denomination.	Weight or Measure.	Year.	Total Quantity exported.	Great Britain and Channel for orders.	France.	Hanse Towns and Prussia.	Portugal and Colonies.
Sugar . . .	Arrobes of 32lbs. each.	1838	1,849,316	254,704	46,220	853,826	147,943
"	"	1839	3,205,300	620,058	27,419	1,208,744	227,607
"	"	1840	1,985,575	246,886	42,677	887,433	123,638
"	"	1841	2,907,887	892,253	79,130	741,191	189,099
"	"	1842	2,230,323	430,264	37,091	1,050,809	94,544
Cotton . . .	"	1838	155,208	124,615	8761	7327	8442
"	"	1839	191,732	165,837	17,785	5191	1333
"	"	1840	111,890	90,622	15,376	1998	659
"	"	1841	82,882	75,746	3266	833	257
"	"	1842	69,465	48,321	8382	6073	1924
Coffee . . .	"	1838	28,633	3563	4396	14,211	2178
"	"	1839	75,268	13,558	9069	21,497	3431
"	"	1840	69,636	14,235	16,167	6795	3111
"	"	1841	57,324	9773	2285	15,523	7037
"	"	1842	63,249	1657	19,741	12,746	518
Cocoa . . .	"	1838	1877	..	177	1122	173
"	"	1839	5287	802	79	2554	545
"	"	1840	6877	1070	865	1638	970
"	"	1841	7409	1664	600	3887	106
"	"	1842	5238	44	730	1792	17
Rice . . .	Aliqueires of $\frac{1}{8}$ of a bushel each.	1838	1464	11	3	5	633
"	"	1839	9554	8	1	13	5205
"	"	1840	7715	23	..	23	4373
"	"	1841	1657	22	2	26	285
"	"	1842	3037	..	8	42	171
Tapioca . . .	"	1838	506	38	405	6	55
"	"	1839	898	77	130	74	238
"	"	1840	1940	251	383	902	11
"	"	1841	769	117	91	86	10
"	"	1842	840	240	460	68	16
Tobacco . . .	Arrobas of 32lbs. each . . .	1838	100,392	13,937	..	1386	26,334
"	"	1839	319,739	52,149	..	21,630	36,267
"	"	1840	257,458	33,263	152	13,423	89,518
"	"	1841	178,684	14,833	..	9329	47,873
"	"	1842	256,318	1122	2598	18,908	63,440
Rum . . .	Medidas of $\frac{7}{10}$ of a gallon each .	1838	888,993	35,856	41	3767	80,269
"	"	1839	2,059,909	183,350	72	140,731	157,537
"	"	1840	1,412,290	62,669	2623	202,540	43,497
"	"	1841	1,225,165	8799	9914	7896	152,310
"	"	1842	1,271,805	9221	8280	23,418	14,611
Molasses . . .	"	1838	33,099	4136	..	..	2664
"	"	1839	56,300	10,174	..	4712	5480
"	"	1840	30,857	13,300	..	43	6596
"	"	1841	24,682	3800	..	44	9631
"	"	1842	30,186	..	118	93	4512

Fourth Enclosure

TABLE showing the Total Quantity of Produce exported from Bahia

Destination.	Sugar.	Cotton.	Coffee.
	Arrobas.	Arrobas.	Arrobas.
Great Britain and Channel	2,444,165	505,141	42,791
France	232,537	53,570	51,658
Hanse Towns and Prussia	4,742,003	21,422	70,772
Portugal and Colonies	782,831	12,615	16,275
Holland and Belgium	186,118	1524	2335
Italy	532,332	6375	35,298
Austria	2,127,181	3254	38,932
Denmark.	207,391	..	41
Spain	7389	1909	..
River Plate	20,035	..	397
United States	78,829	..	1129
Sweden and Russia.	763,433	4410	3365
Africa and Asia	1809	..	4688
Ports of Brazil	52,348	957	26,479
Total	12,178,401	611,177	294,160

in No. 281.

during the years 1838 to 1842, being raised by Slave Labour.

Holland and Belgium.	Italy.	Austria.	Denmark.	Spain.	River Plate.	United States.	Sweden and Russia.	Africa and Asia.	Ports of Brazil.
40,900	94,793	268,282	12,548	..	7306	7385	89,371	666	25,372
66,421	152,050	602,089	103,043	498	2421	64,383	122,182	330	8055
86,252	76,292	364,776	18,869	6437	4521	21	200,232	172	4996
70,175	139,477	560,207	36,916	..	3247	391	188,272	407	7095
..	69,720	331,827	35,985	454	2540	6649	163,376	234	6830
518	3019	606	..	1909	..	..	..	..	11
..	651	603	..	..	..	..	..	..	332
1006	68	1465	..	..	..	..	..	508	188
..	2637	..	..	..	..	..	..	..	143
..	..	580	..	..	..	..	..	3902	283
78	2002	751	..	..	46	..	17	13	1423
524	10,262	12,685	7	..	63	52	100	321	3699
1530	6893	4931	..	..	89	34	857	4254	10,740
160	7751	9321	34	..	61	..	328	92	4959
43	8390	11,244	..	..	138	1043	2063	8	5658
..	..	37	..	..	234	..	..	..	134
..	..	926	73	..	20	..	3	..	285
764	..	1457	..	..	..	..	108	..	5
87	33	897	..	..	..	..	..	..	135
237	700	..	..	398	800	181	335	..	4
2	7	12	..	2	100	..	..	35	654
..	..	19	..	..	521	2	..	129	2653
..	46	11	..	..	441	4	31	47	2716
..	7	12	..	2	4	..	4	22	1271
..	2	..	..	..	441	63	..	2	2308
..	..	1	..	..	..	..	..	..	1
58	1	..	..	..	..	2	..	2	316
..	..	31	..	..	..	2	6	..	354
..	..	4	..	..	..	..	..	..	461
..	..	..	..	..	..	..	36	..	20
..	8581	..	..	..	131	..	..	46,258	3765
..	53,437	..	..	2000	39	..	..	140,772	13,445
..	32,409	6827	..	8916	1485	..	..	45,350	26,115
413	15,527	5392	..	..	1251	..	..	63,645	20,421
..	26,712	7561	..	31,603	50	..	..	81,430	20,894
67	17,358	314	80	..	240,359	..	121	236,370	274,391
115	104,787	66,817	..	..	598,467	..	470	380,432	427,131
..	71,202	00,732	..	34,578	381,841	..	1025	218,094	293,489
..	39,206	28,511	..	..	483,287	..	225	180,223	314,794
..	43,269	19,753	..	3811	511,291	..	..	288,703	349,448
..	19,366	..	..	..	3816	13	..	3104	..
..	33,266	78	..	..	32	5	..	2521	32
..	5674	4182	..	..	..	47	5	1010	..
..	5505	4301	..	51	51	..	..	1299	..
..	16,520	4512	..	1900	..	..	..	2510	21

British Consulate, Bahia, July 30, 1843.

EDWARD PORTER, Consul

in No. 281.

during the five years 1838 to 1842.

Cocoa.	Rice.	Tapioca.	Tobacco.	Rum.	Melasses.
Arrobas.	Alqueires.	Alqueires.	Arrobas.	Medidas.	Medidas.
3,580	64	723	115,304	299,895	31,410
2,451	14	1469	2750	20,930	118
10,993	169	1136	64,676	378,352	4892
1811	11,667	330	265,432	448,224	28,883
1088	2	58	413	182	..
733	62	1	136,666	275,822	80,331
3317	54	36	19,780	216,127	13,073
73	..	..	..	80	..
398	4	..	42,519	38,389	1951
1054	1,507	..	2956	2,215,245	3899
181	69	4	..	..	65
446	38	42	..	1841	5
..	235	2	377,455	1,303,822	10,444
563	9602	1152	84,640	1,659,253	53
26,688	23,427	4953	1,112,591	6,858,162	175,124

British Consulate, Bahia, July 30, 1843.

EDWARD PORTER, Consul.

Fifth Enclosure in No. 281.

TABLE showing the Value of Exports from Bahia during the years 1838 to 1842.

N.B. The value is given in Reis, Exchange this day, 25*d.* per 1,000 Reis.

Year.	Total Value.	Sugar.	Cotton.	Coffee.	Cocoa.	Rice.	Tapioca.	Tobacco.	Rum.	Melasses.
1838*	..	..	..	..	..	..	..	..	..	..
1839	9,281,118 843†	..	..	..	..	..	..	..	..	..
1840	5,446,466 604	3,801,831 816	702,752,421	205,724 139	14,845 196	13,052 417	3,939 840	457,708 092	243,742 803	2,859 880
1841	5,962,55 758	4,733,743 850	494,691,443	179,702 623	21,810 537	1,274 280	782 580	342,502 800	184,378 890	3,665 750
1842	4,531,495 667	3,206,281 656	409,371,516	197,276 550	16,118 152	2,450 600	2,010 000	525,555 713	168,561 080	3,884 400

* No data exist upon which to found a calculation of the value of Exports for the year 1838.

† No data exist upon which to found a calculation of the value of the different articles exported in 1839.

British Consulate, Bahia, July 30, 1843.

EDWARD PORTER, Consul.

No. 282.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, August 25, 1843.**(Received October 9.)*

MY LORD,

I REGRET much to state to your Lordship that the Slave Trade in this Province has latterly increased in a very great degree, in consequence of the success which has attended it for some time past. One foreign establishment, for instance, which formerly had but two vessels in this traffic, has increased the number to five. These, with several others, are constantly going to and returning from the Coast with slaves.

An instance has lately-occurred in which the American schooner "*Leda*" proceeded to the Coast with a general cargo, returning hither with slaves. They were landed in the vicinity of this city, but the vessel not having any papers, the master was afraid to enter this port.

The President having been informed of this circumstance, sent a force to seize her, and being found abandoned, she was brought into this harbour.

The master of the "*Leda*," Wm. Pearce, returned hither in a Swedish brig, and states that he had disposed of his vessel on the Coast; it is, however, reported that the mate remained as captain, and that the whole has been a speculation for account of these individuals.

A system is now being practised, of sending newly-imported slaves from this to Rio de Janeiro, in the steam-boats carrying a pendant, and conveying the Brazilian Government mails from Rio to Para, and intermediate ports. A case has been stated to me wherein a hundred were thus sent, being shipped here at night, and landed again in the same manner previous to entering the harbour of Rio.

Her Majesty's brig "*Curlew*" arrived here yesterday from Rio, and is to remain on this station for a short period; but a naval force to be any way effective on this coast, ought to consist of fast-sailing vessels drawing little water, as those engaged in the Slave Trade are principally small craft, which invariably creep along the shore to escape notice, and the possibility of being followed by Her Majesty's cruisers.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 283.

*Mr. Porter to the Earl of Aberdeen.**British Consulate, Bahia, August 31, 1843.**(Received October 28.)*

MY LORD,

IN conformity with your Lordship's Despatch (Slave Trade) of May 30, 1843, I have the honour to transmit herewith answers to the Fourteen Queries therein contained.

Every endeavour has been used by me to obtain the required information; but from the total want of authentic returns and documents, no very exact statistical Report can be given.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure in No. 283.

Answers to Fourteen Questions on the State of Slavery in the Province of Bahia.

No. 1.

WHAT is at present the amount of the population of the State in which you reside? What the number of whites and of coloured people forming that

population, distinguishing males from females, and free people from slaves? What was the amount of the population of the same State in the year 1832? and what was the amount in the year 1837, distinguishing the particulars as in the case of the present time?

The population of this Province is estimated to be about 900,000, in proportion of 200,000 whites, 280,000 mulattoes, 20,000 civilised Indians, and 400,000 blacks. The number of females of the free population is supposed to exceed that of the males, but of slaves the proportions are about two males to one female. The number of slaves is not known, but is supposed to be about 200,000. In the year 1832 the population is estimated to have been about 830,000; and in 1837 about 860,000, in proportions similar to those given for the present time.

No. 2.

Is it supposed that any slaves have been imported into the country within the last ten years, either direct from Africa or from other quarters? if so, how many in each year?

Yes; direct from Africa, and about 4000 annually.

No. 3.

Is the slave protected by law equally with a free man in criminal cases?

Yes; but for a crime committed against his master, he is punished with greater severity than a free man would be under a similar circumstance.

No. 4.

What protection is there by law to a slave against ill conduct on the part of his master?

A slave proving ill treatment on the part of his master, the authorities can punish the latter, and oblige him to sell the slave. The penalty for killing a slave is the same as for killing a free man.

No. 5.

Is the evidence of a slave received in a court of law?

Properly speaking it is not, as the slave is not sworn; the judge may, however, examine him in court, giving such credit to his testimony as circumstances may seem to warrant.

No. 6.

Is the slave well or ill fed—well or ill treated?

The slave is tolerably fed; better treated now than formerly, because his value is greatly enhanced since the abolition of Slave Traffic.

No. 7.

Is the slave considered generally to enjoy as good health and to live as long as a free person?

Yes; and if treated well, generally lives to a greater age than a free white man.

No. 8.

Is the slave population considered to be on the increase or decrease, and from what cause?

On the decrease, as the importation of slaves has diminished, and there is a want of females on the plantations.

No. 9.

Is the manumission of slaves of common occurrence?

Of very rare occurrence.

No. 10.

Have the laws and regulations in respect to slaves become more or less favourable to them within the last ten years?

No alterations have been made in the laws and regulations during the last ten years.

No. 11.

Is there in the state in which you reside a party favourable to the abolition of slavery, and what is the extent and influence of such party, and is such party on the increase or otherwise?

None for immediate, a small party for conditional abolition, which is without influence, and not likely to increase.

No. 12.

Is there any difference in the eye of the law between a free white and a free coloured man?

None.

No. 13.

Are free coloured men ever admitted to offices of the State?

Yes.

No. 14.

Whether you have drawn your answers from public documents or from private information? whether any periodical census is taken of the population within the district of your Consulate, and what was the last period at which it was taken?

From private information, obtained chiefly from the President and Authorities of the Province. No periodical census is taken of the population: it has been frequently attempted, but never yet effected; the estimated amount of the population is therefore calculated from the number of voters at the elections.

EDWARD PORTER, *Consul*.

British Consulate, Bahia, August 31, 1843.

BRAZIL. (*Consular*)—*Maranham*.

No. 284.

*The Earl of Aberdeen to Mr. Corbett.**Foreign Office, March 8, 1843.*

INSTRUCTION to make a Report on Slave Trade and Slavery, in the Province of Maranham.

(See Despatch of same date to Her Majesty's Commissioners at Rio de Janeiro, Class A. No. 149, page 176.)

No. 285.

*The Earl of Aberdeen to Mr. Corbett.**Foreign Office, May 30, 1843.*

QUERIES as to state of Slave Trade and Slavery in the Province of Maranham.

(See Despatch of same date to Her Majesty's Commissioner at Surinam. Class A, No. 212, page 301.)

No. 286.

*Mr. Corbett to the Earl of Aberdeen.**British Consulate, Maranham, July 24, 1843.**(Received September 22.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the Slave Trade Series), dated 8th March, 1843, instructing me to prepare and transmit to the Foreign Department, without delay, a Report, showing the state of Slave Trade and Slavery throughout the district coming within my official cognisance.

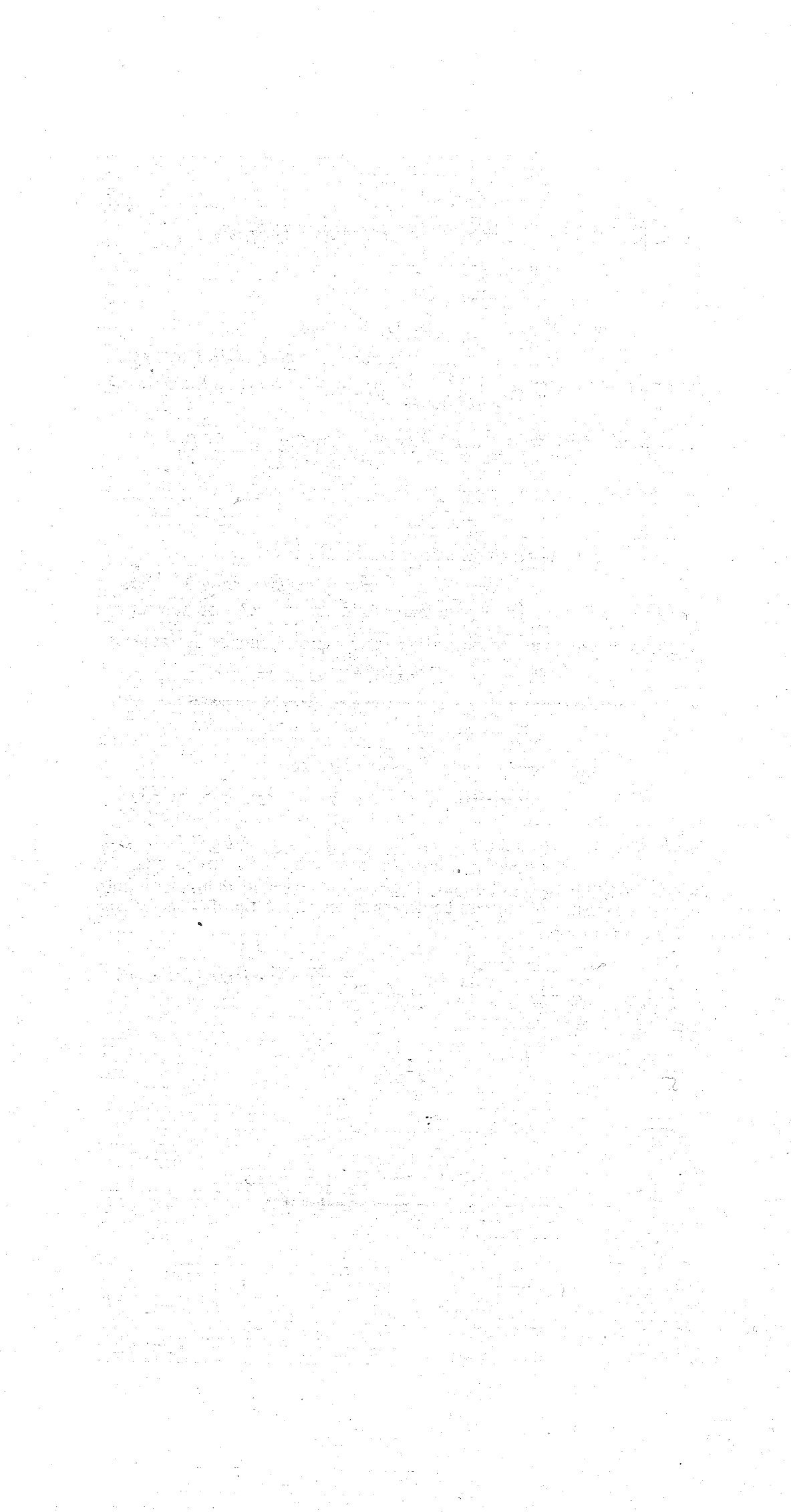
I have, &c.

(Signed) R. F. CORBETT, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.



BRAZIL. (*Consular*)—*Para.*

No. 287.

The Earl of Aberdeen to Mr. Ryan.

SIR,

Foreign Office, February 11, 1843.

I HAVE received your Despatch (Slave Trade) of the 30th September last, requesting instructions for your guidance in the position of Administrator to the property of a British subject, the whole of his property not being sufficient to pay his debts, and part of it consisting in a female slave, whose value the creditors would, under the circumstances, rigorously claim.

From your statement it appears that, as Administrator, you would be called upon to sell the slave; I therefore enclose for your guidance a copy of a Despatch which, by my direction, was addressed, under nearly similar circumstances, to Her Majesty's Consul at St. Jago de Cuba; and from which you will learn that it will be advisable that you should decline to administer to the estates of deceased persons in cases in which slaves may form any part of the property of the deceased.

I am, &c.

Richard Ryan, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 287.

*Mr. Bidwell to Her Majesty's Consul at St. Jago de Cuba.**Foreign Office, March 12, 1842.*

(See Enclosure in No. 31, page 33.)

No. 288.

*The Earl of Aberdeen to Mr. Ryan.**Foreign Office, March 8, 1843.*

INSTRUCTION to make a Report on Slave Trade and Slavery in the Province of Para.

(See Despatch of same date to Her Majesty's Commissioners at Rio de Janeiro, Class A. No. 149, page 176.)

No. 289.

*Mr. Ryan to the Earl of Aberdeen.**British Consulate, Para, December 31, 1842.**(Received March 16, 1843.)*

MY LORD,

I HAVE the honour to inform your Lordship that, during the quarter ending this day, there have been no vessels fitted out at this port for Slave Trade purposes, nor have any slaves been landed during this interval on any part of the coast of this Province.

I am sorry, however, to say, that on the coast of the Province of Maranhão, a vessel from Africa has succeeded in landing slaves to the number of 400, as reported here.

Her Majesty's steam ship "Growler" arrived here on the 22nd instant, from Maranhão, after a fifteen days' cruise, and confirms the fact of the slaves being landed, but is ignorant of their number.

I have, &c.

(Signed)

RICHARD RYAN, *Consul.*

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

No. 290.

*The Earl of Aberdeen to Mr. Ryan.**Foreign Office, May 30, 1843.*

QUERIES as to Slave Trade and Slavery in the province of Para.

(See Despatch of same date to Her Majesty's Commissioner at Surinam, Class A. No. 212, page 301.)

No. 291.

*Mr. Ryan to the Earl of Aberdeen.**British Consulate, Para, June 15, 1843.**(Received August 14.)*

MY LORD,

I HAVE been honoured with your Lordship's Despatch bearing date 11th February last, transmitting, for my information and guidance, copy of one your Lordship caused to be addressed to Her Majesty's Consul at St. Jago de Cuba, on the 12th March, 1842, relative to the sale of slaves, the property of the late Mr. Coltman of that place; but, my Lord, it appears by the said Despatch, that those slaves were sold by executors, and consequently under a will; and uninformed as I am of the case laid before your Lordship by Her Majesty's Consul at St. Jago, as regards the sale of the slaves in question, I cannot see the similarity of position in which I am placed to that of said Consul, because existing executors, and who, of course, were the sellers of the slaves, and not the Consul in his capacity as such, it naturally follows that he incurred no personal responsibility, while, in my case, all such would attach to my act of sale.

Taking this view of the case, my Lord, I hope your Lordship will pardon my submitting this question anew for consideration to your Lordship, under the following view of the case.

The slave in my possession must be disposed of under my authority in my Consular capacity at a public sale, or in said capacity be made formally over to the competent Brazilian tribunal, the only authority competent to liquidate intestate national property, as well as that of foreigners, when Consuls refuse to administer. My doubt, is my Lord, would British law oppose the execution of either of the above official acts of a British Consul?

I have, &c.

(Signed)

RICHARD RYAN, *Consul.**The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

No. 292.

*Mr. Ryan to the Earl of Aberdeen.**British Consulate, Para, July 1, 1843.**(Received August 30.)*

MY LORD,

I HAVE the honour to inform your Lordship, that during the quarter ending yesterday, no slave ships have appeared on any part of the coast of this Province, nor have any been fitted out for this traffic within its jurisdiction; but I regret to say, a ship has succeeded in landing a cargo of slaves on the coast of Maranham during last month.

I have, &c.

(Signed)

RICHARD RYAN, *Consul.**The Right Hon. the Earl of Aberdeen, K. T.,*

&c.

&c.

&c.

No. 293.

The Earl of Aberdeen to Mr. Ryan.

SIR,

Foreign Office, October 9, 1843.

YOUR Despatch of the 15th of June last, in which you request further instructions as to the disposal of a slave, forming part of the property of a de-

ceased British subject, to whom you are acting as Administrator, has been referred to the Law Officers of the Crown.

In accordance with their opinion, I have now to instruct you that, under the circumstances stated in the Despatch above-mentioned, the proper course for you to adopt, will be to allow the Brazilian tribunal referred to, to act in the distribution of the intestate's property; and that you should execute such document as may be required by the Brazilian law for the purpose.

The Law Officers of the Crown are of opinion that by so doing you will not render yourself liable to any penalties of the English law.

I have, &c.

Richard Ryan, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 294.

Mr. Ryan to the Earl of Aberdeen.

MY LORD,

British Consulate, Para, October 1, 1843.

(Received November 28.)

I HAVE the honour to inform your Lordship, that during the quarter ending yesterday, no slave ships have appeared on the coast of this province, nor have any slaves been imported by coasting ships during this period, and no attempt has been made to fit out any ships for slaving purposes.

I have, &c.

(Signed)

RICHARD RYAN, *Consul*.

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

BRAZIL. (*Consular*)—*Paraíba*.

No. 295.

*The Earl of Aberdeen to Mr. Newcomen.**Foreign Office, March 8, 1843.*

INSTRUCTIONS to make a Report on Slave Trade and Slavery in the Province of Paraíba.

(See Despatch of same date to Her Majesty's Commissioners at Rio de Janeiro. Class A. No. 149, page 176.)

No. 296.

*The Earl of Aberdeen to Mr. Newcomen.**Foreign Office, May 30, 1843.*

QUERIES as to state of Slave Trade and Slavery in the Province of Paraíba.

(See Despatch of same date to Her Majesty's Commissioner at Surinam, Class A. No. 212, page 301.)

No. 297.

*Mr. Newcomen to the Earl of Aberdeen.**Paraíba, June 26, 1843.**(Received August 14.)*

MY LORD,

I HAVE to acknowledge the receipt of your Lordship's Despatch of the 8th March, 1843, pursuant to the instructions contained in which, I shall send in my Report, as far as the information I can collect will enable me so to do.

I have, &c.

(Signed)

BEVERLEY NEWCOMEN.

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

&c.

&c.

&c.

No. 298.

*Mr. Newcomen to the Earl of Aberdeen.**Paraíba, July 24, 1843.**(Received September 21.)*

MY LORD,

I HAVE to report that within the last five years no vessels have sailed for Africa direct from this or any other port within my district; but, that in the year 1841 the "*Temerário*," a Brazilian barque, having sailed from Pernambuco for Africa, was dismasted off O'Linda, and put into this port in distress; when she had lain here about two months, the "*Rosa*," a brig also sailing under the Brazilian flag, was sent here from Pernambuco; and the cargo, consisting principally of articles required by none but vessels employed in the Slave Trade, being transferred to her, she proceeded on the voyage originally undertaken by the "*Temerário*," which was sold by auction; these vessels were provided with guns, and had on board as passengers about 20 persons, each having a separate adventure, consisting of such things as are usually bartered for slaves on the Coast of Africa; yet, although the nature of the business in which they were engaged was matter of public notoriety, no steps were taken

by the authorities against the master or owners; the "*Rosa*" took in a cargo of 950 blacks, 350 of which number having died on the passage, it is to be presumed from the overcrowded state of the vessel, she landed only 600 in the Province of Pernambuco, on the confines of Paraiba.

The authorities connive in the most open manner at the inland illegal traffic in slaves carried on between this and the adjoining Province of Pernambuco; nor does there exist a solitary instance of any black imported into this Province subsequently to the passing of a law of the Regency, dated November 7, 1831, prohibiting the importation of slaves into Brazil, having obtained his freedom pursuant to the provisions contained in the ninth and tenth Articles of a Decree of the Regency made on the 12th of April, 1832, for the purpose of carrying into effect the said law. With the exception of two Portuguese merchants, residents in this town, who act as agents between the slavedealers in Pernambuco and the Senhors d'Engenhos of this Province, who live at too great a distance to attend the sales of contraband slaves in Pernambuco, there are not any persons within my district engaged in the Slave Trade, further than in purchasing for their own use the newly-imported slaves, by which, under the fourth Article of the before-mentioned law of November 7, 1831, they render themselves liable to certain penalties, and, in a secondary degree, to the expense of re-exporting the slaves so purchased by them. It is always well known when a slaver is expected, and where she purports landing her cargo, at an appointed time; therefore, those who intend making purchases repair to the place of rendezvous, some of them coming from great distances in the interior of the Provinces of Alagoas, Rio Grande North, and Paraiba; indeed, the authorities are the only persons ignorant of the proceedings going forward; but (if report be not a sad calumniator) they are from the highest to the lowest well paid for their blindness to the shameful and (if a law which those charged with its execution unanimously treat as a dead letter, be worthy the name) the illegal vending of their fellow creatures, as though they were so many brutes. I should enlarge upon the manner of landing, receiving and selling contraband slaves, and the mode of carrying on the trade generally, were it not that the great northern slave emporiums being situated within the Province of Pernambuco, the Report which your Lordship will have received from that Consulate, renders superfluous any remarks of mine.

It is rather difficult to form an exact estimate of the population, as there has not been a census taken since the declaration of the Independence, I have, however, ventured on compiling, from information obtained from the most authentic private sources, a table of the population of this Province for the last five years, and can vouch for its being at least sufficiently correct for all practical purposes; the deaths among the newly-imported slaves are in a ratio of three to one: so your Lordship will perceive that any inference as to the number of slaves annually imported into this Province, drawn from the amount of the annual increase of the slave population given in this table, must needs be very erroneous. While upon the subject of slave population, I would humbly suggest for your Lordship's consideration the advisability of endeavouring to prevail on the Brazilian Government to institute an Act for the annual registration of slaves, with a clause providing for the freedom (by confiscation), at the end of each year, of all slaves who are found to have been unregistered within that year. If such an Act did not give (as I believe it would) a serious check to the illegal traffic in slaves, it would at least afford to Her Majesty's Consuls, who would, as a matter of course, have access to the registry books, the means of ascertaining to a certainty the number of contraband slaves annually imported. Up to this period there has not been a tax levied upon any but urban slaves; the Minister of Finance now, however, proposes to lay on additional taxes to the amount of 10,000,000,000 reis, in order to meet the growing deficiency in the revenue, which at present only produces 14,000,000,000 reis, while the expenditure for the year 1842 amounted to 24,000,000,000 reis. Amongst other methods of raising the requisite sum, a tax is proposed to be levied on slaves employed in agriculture; and, should this be the case, I presume the Government will be obliged to institute some such act as I speak of, in order to protect the revenue from such frauds as would doubtlessly be practised against it by slave-owners, who would, as those liable to the tax upon urban slaves have always

been in the habit of doing, give in false returns of the number of slaves possessed by them.

A TABLE of the Population of the Province of Paraiba do Norte, during each of the five years ended 31st December, 1842.

Slaves.					
	1838.	1839.	1840.	1841.	1842.
Male . .	54,150	56,854	59,100	62,090	63,980
Female .	26,512	27,830	28,300	30,000	31,500
Children	6,051	6,353	6,800	7,700	8,950
Total	86,713	91,037	94,200	99,790	104,430

Free Coloured People.					
	1838.	1839.	1840.	1841.	1842.
Male . .	74,000	77,700	78,980	81,680	82,900
Female .	65,000	68,735	70,540	71,900	72,140
Children	11,207	12,780	13,900	15,140	17,050
Total	150,707	159,215	163,420	168,720	172,090

White People.					
	1838.	1839.	1840.	1841.	1842.
Male . .	10,200	11,120	12,965	14,220	15,500
Female .	9,400	10,100	11,863	13,640	14,876
Children	3,120	3,980	4,856	6,500	7,890
Total	22,720	25,200	29,684	34,360	38,266

Indians.					
	1838.	1839.	1840.	1841.	1842.
Male . .	2,447	2,340	2,290	2,204	2,187
Female .	1,940	1,897	1,782	1,640	1,399
Children	497	520	570	660	700
Total	4,884	4,757	4,642	4,504	4,286

Ere giving the amount and value of the exports, for the last five years, of such staple productions of the country as are grown, wholly or principally, by slave labour, I would premise that, while the sugar is entirely produced by slave labour, at least two-thirds of the cotton is produced by the labour of free people, and consequently does not come within that class of exports, returns of the amount and value of which your Lordship requires: I do not, however, exclude it from my returns, as the one-third produced by slave labour must give employment to a considerable number of persons.

AMOUNT and Value of the Export, from the Province of Paraiba do Norte, for the five years ended 31st December, 1842, of such staple Productions as are produced wholly or in part by Slave Labour.

Sugars.

Years.	Packages.			Weight.				Value in Sterling.	
	Cases.	Barrels.	Bags.	Tons.	cwt.	qr.	lb.	£	s. d.
1838	1,047	514	7,497	1,543	8	2	22	21,530	14 6
1839	1,150	619	8,157	1,742	9	1	6	24,684	0 0
1840	1,059	619	8,078	1,109	5	1	90	20,432	0 0
1841	1,704	1,061	18,070	2,498	4	1	11	31,838	0 0
1842	804	985	7,923	1,711	4	3	12	13,966	15 0
Total.	5,814	3,798	49,725	8,340	12	2	15	112,451	9 6

Cotton.

Years.	Bags.	Weight.				Value in Sterling.	
		Tons.	cwt.	qr.	lb.	£	s. d.
1838	14,750	1,157	3	2	4	73,450	5 0
1839	13,264	1,045	5	0	16	64,022	0 0
1840	12,426	841	0	0	0	72,528	0 0
1841	12,361	1,008	10	3	22	57,458	10 0
1842	10,000	839	9	1	26	43,020	5 0
Total	62,801	4,891	9	0	12	310,479	0 0

Slaves upon the sugar plantations are very hardly used by some planters, being worked both day and night, and, in seasons of scarcity, much stinted in food. Those employed in the cultivation of cotton are much better treated; they are assisted by their owners in getting in the harvest, and in picking and cleaning the cotton; and, like slaves employed solely for domestic purposes, are looked upon as members of the family, being, with few exceptions, well fed and clothed, and lightly worked: among this class, there are instances of the emancipated slave's voluntarily continuing in his former owner's service, with little or no remuneration. There is in existence a law, purporting to be for the protection of slaves, which prohibits masters from flogging, or inflicting other corporeal punishments upon them, and requires that, on a slave's having committed any offence, his master should make a petition to a magistrate, stating the nature of the offence, and praying that the offender may be punished; the magistrate then sentences him to a certain number of lashes, which he receives in the prison from one of the police. This, however, like most of the Brazilian laws, is merely nominal; for I can myself bear witness, that slave owners here flog their slaves in a most cruel manner, without an appeal to any tribunal other than their own inclination; and even when they do send them before a judge, they need only state the number of lashes they desire to have administered, and their wishes will be complied with, without any inquiry being made into the circumstances of the case. Full emancipation has been, and is being, practised to a very limited extent; and only in cases of some singular service having been rendered by the slave, or upon the death of a master, when it is usual to give freedom to such slaves as had been long in his service, and had conducted themselves well. I use the word "full" in speaking of emancipation, which at once renders the slave perfect master of his actions, in order to distinguish it from a conditional emancipation, which prevails here to a much greater extent, by which freedom is given to the slave, conditioned upon the master's being served by him during his life, either without any, or with a very trifling remuneration. Slaves who have received their freedom upon such conditions usually make very good and faithful servants. Freedom is also frequently given to slaves upon condition of their paying to the person who freed them a stipulated sum, weekly, during their lives. There are many instances of domestic slaves, principally of the Congo nation, and resident in or in the vicinity of towns, purchasing their own freedom; but those employed on the sugar plantations are debarred all hope, having neither an opportunity of making money to purchase their freedom, nor the most remote chance of being emancipated, since they are not regarded in the light of servants—I might almost say of human beings—but as part and parcel of the sugar estate, with which, on the death of the proprietor, they will be sold to the highest bidder.

I have, &c.

(Signed) BEVERLEY NEWCOMEN.

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

&c. &c. &c.

No. 299.

Mr. Newcomen to the Earl of Aberdeen.

Paraiba, October 26, 1843.

(Received December 31.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's letter, of May 30, 1843, and beg leave to send, annexed, answers to the several Queries contained therein.

RETURN of the Population of the Province of Paraiba do Norte, for the years 1832, 1837, 1843.
1832. Total 240,292.

Whites.		Coloured: Including Blacks and Mulatto's of all shades.	Slaves.	Indians.
Male . .	16,340	70,726	52,140	3,460
Female .	13,333	58,997	23,185	2,111
Total	29,673	129,723	75,325	5,571

1837. Total 279,112.

Male . .	17,650	79,565	61,051	2,897
Female .	15,290	70,101	30,415	2,143
Total	32,940	149,666	91,466	5,040

1843. Total 328,644.

Male . .	20,085	95,128	70,375	2,040
Female .	19,328	83,045	37,232	1,411
Total	39,413	178,173	107,607	3,451

No. 2. It is well known that slaves have been imported into my district, within the last ten years, not, however, direct from Africa, but overland and coastways, from Pernambuco and the more southern provinces; and it is supposed that the amount of such importations averages about 1500 souls annually.

No. 3. The slave is protected by law equally with a free man, in criminal cases.

No. 4. A slave is by law protected against ill-conduct on the part of his master, who is prohibited from flogging or inflicting other punishment upon him, until he has been had up for examination before and sentenced by the proper officer, who sends him to the prison of the district in which the offence has been committed, that the punishment awarded may there be administered by the police. It is, however, my duty to add, that though such a law exists in the letter, it is dead in the spirit; as I, from personal experience, can state, that masters both can and do ill treat their slaves with impunity; indeed the impossibility of a slave's obtaining (under this pseudo-protection act), redress for ill treatment received at the hands of his master, is proved to a demonstration by the fact, that a slave can only give evidence or demand justice in a court of law, through and in the name of his master, whom the law looks upon as his "tutor" or guardian: holding him responsible for the acts of his slave, except in cases of capital crime; when the latter must be delivered up to justice.

No. 5. A slave is not receivable, as a witness in a court of law, in many cases; however the Judge can, with the consent of his master, and the assistance of the "Curador" or "Curator," nominated by the same, take his information in writing.

No. 6. Slaves are frequently both ill fed and ill treated.

No. 7. The slave is not considered generally to enjoy as good health, nor to live so long, by an average of ten years, as a free person.

No. 8. The slave population is considered to be on the increase, owing partly to the continuation of the contrabrand traffic, but I believe in a greater degree, to the fact, that the risk undergone by slavers, and the difficulty of importing new slaves, have been so much increased by the *vigilance* of Her Majesty's steamers of war, as to induce the more intelligent slaveholders to turn their attention to the breeding of slaves upon their own estates; with this object in view, they have most materially meliorated the condition of their female slaves, who have consequently become so prolific, that I may venture to assert, the annual increase in the slave population is much more considerable now than it was at a period when the amount of the annual importation was infinitely greater.

No. 9. The manumission of slaves is a thing of very uncommon occurrence.

No. 10. There have been no alterations in the laws and regulations in respect to slaves within the last ten years.

No. 11. There is not in the Province in which I reside, any party favourable to the abolition of slavery.

No. 12. There is not any difference in the eye of the law, between a free white and a free coloured man.

No. 13. Free coloured men are admissible to offices of the State, but their holding such is a thing of very rare occurrence.

No. 14. My answers have been drawn from private information; and there is not any periodical census taken of the population within the district of my Consulate.

I have, &c.

(Signed)

BEVERLEY NEWCOMEN.

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

&c.

&c.

&c.

BRAZIL. (*Consular*)---*Pernambuco*.

No 300.

*Mr. Cowper to the Earl of Aberdeen.**British Consulate, Pernambuco, December 31, 1842.**(Received March 1, 1843.)*

MY LORD,

I HAVE much satisfaction in informing your Lordship, that no vessel has either sailed for, or arrived from the Coast of Africa during the past quarter, and although one vessel is loading for, and two are expected thence, there can be no question of the rapid decay of this unnatural traffic.

The beneficial effects of the efforts of Her Majesty's Government to destroy this trade, appear to me to be little appreciated. Those efforts have for many years considerably diminished the importation in this country, and as a consequence increased the value of the slaves: there are persons here who recollect the time when a slave might be purchased for £10 more or less; at that period, I am informed, a black child was a rarity; the proprietors of slaves discouraged by all the means in their power any sexual intercourse amongst them; and if a slave became pregnant, and from strength of constitution could support the excessive labour, inadequate food, and ill treatment, sufficiently to arrive at parturition, in many cases the children were destroyed, in others were left to die of neglect.

At that time it was also the interest of the proprietors to obtain the greatest possible work in the least possible time, and at the smallest cost, from the slave; and they carried this principle out to its fullest extent. They would not breed slaves: it was cheaper to buy them: if any of these unfortunates became ill, they were left to die; the death of the man or the chance of it, being a better speculation for his master than the certain expense of an uncertain cure. The extreme horrors of the Slave Trade were not then confined to the middle passage: they ended only with the wretched existence of the miserable victim to the cupidity of his fellow creatures. It is beyond the powers of my belief to suppose that the negro's condition in Africa was worse than this: there he might have been a captive, or he might have died a violent death had he remained; but here, without country, relation or friend; without pity, sympathy or hope, he was looked upon as a brute: he was treated worse, and he died a death to which any tortures his countrymen could have inflicted upon him would have been trifles.

But by the exertions of Her Majesty's Government, the price of a slave is raised to £60 and upwards; he is a valuable piece of property; he is still worked hard, but not to death; he is still a slave, but not quite the outlaw he was, for to kill him is murder; if he is sick even, an attempt is made to cure him; he is not too well fed, but he is no longer starved; his children are taken care of, but not cheered; and in fact he is now as well off as the rest of the live stock of an estate; and, instead of dying daily, he is allowed to live and to take his rank with the horses, cattle, and pigs.

But the communications which I have been enabled to make to your Lordship, of the state of the traffic here during the two past quarters, are, thanks to the continued efforts of Her Majesty's Government, prognostics of greater ameliorations in the condition of the slave; for it is to be hoped, that the increase in his value will soon render it obvious to the proprietors, that slave labour is more expensive than free, and that they will then cease to hold their fellow men in bondage; and wipe off from the fair face of their country the dark mass of immorality which slavery has engendered.

For no one, my Lord, would credit, but from personal observation, the astonishing want of principle in the free people of colour; with very few exceptions, they work only when want compels them, and then merely to satisfy the

immediate necessity; the consequence of which is, that they are remarkable for dishonesty, for their contempt of truth, and their utter disregard of all morality; the females are the prostitutes, and the men the assassins of the Empire. And why? because, as they say, "they are not slaves!" Unfortunately they have a class beneath them, and therefore in place of labour, the only thing which can make a man really free, they are ready to commit any baseness; a slave cannot labour profitably: labour is the gift of nature to man, that he might remain free, and none but a slave can look upon it with disgust; the sooner, therefore the precious boon is consigned to its proper guardians, the happier will it be for the Brazilian people.

If such is the miserable condition of the population of this province, that the very source of all national wealth, power, honour and morality is condemned as unworthy a freeman, to what conclusion can we come, but that until the Empire is governed upon justice, principles, and, first of all, by the abolition of the false and unnatural one of slavery, it can never be wealthy powerful or moral?

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.

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

No 301.

The Earl of Aberdeen to Mr. Cowper.

Foreign Office, March 8, 1843.

INSTRUCTION to make a Report on Slave Trade and Slavery in the Province of Pernambuco.

(See Despatch of same date to Her Majesty's Commissioners at Rio de Janeiro, Class A. No. 149, page 176).

No. 302.

The Earl of Aberdeen to Mr. Cowper.

Foreign Office, May 30, 1843.

QUERIES as to state of Slave Trade and Slavery in the Province of Pernambuco.

(See Despatch of same date to Her Majesty's Commissioner at Surinam, Class A. No. 212, page 301).

No. 303.

Mr. Cowper to the Earl of Aberdeen.

British Consulate, Pernambuco, May 8, 1843.

(Received June 12.)

MY LORD,

I HAVE the honour to request your Lordship's instructions under the following circumstances, which might very probably recur in a country recognising the institution of slavery.

A British subject, named George Anglin, Book-keeper to Messrs. Starr and Co., died upon the 6th ult., intestate, and I may add insolvent; as the proceeds of his property will not pay his creditors one-fourth of their claims. I took an inventory of his goods in Mr. Starr's presence, and have since caused them to be disposed of by public action.

But an unlooked-for difficulty presented itself, which I have met, without precedent or instructions to guide me, I trust to your Lordship's approbation: Mr. Anglin died possessed of a slave, whom he had caused to be imprisoned for an attempt upon his life; at the period of his decease the slave remained in jail, and the creditors desire me to take cognisance of the man, as being a part of Mr. Anglin's property. This I have from the very commencement refused to do, upon the ground that I would not sanction by any act of mine, public or private, the right of any British subject to possess slaves.

The creditors have applied to the Chief of the Police to deliver the man to them, which he refuses without my order, and this I shall not give.

Your Lordship will understand that the Brazilian law would not permit me to free the man, and the tribunals have most probably the power to deliver him to the creditors; but they certainly have no power to make me become a party to the transaction: I shall therefore allow matters to take their course without offering any active resistance, which would be quite useless, and could only irritate the public mind on so delicate a subject.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.

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

&c.

&c.

&c.

No. 304.

Mr. Cowper to the Earl of Aberdeen.

British Consulate, Pernambuco, May 8, 1843.

(*Received June 12.*)

MY LORD,

SHAMEFUL as the connivance of the Brazilian Authorities with the illegal importation of slaves has so long and so notoriously been, yet, with seven years' experience of the Brazilian Empire, I do not recollect a circumstance of such barefaced breach of the law upon the one part, and of official impurity upon the other, as in the case which I am about to relate to your Lordship.

Upon the 22nd ultimo, information was received in this city, that the "*Temerario*," belonging to Pernambuco, had landed, or was at that time landing, almost in sight of Olinda, 816 slaves, out of 913 unfortunate wretches who had been crushed into her upon the Coast of Africa. Every circumstance of her proceedings was almost hourly made known here: the dreadful state of disease in which the poor creatures were, the number of those who died, and of those given to the Authorities to be temporarily blind, the price per head paid to the owner of the estate who received them, &c. &c., until at last, it was said that in four days 300 had perished of dysentery, and that the remaining 400 were to be marched into Pernambuco. This, my Lord, has been actually done; and, not until this was accomplished, did the Authorities think proper to interfere. And how?—By freeing the 400 Africans! By no means; they became, in turn, exceedingly blind in the city, and perfectly wide awake at the place of disembarkation; they therefore, after allowing the contrabandists to make all these arrangements, sent a schooner of war along the coast to prevent a breach of the law, which they were aware had been accomplished ten days before.

This gross breach of Treaty, of national and internal law, perpetrated under the very eyes of the Barão da Boa Vista—an individual ambitious of the title of "great," and who is looked upon, and in some measure with justice, as one of the first men in Brazil—impelled me, in the first instance, to address an expostulatory note to his Excellency; but, upon consideration of the necessity, during the impending negotiations, for a commercial Treaty, of soothing, rather than irritating the popular clamour against Great Britain, and also the difficulty of proof upon a subject which, although notorious, reached me through secret agency, I have abstained, but I would strongly recommend, should your Lordship concur with me, that, upon any and all similar occurrences, an official intimation of my knowledge of them would have a salutary effect.

I would also respectfully represent to your Lordship, that the Naval force upon this station is inadequate in point of number to its duties. This port has not been visited by a vessel of war for a considerable period, and one has not been stationed here for some years.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.

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

&c.

&c.

&c.

No. 305.

The Earl of Aberdeen to Mr. Cowper.

SIR,

Foreign Office, June 20, 1843.

I HAVE received your Despatch marked "Slave Trade," of the 8th of May last, reporting your proceedings with respect to the property of a British subject, the owner of a slave, who had died intestate and insolvent; and requesting Instructions for your guidance in cases of a similar nature.

Under the particular circumstances of the case in question, as represented by you, the course which it appears from your letter that you adopted, seems to have been the most prudent and proper.

I transmit to you, for your future guidance, a copy of a Despatch which, by my directions, was addressed under circumstances of a nearly similar nature, to Her Majesty's Consul at St. Jago de Cuba, from which you will learn that it will be advisable that you should decline to administer to the estates of deceased persons in cases in which slaves may form any part of the property of the deceased.

I am, &c.

Henry Augustus Cowper, Esq.
&c. &c.

(Signed) ABERDEEN.
&c.

Enclosure in No. 305.

Mr. Bidwell to Her Majesty's Consul at St. Jago de Cuba, Foreign Office,
March 12, 1842.

(See Enclosure in No. 31, page 33).

No. 306.

*Mr. Cowper to the Earl of Aberdeen.**British Consulate, Pernambuco, June 30, 1843.**(Received, August 21.)*

MY LORD,

I HAVE the honour to enclose to your Lordship the quarterly Returns ending this day, of the vessels employed in the Slave Trade between the Coast, of Africa and this Port.

I defer my remarks upon the present Enclosure until I shall have the honour of replying to your Lordship's Despatch, marked "Slave Trade," dated 8th March last.

(Signed)

H. AUGUSTUS COWPER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 306.

List of ARRIVALS of Vessels suspected of being employed in Slave Trade at Pernambuco, from the Coasts of Africa, during the Quarter ending June 30, 1843.

Date of Arrival.	From whence.	Name of Vessel.	Name of Master.	Consignee or Owner.	Rig.	Tonnage.	Nation.	Cargo.	Remarks.
1843. May 21 . . .	Angola. . .	Temerario . .	Jesuino Jose Simoes	To order . . .	Barque . .	381	Brazilian .	936 Slaves . .	Landed at Catuama upwards of 800 negroes

N.B.—This is the vessel mentioned in my Despatch marked "Slave Trade, No. 3," dated the 8th of May, 1843.

Second Enclosure in No. 306.

List of DEPARTURES of Vessels suspected of being employed in Slave Trade from Pernambuco to the Coasts of Africa, during the Quarter ending June 30, 1843.

Date of Sailing.	To what part.	Name of Vessel.	Name of Master.	Name of Owner.	Rig.	Tonnage.	Nation.	Cargo.
1843. April 7 . . .	Angola .	St. Antonio Flor de Brazil	J. Rodris. Dias	Angelo F. Carneiro	Schooner .	56	Brazilian .	21 barrels sugar; 14 pipes, 18 1/4 pipes, and 39 barrels rum. Value, 252/6s. 10d. sterling.

Third Enclosure in No. 306.

List of Vessels suspected of being employed in Slave Trade, loading in the Port of Pernambuco for the Coasts of Africa, upon June 30, 1843.

Date of Arrival.	From whence.	Name of Vessel.	Name of Master.	Consignee or Owner.	Rig.	Tonnage.	Nation.	For what part of the Coast loading.	Remarks.
1842.									
May 28	Sierra Leone	Ermelina . . . .	. . . .	Angelo Frac. Carneiro	Barque	244	Brazilian	Angola	
1843.									
January 17	Lisbon	Paçta. de Madeira	Ante. Joqm. Rodrigues	V. T. dos Santos	Pataxo	94	Portuguese	Benguela & Angola	Expected to sail in ten days.
March 10	St. Catherine's	Francelina	Carac. Forais de Lacerdu	Gabriel Antonio	Ditto	218	Brazilian		
May 21	Angola	Temerario	Jozac, José Simoes . . . .	. . . .	Ditto	381	Ditto		

H. AUGUSTUS COWPER, *Consul*.

No. 307.

*Mr. Cowper to the Earl of Aberdeen.**British Consulate, Pernambuco, August 4, 1843.**(Received October 9.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, "Slave Trade," dated the 8th of March last, but which did not reach this Consulate until the end of June.

The difficulties of framing a Report, such as your Lordship requires, would appear almost insuperable in a country where the Government possess no statistical information whatever; whose most experienced employées are so unacquainted with this indispensable fundamental knowledge, that the amount of the population is stated by one to be 1,300,000, and by another only 289,000 they possess neither agricultural, commercial, criminal, vital, or indeed any other records from whence anything like valuable information can be derived. I saw, therefore, that to comply with your Lordship's Instructions, I should be obliged to rely upon my own exertions and research. I felt that upon so important a subject your Lordship's interrogations could not be faithfully answered upon the reports of persons, who, from their education and habits, were incapacitated from forming large and enlightened views, or who, from their interests, were likely, voluntarily, to mislead. The Consular Archives, the Custom-house, and Export Offices, the Bureau of the Presidency, and certain works in my own library, supplied me with the means of forming those Tables which I have the honour to enclose. But I deemed it necessary to judge from personal observation what was the actual state of the prædial slaves in this Province, and what the sentiments of their masters. Of the Urban slaves, I might be allowed to speak with considerable confidence, after an experience of eight years; but from the nature of my occupations I had rarely been enabled to penetrate in those strongholds of irresponsible tyranny on the one part, and of helpless suffering upon the other, the Engenhos, excepting to pay a hurried visit to some friend, when, from obvious causes, my observations must have been, and indeed were, extremely limited. Before the receipt of your Lordship's Despatch. I had frequently seen the slaves during the crop time, and I was anxious to witness their boasted days of leisure; in this object I have been amply satisfied as far as the cultivation of sugar is concerned. The short time during which I could absent myself from my regular duties, the state of the weather and roads, which are deemed impassable at this season of the year, prevented my penetrating so far inland as the Cotton Fazendas for the present; I, however, had the satisfaction of visiting the following 13 principal Engenhos of the Province, and of passing over a space of 200 miles, "Engenho Velho," "Junqueira," "Jurisaca," "Boa Vista," "Massangano," "Merces," "Salgado," "Genepapo," "Caité," "Agoa Fria," "Anjo," "Trapiche," and "Jaçerú."

Trusting that this proceeding will have enabled me to offer to your Lordship a Report upon which certain reliance can be placed, I will now proceed to answer your Lordship's Despatch in detail. I have not been enabled to comply with your Lordship's instructions to the full extent; Enclosures Nos. 1 and 3 being for a term of four years, in lieu of five, and the Population Returns of various dates.

Your Lordship will perceive by my Enclosure, No. 1, that during the last four years 44 vessels of 6944 tons burthen, and 684 men, have left this port, for the Coasts of Africa; and that 50 vessels of 7551 tons, and 693 men, have returned from thence, landing 8310 slaves, or, at an average, somewhat more than 2000 slaves per annum. These are the number actually landed; but if we add those who may have been captured by Her Majesty's ships, and those who have died upon the passage, the number of those embarked must have reached 12,000, or 3000 per annum. It is, however, most gratifying to me to be enabled to point out to your Lordship the extraordinary decline which took place in this unnatural traffic during the last year, not, I regret to state, from any increased vigilance in the authorities, whose conduct cannot be too strongly reprobated, or from any spread of humanity amongst the people, but partly from the obstacles thrown in the way of the traders on the Coast, and partly from the want of money in this Province to pay for the slaves, when Rio de Janeiro offers a ready market, although certainly one of more difficult attainment.

As far as the authorities are concerned, I do not believe that they would

offer any obstacle to the landing of slaves on any part of this Coast without the actual harbour of Pernambuco; the case of the "*Temerario*," (which I had the honour to report to your Lordship on the 8th of May last) is sufficient evidence of this fact; and, if in an instance like that, the President's own brother (and that President the Baron of Boa Vista, one of the most justly distinguished and respected men in the Empire,) could have been guilty, not of connivance only, but of actually receiving Rs. 10,000 a head for warehousing them, what could be expected from inferior persons? Indeed, the class of people who support this traffic are not the lower orders: they might possibly be most opposed to emancipation, but they seldom have the means of importing slaves. Occasionally a poor wretch sends his earnings to Africa for a slave; but, if many deaths have occurred during the passage, the poor man's slave is sure to have been amongst the victims: it is a rare occurrence, too, for newly-imported slaves to remain in the city: they are usually marched off to the *Engenhos*, that by their most bitter labour they may supply the earth with its sweetest production. There can be no doubt that the *Senhore de Engenhos* are the support of the Slave Trade in this province, but that trade has certainly declined; an effort, however, seems to be now making to renew it by the still notorious *Lisboa*, or *Azevedinho*, as he is popularly called; he has offered to purchase the "*Columbus*," (a vessel celebrated in the trade for her swiftness) for Rs. 30,000, or upwards of 3000*l.*, and he has proposed to Captain Green, who commands her, the sum of Rs. 20,000, or 2000*l.*, to take one trip only to Africa in her. I presume that Captain Green will decline the offer; but I believe that the sale of the vessel has been referred to Messrs. M'Calmont & Co., of London, her owners.

Through the favour of the President, I am enabled to forward to your Lordship a Statistical Map of the Population of Pernambuco in 1838, (Enclosure, No. 2,) by which it would appear that there existed in the Province of that date 289,601 persons of all colours; of whom 213,046 were free, and had been always so; 6394 had been slaves, but had either purchased their freedom or it had been presented to them; 68,458 were slaves; and 1703 were foreigners. In this table I have distinguished the males from the females, according to your Lordship's Instructions; but I fear that it is very imperfect: indeed, the President, in presenting it to the Provincial Chambers, observed, "that the Statistical Map of the Population of the Province, which I present to you, has been organised by the Secretary of the Government, through the prefects of districts, who, after immense delays, transmitted them from these districts; I believe it to be most imperfect, as it presents a total inferior to that returned in 1829, and we may rationally suppose, from the fertility of the soil, the salubrity of our climate, and the facility with which the means of existence are acquired amongst us, that the population must have greatly increased since that period." On the other hand, José Bernardo Fernandez Gama, who has been an employée of the Government all his adult life, states the amount of the population in 1840 to have been 1,300,000, two-thirds of whom he supposes to be slaves: an American author, "Anthony Finlay," of Philadelphia, gives the number of inhabitants in 1829 at 520,000; and the Weimar Almanac, quoted by M'Culloch, states it to have been 602,205 in 1823. Amongst such conflicting testimonies it is impossible to arrive at any correct statement of the population; but notwithstanding the President's remarks, I am of opinion that there are so many moral causes in Brazil to counterbalance the blessings which he has enumerated, that the population has decreased: slavery and its attendant evils; the astonishing extent of concubinage and venereal diseases; early marriages, and not particularly wholesome food, have all this tendency. I do not imagine that it has decreased to anything like the extent mentioned in these Reports, but still less can I believe that it has ever amounted to Gama's estimate. I believe, and in this I am supported by the best informed persons in the Province, that it probably contains from 500,000 to 600,000 souls, 100,000 being slaves, 350,000 free coloured people, and 150,000 or 200,000 whites; the number of males somewhat exceeding that of females, but not to any considerable amount: of these 40,000 slaves are engaged in the cultivation of sugar, 25,000 in that of cotton, and the remainder in domestic occupations, (mostly women) and in the cities.

My Enclosure, No. 3, will present to your Lordship Tables of the Amount

and Value of the Exports for the last Four Years of the Staple Productions cultivated by Slave Labour. It would appear by these that the amount of production has varied but little, but that, owing to the depression of the exchange, its value in British money has declined: this being a financial question, and only indirectly connected with the subject upon which I am writing, I shall proceed at once to state to your Lordship the result of my observations upon the treatment and condition of the slaves.

Of the 13 Engenhos which I visited, the four last, "Agoa Fria," "Trapiche," "Anjo," and "Jaçeu," belonging to Colonel Gaspar de Menezes Vasconcellos Drummond, afforded me the greatest interest, and, as regards the state of the slaves, may be looked upon as the locality where they are treated with the greatest humanity in this Province. The proprietor of this noble property, situated within a ring fence, and bounded by two navigable rivers, the Seringhaem and Formosa, is one of the most interesting and remarkable men with whom I have had the good fortune to meet in Brazil, and I should not flatter him, indeed, if I added, in any country; he is anciently descended from a noble Scotch family, of which he is extremely proud, and the Vasconcellos rank amongst the first families of this Empire; his brothers have been for many years employed in Europe, in the diplomatic service of Brazil, and he himself in its army until eight years past, when he purchased his Engenhos, without having visited Europe. Colonel Drummond, possessing natural talents of the highest order, has employed them in the acquirement of knowledge of the most varied description; his physical powers are perfectly astonishing, and his habits offer the most striking contrast to the general indolence of the people. He is probably 50 years of age, slightly made, with nothing very remarkable in his appearance, than an eye of astonishing brilliancy: he often rises at daybreak, mounts his horse, superintends the labours of his people, and returns at night frequently without having tasted food. He tells me that after this he sometimes dictates 20 Despatches to his Secretary, which his official situation as Delegate of the police obliges him to attend to. His estates are the best cultivated in the Province; they extend three leagues along the coast from the embouchures of the Seringhaem to that of the Formosa, and seven leagues inland. They produce 1000 cases of sugar, besides mandioca, Indian corn, &c., and are worked by 400 slaves, and perhaps 50 freemen. Anjo and Trupiche have six-horse powers team engines, and Agoa Fria and Jaçeu engines, worked by water-power, all of English manufacture. His stills for the distillation of rum are also British; indeed so strongly is Colonel Drummond attached to Great Britain, that he never admits the manufactures of other countries upon his estates. The system by which he governs the slaves is peculiar; he has drawn up a code of laws avowedly upon the principles of the martial law; each slave that is purchased, or who arrives at a discretionary age, has this code explained to him, and by it alone can he be tried or punished for his offences. No overseer or administrator can punish a slave; he dare not even strike him, he must bring him before the Colonel, who reserves the judicial power entirely in his own hands; the men are mustered at daybreak, and answer "Prompto" to their names; the women, "Senhor." If any one is unwell, instead of replying he steps out; and the Colonel, who to his other qualifications, adds those of an excellent physician, examines him, and prescribes accordingly; the promptos then go to their work, taking their food with them, and do not return until eight in the evening, when they are again mustered and dismissed. An interesting ceremony takes place at this time: the children, or as the Colonel calls them, his "Caçadores," are mustered with their calabashes of food in their hands, and not being under such severe discipline as their parents, pull the Colonel about, slap him, and play all sorts of tricks; at the word of command, "Agora," they draw up, the Colonel enquires "Esta servildo?" "Sim senhor," they scream together; "bom esta com fome?" sim Senhor," "então via comer;" and away they scamper as happy as if they were not slaves.

Colonel Drummond endeavours to prevent concubinage, by marrying the girls off as they attain their eighteenth year: he does not force this upon them, but if they afterwards commit themselves, he sends them to the fields, which they naturally dislike, for the hoe is a dreadful instrument for a female to wield; he does not allow a woman to perform labour after the fifth month of her pregnancy, and she continues her light domestic occupations for twelve

months after her child is born, that she may rear it. His domestic slaves are all females, and are never allowed to pass the threshold, but sit for fifteen hours a day making clothes for the rest of the slaves.

The *Sanzula*, or slave building, at *Trapiche*, is a perfect picture of comfort and neatness; but I cannot speak so favourably of this portion of his other *Engenhos*. Each slave is allowed two suits of clothes per annum and a blanket; their rations are served out once a week, consisting of dried beef from *Ceara*, and *farinha*; the quantity, the military allowance to the soldiers of the line; they work eighteen hours per diem during the crop-time, and fourteen during the season of comparative rest.

I have been thus particular in describing Colonel Drummond, not only because his system with the slaves presents a pleasing contrast to that which I have to report, but because I foresee that, in the event of Her Majesty's Government requiring information or assistance in any project of Brazilian Emancipation, Colonel Drummond might prove a most valuable auxiliary, partly from his fortunately strong Anglican prejudices, and from his influence, wealth, and talents. His views upon this subject, which he appears most anxious to see effected, as he assures me most of the respectable proprietors of the Province do, are, that a loan should be contracted in Europe for the Brazilian Government, under the guarantee of Great Britain, who should propose her own security, (he named the Province of *Para*, which he justly considers of no value whatever to the Brazilians, but which would be invaluable to England,) who should forego the interest of the money for six years; that the slaves should then be emancipated, and the proprietors compensated; that the labourers should be apprenticed for six years; and as a set-off, a land tax be levied during that period to pay off the principal of the loan. In addition to the apprenticeship, he proposes, that Her Majesty's Government should offer no opposition to the importation of free African Colonists under similar restraints to those placed upon the emigration now going on in our own colonies.

I have spoken of "irresponsible tyranny." I propose to offer to your Lordship one or two examples of it, which may demonstrate how a slave may be ill-treated in Brazil, and with what absolute legal impunity the most barbarous and abominable crimes may be perpetrated at the *Engenhos*.

The *Engenho* "*Genipapo*" situated in the most beautiful portion of this really exquisite Province, was last year the scene of an act of wild retributive justice perpetrated upon its proprietor, Colonel Antonio Francisco de Rege Barros, one of the most ferocious monsters that ever disgraced the name of man. During the last elections he was opposed in politics by a neighbouring proprietor, Colonel Pedro Uchôa, a person very generally esteemed, and of considerable influence; indeed this very influence caused Colonel Antonio Francisco to order two of his slaves to waylay and murder his unfortunate political opponent. The friends of Colonel Uchôa immediately armed their slaves, and attacked *Genipapo*, the owner of which fled, but they found his wife and two male cousins there; the latter endeavoured to escape, one fortunately succeeded, the other was butchered. Things might have remained in this state, but Colonel Antonio Francisco not only thought proper to return, but to arm his people and send a defiance to his enemies, who were not slow in accepting it. They attacked his *Engenho*: his slaves, to whom he had been a horrible demon, deserted him; he escaped to the tiles, from whence he was shot down dead, and his house and works destroyed. It was in this state that I found this once enchanting spot, and there I had all the worst reports respecting this wretch confirmed. However improbable some of these stories may appear to your Lordship, I cannot doubt them, as I have seen some of the poor creatures whom he mutilated. He is most positively stated to have worked his slaves, women as well as men, twenty hours per diem; to have been in the constant habit of maiming them; and he is said to have actually killed upwards of twenty in his fury. If a woman offended him, his favourite punishment was the injection of pepper vinegar into the vagina, if a man, emasculation. He killed one man, a slave of course, who, suffering under acute syphilis, disturbed him by his groans, by cutting away his parts with a razor; and he is accused of burying several persons alive, some say one of his own children. But the following story I had confirmed by the mother and sister of the victim: having formed a strong desire to possess a very pretty child, the daughter of one of his

white tenants, he caused her to be stolen from her parents and brought to Genipapo; he kept her there under the same roof as his wife, who, of course dared not complain, until she had borne him two children, when he either discovered her in an intrigue with a young man who was upon a visit at the Engenho, or he fancied her guilty. He called two of his slaves and ordered them to dig a grave, and to put the girl into it: they dragged her out, but overcome by her tears, allowed her to escape. Upon their return, probably answering their master evasively, he ordered them to go with him and show him the body: it is needless to add that he discovered the fraud which had been practised upon him, and caused the poor fellows to be castrated.

It is often urged, my Lord, that masters will not injure their slaves from motives of interest: the preceding story is an example of how much stronger some of the passions are in a man's mind than self-interest, and I will mention one other instance, as it has occurred very recently.

Some months since the owner of the Engenho "Caga Fogo," was murdered, it was asserted, by a slave, who succeeded in escaping; the family used every exertion to apprehend him, and having expended Rs.600 in these efforts, succeeded about a fortnight since. The present owner, Sr. Vieira, a man of notorious brutality, publicly invited his acquaintances to visit him last Sunday, for the purpose of seeing the man boiled alive in the sugar boiler of the estate; and although I cannot say that I have had this horror confirmed, the answer to all enquiries is, "if Vieira said so he will do it." The invitation was so public that the authorities had time for interference; they offered none. This man has also emasculated many of his blacks, which is a favourite punishment with some proprietors.

I have here presented to your Lordship the best and worst features of prædial slavery as they exist in this Province. I fear that if there are not many proprietors to be found so brutal as Antonio Francisco de Rego Barros, or Vieira, there are still less to be met with so humane as Colonel Drummond. Upon the whole, it would be absurd to deny that there is no protection afforded by the laws to these people. They are kept in a state of the darkest ignorance; they are baptized for form's sake, but are never instructed in religion, and, no doubt, actually worship the images of the saints, as probably resembling their African gods; their daughters are always debauched when quite children; and their wives (if they are allowed them) only protected by the loss of beauty, brought on by the thousand ills they suffer. They are overworked. Who can deny it? If a well-fed horse is used for one fourth of the time per day, that our ill-fed fellow men are worked, he will become a skeleton; and yet these people are worked eighteen hours a day! It is most monstrous, my Lord, and scarcely explicable how nature can support itself; but I verily believe that the degradations to which slavery gives rise in the majority of men actually destroys their intellect, their reason, and levels them with the brutes, leaving nothing more to direct and guide their actions than general instinct. Power being thus withdrawn from their reasoning faculties, falls into their physical, and enables them to support treatment the most degrading, and sufferings the most acute, which under any other circumstances would annihilate them. They are ill fed: even those few who have sufficient in quantity, would die, they could not live long; upon the unwholesome and continual salt beef or fish, which is their unchangeable diet, were it not that they rob the precious limited hours allowed them for sleep, to catch rats or crabs for food, or, perhaps worse, become in secret dirt eaters, and die the most horrible of deaths. They are ill-clothed; let us take the most favourable part of my Report, Colonel Drummond's property, where they have two suits a year: for the men, a shirt and a pair of trowsers; for the women, a shift and a frock. Can persons, constantly hard at work, keep themselves clean with such a wardrobe, and in such a climate? The air is infected by the smell of their bodies, which has erroneously been attributed by ignorant prejudice to the colour of their skin; whereas I have often met with filthy white men in the tropics, with precisely the same disgusting odour; and on the contrary, in Pará, where the blacks are remarkably clean, the "catinga," as this smell is called, is almost unknown. They are denied many of the privileges of beasts, who are at least, allowed to tend their young; these men are not. The birds pair at will; these are prohibited, excepting at the will of a capricious master. They are not citizens; if they are denied natural and legal rights, it is not astonishing their political are withheld from

them. In a word, my Lord, all the worst features of slavery exist in this Province; the endeavour of the master is to suppress alike the intellect, the passions, and the senses of these poor creatures, and the laws aid them in transforming the African man into the American beast.

The urban slaves are, like most inhabitants of cities, a more independent class than the prædial slaves, and very many of them lead a demi-free life, by entering into an engagement with their masters to allow them to work in the streets, and pay them so much per diem, usually about two shillings. In this class may be enumerated the "Ganhadores," or porters, boatmen, canoemen, the fruitwomen, and female pedlars; some few domestic servants, and a considerable number of prostitutes. Many of these persons are ultimately enabled to purchase their freedom, and are unquestionably the most independent and industrious of their class; indeed they are living examples of how much better man can perform voluntary labour (which theirs may be termed) than compulsory. They are rarely punished, for few of them would submit to it: they would at once escape either into the interior or abroad. Generally, too, the urban slaves are infinitely better treated than the agricultural: barbarous atrocities cannot be committed upon them with the same impunity as upon the latter. The few instances of regard with which some slaves are treated, is confined to the urban slaves; and amongst the cases of brutality which have come under my observation, I regret to say, British subjects have been their authors: of course the bulk, indeed the whole, of the British slaveholders are inhabitants of the city; and there is no exception to the infringement of the desires of our Government, if not of the positive laws of our country, amongst those who can afford it in Pernambuco; but the mercantile house of Crabtree and Co.

and myself. It was only a few years ago that an Englishman, still resident here, did all in his power to purchase a slave, for the avowed purpose of killing him which obliged his master to send him to Rio de Janeiro: the same individual has suspended one of his slaves by the heels, and had him flogged until he became insensible; and he is notorious for his prejudice against colour, and his inhumanity to those who possess a black skin. During the very first week after my return to Brazil, I was invited to a dinner party, my wife and several ladies being present: whilst at table we were disturbed by a noise upon the stairs, the door was burst open, and an unfortunate slave (who had ran away, some time before), rushed in, pursued by soldiers; he seized a knife from the table, and cut his throat from ear to ear before our faces. Your Lordship may imagine the horror caused by this event: the man was dragged down stairs; our host, an Englishman, begged that we would not be disturbed by this occurrence. It was, however, of too serious a nature for us who had not our pure British feelings contaminated by the slave system to bear. I, therefore, descended, and, as I found the man unattended, sent a servant for a surgeon, and took out my handkerchief to bind up his throat. This caused great amusement to the soldiers, who did not understand that a slave merited so common an act of humanity; no surgeon thought proper to visit the poor man for two hours; and when one did appear, he examined his wound in so superficial a manner, that he turned round and said, that as the man could not live an hour, it was useless to attempt any remedy. My Lord, the man was left as he was; he got up that night and walked in the garden; upon the third day he was still alive, and worms were appearing about his wound. His master then sent him to the hospital, where he lived for three months, and would doubtless, have recovered, if he had been properly attended to in the beginning; but he was a slave, my Lord, which is sufficient to account for any inhumanity. A very few months past, an English lady was beating, or threatening to beat, a poor slave boy for breaking something; when, in despair, he leaped from the window and was dashed to pieces. A similar circumstance occurred shortly afterwards to another English lady, but fortunately, the boy fell into a water tub, and only sprained his ankle. Another English lady locked one of her slaves up for some offence very lately—the man hanged himself. These instances will, I trust, suffice to demonstrate to your Lordship the state of slavery both in town and country.

With respect to emancipation, it is never, or very rarely practised. Slaves occasionally purchase their own freedom; but the Brazilians are too proud of possessing slaves to manumit them; and the Government are so indifferent to their own laws, that of the 20,000 slaves which must have been introduced into

the Province illegally since 1831, I have never heard of the emancipation of one: yet, whether from a want of money, a conviction that slavery cannot long exist, or a desire to increase the number of labourers by free emigration, or all combined, I have no hesitation in saying, that total emancipation might be effected in this Province almost without a murmur. I never was more mistaken in my life, if the question has not resolved itself in the minds of the majority of the upper and middle classes—indeed, the thinking portion of the community—into one of money, not of principle. There is little or no prejudice against colour here; there is a desire to possess slaves, but there is still a greater to possess money. There are no abolitionists from principle; there are many (almost all) abolitionists from pecuniary necessity. The enthusiastic abolitionist of Great Britain must not think of the annihilation of slavery unless he can pay for it; let him put money in his purse, and I believe his purpose to be effected. He will meet with no sympathy with his exalted humanity: if he waits for that, the present generation and their children must remain slaves; but if he can pay for them, they are his.

Immediate emancipation would be of course the most expensive, though the most desirable mode for abolishing slavery: the least expensive, the enforcement of the laws of 1831, relating to the contraband introduction of Africans. Whether there are means of effecting the first, your Lordship can judge; the latter could not be effected without bloodshed. Of the gradual mode of emancipation, the most humane, and at the same time most effectual, although I have never heard it proposed, would be the immediate manumission of all the women: no slave would ever more be born; for the children of free women are free. We should then protect that sex, who, less able to protect themselves, most need our care: they would apply themselves to the natural duties of women, the care of their children and their homes;—how superior would the condition of the men become!—to whom might be applied Captain Chamier's (I believe) proposal of allowing them to purchase their freedom day by day. A few years and slavery would become extinct, and that without any great sacrifice of money, for the proprietors could scarcely claim any very great compensation for such a mode of freedom.

Finally, A most important point appears to be always overlooked in the Government of Brazil, namely, that it is a nation of blacks, not of whites: the latter do not number one-fifth of the entire population of the Empire; and although they still remain the dominant class, by the debasing principle of slavery, yet that emancipation which cannot be far distant, the intended extensive introduction of free Africans, and the dissemination of knowledge, consequent upon the state of freedom, should prepare us for that to which it is difficult to blind one's self, namely, the ultimate ascendancy of the blacks. In the sugar provinces such as this, situated too near to the Equator for white men to support field labour, this not only appears to be the most probable, but the most natural destiny, if not of Brazil, at least of Pernambuco.

I have now the honour, my Lord, to conclude this Report, regretting that the means at my disposal have prevented my offering such a paper as I could have desired; but assuring your Lordship that I have used every exertion to make it as acceptable as possible,

I have, &c.

(Signed) H AUGUSTUS COWPER, *Consul*.

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

&c. &c. &c.

First Enclosure in No. 307.

NUMBER and Names of Vessels which have arrived from the Coasts of Africa within the Province of Pernambuco, during the year 1839.

Date of Arrival.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	From what part of the Coast.	Where Cargo was Landed.	Remarks.
January 16	Brigantine	Portuguese	Curinga	130	14	Angola		
January 19	Schooner	Ditto	Suramento	164	14	Ditto		
February	Brigantine	Ditto	Maria Rita	95	20	Ambriz		
March 5	Schooner	Ditto	San Joze	110	11	Angola		
March 18	Brig	Ditto	General Cabreira					
March 20	Schooner	Ditto	Tindal	111	13	Angola		
April 29	Brig	Ditto	24th July	178	19	Mozambique		
May 12	Schooner	Ditto	Bom Successo	133	15	Angola		
May 18	Ditto	Ditto	12th January	156	16	Ditto		
May 28	Ditto	Ditto	Cuspe Fogo	60	5	Ditto		
June	Brig	Ditto	Novo Abismo	250	14	Ditto		
July 26	Schooner	Ditto	Providencia	90	14	Ditto	Pao Amarello	Landed 135 slaves; captured by the Brazilian brig of war "Constanca;" ultimately liberated.
September	Brig	Ditto	General Cabreira	111	13	Ditto	Catuama	Landed 360 slaves; proceeded to Bahia.
October 4	Schooner	Ditto	Tindal	268	13	Ditto	Pao Amarello	Landed 260 slaves; reports mats, &c.
October 9	Brig	Ditto	Esperanga	180	22	Ditto	Pernambuco	Palm-oil, wax, &c.-21-passengers.
November 6	Brigantine	Ditto	Esperancia	120	15	Ditto	Catuama	After landing 264 slaves, reports oiler.
November 14	Brig	Ditto	Jozefa	189	14	Ditto	Pernambuco	Wax, mats, &c.; the Master reports that the vessel was robbed by a pirate of 400 slaves.
November 16	Ditto	Brazilian	Pernambucana	200	19	Ditto	Ditto	Palm-oil, &c.
December 22	Ditto	Portuguese	Conceição de Maria	161	15	Ditto	Serinhem	Loaded 440 slaves, landed 420.
December 22	Ditto	Brazilian	Aracati			Ditto	Pernambuco	Mats, wax, &c.
December 22	Ditto		Novo Despique			Ditto	Serinhem	Reported a cargo of slaves to have been landed, and the vessel proceeded on to the southward.

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 307—continued.

NUMBER, and Names of Vessels which have sailed from Pernambuco, for the Coasts of Africa during the year 1939.

Date of Clearance.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	For what part of the Coast.	Cargoes.			
							Sugar.	Rum.	Molasses.	Rice.
January 31	Schooner	Portuguese	12th January	156	14	Loanda	Arr. lbs	Canadas.	Canadas.	Alquiers.
February 24	Brig	Ditto	Governor Vidal	200	20	Mozambique	75 0	11,320		
February 26	Schooner	Ditto	Esperanca	272	23	Loanda	98 24	6112		
March 16	Brigantine	Ditto	Eugenia	163	21	Ditto	307 3	21,598		
March 27	Brig	Ditto	Jozefa	192	18	Ditto	..	2125	1260	
May 10	Brigantine	Ditto	Maria Rita	1 0	18	Mozambique	578 15	12,527	1381	
June 6	Schooner	Ditto	Tindal	80	19	Loanda	..	9812	306	
June 19	Brig	Ditto	Curinga	124	13	Ditto	116 8	7614	..	47½
July 3	Brig	Brazilian	Pernambucano	189	14	Ditto	121 24	15,327	576	29½
July 16	Schooner	Portuguese	12th January	114	17	Ditto	4	27,818	2344	
July 23	Ditto	Ditto	Formiga	83	13	Ditto	336 6	6304		
July 24	Brig	Ditto	24th July	162	20	Goa	77 22	9318	Specie 8328	287
August 2	Schooner	Ditto	Rom Successo	116	16	Loanda	323 20	7449	844	
August 8	Barque	Ditto	Veriato	205	22	Mozambique	403 4	20,344	Specie 3804	
November 6	Schooner	Ditto	Cuspe Fogo	64	12	Loanda	601 4	3060	Specie 860 280	
November 8	Brig	Ditto	Novo Abismo	240	22	Ditto	53 10	4880	Specie 100	Specie 407 421
November 21	Schooner	Ditto	San José	88	16	Ditto	279 13	27,420	680	Specie 695 200
							230 13	7132		

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 307—continued.

Number and Names of Vessels which have arrived from the Coast of Africa, within the Province of Pernambuco, during the year 1840.

Date of Arrival.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	From what part of the Coast.	Where Cargo was landed.	Remarks.
February 16	Brigantine	Portuguese	Maria Rita	100	18	Angola	Catúama	Landed 350 slaves, did not appear at this Port, supposed to have gone to Bahia.
March 6	Schooner	Ditto	Formiga	83	10	Ditto	Pernambuco	Both cargoes, wax, palm oil, &c.
"	Ditto	Ditto	San José	77	16	Ditto	Catúama	Landed 468 slaves, and reported at this Custom-House to be in ballast.
April 24	Brig	Ditto	24th July	178	18	Mozambique	Ditto	Landed on the night of the 8th of May, either 268 or 274 slaves; reports in ballast.
May 16	Schooner	Ditto	Paçte. de Madeira	75	10	Ditto	Near Itamarau	Received on board 145 slaves, landed only 75 to 80 negroes; remainder died during the voyage.
"	Ditto	Ditto	Cuspe Fogo	65	12	Angola	Maria Farinha	Received on board 413 slaves, landed 387; 26 died on the passage; reports ballast.
June 14	Brigantine	Ditto	Esperiençia	187	10	Benguela	Pernambuco	Cargo, wax, matts, &c.
August	Brig	Brazilian	Sia. Maria Boa Sorte	221	20	Angola	Ditto	Ditto, ditto.
September 11	Ditto	Ditto	Boa Ventura	192	17	Ditto	Catúama	Took on board 520 slaves, landed 480; reports at this Custom-House in ballast.
"	Ditto	Ditto	Uniao	244	14	Ditto	Ditto	Received on board 650 slaves, which were landed in safety; reports in ballast.
"	Barque	Portuguese	Andorinha	271	19	Ditto	Ditto	Landed 260 slaves; on arrival in harbour reports in ballast.
"	Schooner	Ditto	San José	78	12	Angola	Pernambuco	Passengers.
November	Ditto	Brazilian	Espadarte	125	13	Benguela	Ditto	Ditto, palm oil, wax, &c., and proceeded to Rio de Janeiro.
December	"	Ditto	Pacifico	305	10	Angola	Ditto	
"	Brig	Portuguese	Conceicao Maria	203	17	Ditto	Ditto	

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 307—continued.

NUMBER and Names of Vessels which have sailed from Pernambuco for the Coast of Africa, during the year 1840.

Date of Clearance.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	For what part of the Coast.	Cargoes.			
							Sugar.	Rum.	Molasses.	Rice.
January 22	Brigantine	Portuguese	Esperiência	159	20	Benguela	Att. lbs.	Canadas.	Canadas.	Alquieres.
February 5	Brig	Ditto	Conceição de Maria	181	20	Monte Video	329 23	15,410	Specie 507,815	
April 15	Schooner	Ditto	San Jozé	88	15	Loanda	659 3	21,751	Specie 13400	
April 23	Brig	Brazilian	Boaventura	192	15	Ditto	326 9	8,204	2,812	
August 8	Brigantine	Portuguese	Esperiência	159	16	Benguela	800 24	36,070	1,400	Specie 562,600
September 12	Brig	Ditto	Triumphante	232	17	Mozambique	127 25	9,882	Specie 1898,145	892 4000 cigars
October 2	Ditto	Brazilian	San Manoel Augusto	236	15	Loanda	300 6	22,224 ³	880	96 18000 cigars
October 7	Ditto	Ditto	União	244	16	Ditto	960 27	30,590		
November 10	Ditto	Portuguese	Oliveira	203	16	Angola	151 28	36,830	160 ⁶ / ₄ gold pieces	
November 13	Ditto	Ditto	Conceicao de Maria	179	14	Quillimane	1,035 22	17,660	3337 ⁴ gold pieces	
December 13	Schooner	Ditto	San Jozé	88	14	Loanda	107 7	17,445	325 ⁹ / ₄ gold piéces	
December 13	Barque	Brazilian	Fior de Tejo	271	15	Ditto	3,850 14	10,830		
							522 26	25,460		

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 307—continued.

NUMBER and Names of Vessels which have arrived from the Coasts of Africa within the Province of Pernambuco, during the year 1841.

Date of Arrival.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	From what part of the Coast.	Where Cargo was landed.	Remarks.
January 12	Brig	Portuguese	Pqt. de Loanda	190	15	Angola	Pernambuco.	Took on board 683 slaves, of which number about 183 died during the passage of forty-three days, and 500 were landed. Wax, mats, and 13 passengers.
March 15	Ditto	Brazilian	Umiao	244	16	Loanda	Catuaína	
March 15	Ditto	Ditto	San Manoel	231	16	Ditto	Pernambuco	Took on board 764 slaves; 117 died during the passage; 647 were landed, of which number many died on the beach from excessive thirst, weakness, and disease. Received 720 slaves, of which number upwards of 50 died during the passage the rest landed in weakly wretched condition from the crowded state of the vessel. Landed 340 slaves.
April 28	Ditto	Portuguese	Augusto Oliviera	313	18	Angola	Serinhem	
May	Barque	Brazilian	Flor de Teijo, late Andorinha	172	15	Ditto	Catuaína	The master, J. Antonio Gomes, reported to have sailed from Bahia for Calhao in ballast, upon the 28th of August, but could not weather Cape Horn, and compelled to bear up for Pernambuco, having sprung his topmast; out 106 days! whereas it is vouched that he sailed from Bahia the day mentioned for Africa, and returned with a cargo of 750 slaves, which he landed to the southward of this port, after being frustrated in the attempt to discharge them in the vicinity of Bahia.
October 8	Brigantine	Portuguese	San Joze	83	13	Ditto	Ditto	
December 13	..	Brazilian	Gram Cruz	32	9	Bengvza.	..	
December 14	Brig	Portuguese	Viajante Feliz	248	27	..	..

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 307.—Continued.

NUMBER and Names of Vessels which have sailed from Pernambuco for the Coast of Africa during the year 1841.

Date of Clearance.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	For what part of the Coast Cleared.	Cargoes.			
							Sugar.	Rum.	Molasses.	Rice.
January 29 . . .	Schooner . . .	Portuguese . .	Paq ^{te} de Madeira . . .	75	14	Mozambique . . .	Canadas. 3,667	Canadas.	Rice.	
March 10 . . .	Brig . . .	Brazilian . . .	Pernambuco . . .	205	16	Loanda . . .	774 16	{2,000 dollars, {300 gold pieces of 400 ^{rs} *	Alquieres.	
June 21 . . .	Barque . . .	Ditto . . .	Ermelinda . . .	244	17	Angola . . .	154 19			
August 26 . . .	Schooner . . .	Ditto . . .	Gram Cruz . . .	32	9	Ditto . . .	22 0			
September 10 . . .	Barque . . .	Ditto . . .	Flor de Tejo . . .	271	15	Loanda . . .	7,360			
September 10 . . .	Brig . . .	Ditto . . .	Aracati . . .	..	..	Ditto . . .	545 30		
November 2 . . .	Ditto . . .	Ditto . . .	Roza . . .	..	..	Angola v ^a Paraiba . . .	..		
December 15 . . .	Brigantine . . .	Ditto . . .	Rainhedos Anjos . . .	171	16	Angola . . .	412 2	18,152		

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 307—continued.

Number and Names of Vessels which have arrived from the Coasts of Africa, within the Province of Pernambuco, during the year 1842.

Date of Arrival.	Rig of Vessel.	Nation.	Name of Vessel.	Tonnage.	Crew.	From what part of the Coast.	Where Cargo was landed.	Remarks.
February 22 . . .	Brig . . .	Brazilian . . .	Pernambucano . . .	205 . . .	13 . . .	Angola . . .	Pernambuco . . .	Wax, Palm Oil, Matts, &c. Reported to have received on board 410 slaves, of which number 27 died during the passage, arising from a scarcity of water; 335 were landed. The day after the slaves were in safety, the brig was captured by the Brazilian schooner of war "Fidelidade," and sent to Rio de Janeiro for adjudication. Two letters, it is said, were discovered on board, which caused her capture. Arrived with a cargo of slaves, driven to leeward by the strong southerly winds and currents; landed 359 negroes a little to the north of Olinda; the Master immediately communicated with his Owners in this city, who at once proceeded by land to the vessel to facilitate the disembarkation.
March 24 . . .	Ditto . . .	Ditto . . .	Aracati . . .	. . .	. . .	Ditto . . .	To the Southward . . .	
May 8 or 10 . . .	Brigantine . . .	Ditto . . .	Rainha dos Anjos . . .	171 . . .	16 . . .	Ditto . . .	. . .	Landed 159 slaves; also Orchilla Weed and Ivory.
May 11 . . .	Schooner . . .	Portuguese . . .	Paquete de Madeira . . .	94 . . .	11 . . .	{ Mozambique and Inambane. }	To the Southward . . .	
May 28 . . .	Barque . . .	Brazilian . . .	Ernelinda . . .	244 . . .	13 . . .	Sierra Leao . . .	Pernambuco . . .	Not condemned by the Mixed Court at Sierra Leone. Orchilla Weed, Wax, and Ivory; landed part, and proceeded with the remainder to Rio de Janeiro.
June 15 . . .	Brig . . .	Portuguese . . .	Duke de Braganza . . .	210 . . .	19 . . .	Angola . . .	Ditto . . .	

H. AUGUSTUS COWPER, Consul.

Second Enclosure in No. 307.

STATISTICAL MAP of the Population of the Province of Pernambuco, in the Year 1888.

Districts.	Free Persons.										Free by Manumission or Purchase.														
	Men.				Women.			Indians.			Total of Free Persons.				Men.				Women.						
	Whites.	Persons of Colour.	Blacks.	Total.	Whites.	Persons of Colour.	Blacks.	Total.	Men.	Women.	Total.	Persons of Colour.	Whites.	Persons of Colour.	Blacks.	Total.	Persons of Colour.	Creoles.	Africans.	Total.	Persons of Colour.	Creoles.	Africans.	Total.	Total of Free by Manumission, &c.
Pernambuco	12,181	12,968	4098	29,247	13,033	15,247	4717	32,997	208	238	446	62,690	760	525	261	1546	727	508	441	1676	727	508	441	1676	3222
Goioaba	2,108	1,605	287	4,000	2,055	1,666	313	4,034	23	19	42	8,076	35	17	28	80	32	19	19	70	32	19	19	70	150
Nazareth	4,230	6,379	976	11,585	3,974	5,603	885	10,463	16	4	20	22,067	68	72	47	187	56	57	21	134	56	57	21	134	321
Limeiro	2,585	5,605	408	8,598	1,759	5,331	735	7,825	..	..	..	16,423	68	72	47	187	56	57	21	134	56	57	21	134	321
Santo Antao	3,419	2,819	253	6,491	3,656	3,053	473	7,182	41	50	91	13,764	333	369	173	872	341	288	156	785	341	288	156	785	1657
Boa Vista	1,388	2,791	749	4,928	1,130	2,434	723	4,287	147	133	280	9,495	83	35	12	130	100	42	..	142	100	42	..	142	272
Garanhuns	4,515	9,141	530	14,189	2,999	10,211	352	13,562	419	384	803	28,554	2	10	6	18	3	8	3	14	3	8	3	14	32
Brejo	2,298	2,986	94	5,378	2,264	2,907	96	5,267	127	163	290	10,935	2	3	16	21	2	7	12	21	2	7	12	21	42
Flores	4,293	5,744	1049	11,086	4,492	6,100	1083	11,675	55	67	122	22,883	..	311	46	357	..	287	54	341	..	287	54	341	698
Rio Formosa	..	..	..	9,805	..	..	..	8,354	..	..	..	18,159	..	..	..	..	..	..	..	..	..	..	..	..	..
Totals	37,017	50,041	8414	105,307	51,756	52,552	9377	105,645	1036	1058	2094	213,046	1283	1342	586	3211	1261	1216	706	3183	1261	1216	706	3183	6394

Second Enclosure in No. 307.—continued.

STATISTICAL MAP, &c.—continued.

Districts.	Slaves.								Foreigners.								Total Population.	
	Men.				Women.				Men.				Women.					
	Persons of Colour.	Creoles.	Africans.	Total of Males.	Persons of Colour.	Creoles.	Africans.	Total of Females.	Whites.	Coloured.	Blacks.	Total.	Whites.	Coloured.	Blacks.	Total.		
Pernambuco	1201	5663	6300	13,764	1338	4304	4176	9918	23,582	1377	1	1378	179	3	1	183	1561	91,055
Goianna	104	480	593	1,177	106	497	380	983	2,160	29	..	29	..	..	..	..	29	10,415
Nazareth	226	3451	..	3,677	233	2778	..	3011	6,088	7	7	7	1	..	..	1	8	28,768
Limoeiro	276	905	659	1,840	345	836	437	1588	3,428	23	..	23	76	..	..	76	99	20,271
Santo Antao	299	994	1435	2,728	284	853	535	1672	4,400	1	..	1	..	..	..	..	1	19,822
Boa Vista	270	368	243	881	389	308	157	854	1,735	..	..	..	..	..	..	..	..	11,502
Garanhuns	343	2584	1102	4,029	324	1553	867	2744	6,773	4	..	4	..	..	..	..	4	35,363
Brjo	106	955	1280	2,341	110	976	707	1796	4,137	..	..	..	..	..	..	..	..	15,114
Flores	701	1321	384	2,406	726	1441	378	2545	4,951	1	..	1	..	..	..	..	1	28,583
Rio Formoso . . . . .	..	..	..	7,102	..	..	..	3502	10,604	..	..	..	..	..	..	..	..	28,763
Totals	3526	16,721	12,596	39,945	3855	13,519	7637	28,513	68,458	1442	1	1443	256	3	1	260	1703	289,601

H AUGUSTUS COWPER, Consul.

Third Enclosure in No. 307.

STATEMENT of such Articles, the produce and product of the Province of Pernambuco, cultivated or produced through the Agency of Slave Labour, as were exported from the City of Pernambuco to Foreign Countries, during the Year ending the 31st December, 1839.

Cotton.		Sugar.					Hides.	Rum.		Total Value.
No. of Bags.	Weight.	Cases.	Boxes.	Barrels.	Bags.	Weight.	No.	Pipes.	Barrels.	£ Sterling.
39,173	Tons. 3,078	20,891	3,739	78,800	27,923	Tons ct. qr. 26,838 2 3	111,052	2,868	609	£1,037,552

Sugar Exported Coastways, Year 1839.

Province of Rio de Janeiro.	Province of Rio Grande do Sul.	Province of Santa Catharina.	Province of Bahia.	Province of Alagoas.	Province of Parahiba.	Province of Rio Grande do Norte.	Province of Ceará.	Province of Maranhao.	Province of Pará.	Total Weight in Arrobas.	Total in English Weights.
Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Tons ct. qr. lb.
146427	9858 30	785 29	35 13	..	179 20	270 5	4469 23	53397 31	53 8	70,516 0	1,007 7 1 20
Value											£17,480 0 0

Value of Produce exported to Foreign Countries	£1,037,552 0 0
Ditto of Sugar exported Coastways	17,480 0 0
Total Value	£1,055,032 0 0

H. AUGUSTUS COWPER, *Consul.*

STATEMENT of such Articles, the produce and product of the Province of Pernambuco, cultivated or produced through the Agency of Slave Labour, as were exported from the City of Pernambuco to Foreign Countries, during the Year ending the 31st of December, 1840.

Cotton.		Sugar.					Hides.	Rum.		Total Value.
No. of Bags.	Weight.	Cases.	Boxes.	Barrels.	Bags.	Weight.	No.	Pipes.	Barrels.	£ Sterling.
35,849	Tons ct. 2816 11	24,946	3,110	86,247	43,168	Tons ct. qr. 31,301 6 0	132,993	2255	195	£986,935

Sugar Exported Coastways, Year 1840.

Province of Rio de Janeiro.	Province of Rio Grande do Sul.	Province of Santa Catharina.	Province of Bahia.	Province of Alagoas.	Province of Parahiba.	Province of Rio Grande do Norte.	Province of Ceará.	Province of Maranhao.	Province of Pará.	Total Weight in Arrobas.	Total in English Weights.
Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Tons ct. qr. lb.
109,947 20	18,730 18	1077 1	4,393 23	36 28	1,367 22	404 28	7,555 11	54,944 11	..	198,458 2	2834 16 2 8
Value											£49,615 0 0

Value of Produce exported to Foreign Countries	£986,935 0 0
Ditto of Sugar exported Coastways	49,615 0 0
Total Value	£1,036,550 0 0

H. AUGUSTUS COWPER, *Consul.*

Third Enclosure in No. 307—continued.

STATEMENT of such Articles, the produce and product of the Province of Pernambuco, cultivated or produced through the Agency of Slave Labour, as were exported from the City of Pernambuco to Foreign Countries, during the year ending the 31st December, 1841.

Cotton.		Sugar.					Hides.	Rum.		Total Value.
No. of Bags.	Weight.	Cases.	Boxes.	Barrels.	Bags.	Weight.	No.	Pipes.	Barrels.	£ Sterling.
	Tons ct qrs					Tons ct. qrs.				
26,990	2120 12 3	23,650	2149	90,256	66,596	32,309 19 2	136,494	1169	95	£849,435

Sugar Exported Coastways, Year 1841.

Province of Rio de Janeiro.	Province of Rio Grande do Sul.	Province of Santa Catharina.	Province of Bahia.	Province of Alagoas.	Province of Parahiba.	Province of Rio Grande do Norte.	Province of Ceara.	Province of Maranhao.	Province of Para.	Total Weight in Arrobas.	Total in English Weight.
Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lbs.	Tons ct. qr. lb.
91,221 19	29,684 10	152 16	2 4	..	5 0	382 0	8634 7	54,400 4	4430 11	188,912 7	2685 17 3 2
Value										£45,805 0 0	

Value of Produce exported to Foreign Countries £849,435 0
 Ditto of Sugar exported Coastways 45,805 0 0

Total Value £895,240 0 0

H. AUGUSTUS COWPER, *Consul.*

STATEMENT of such Articles, the produce and product of the Province of Pernambuco, cultivated or produced through the Agency of Slave Labour, as were exported from the City of Pernambuco to Foreign Countries, during the year ending 31st December, 1842.

Cotton.		Sugar.					Hides.	Rum.		Total Value.
No. of Bags.	Weight.	Cases.	Boxes.	Barrels.	Bags.	Weight.	No.	Pipes.	Barrels.	£ Sterling.
	Tons					Tons ct. qr. lbs.				
21,357	1666	20,123	1,361	78,739	54,390	27,241 18 3 12	125,926	1,193	71	£688,546

Sugar Exported Coastways, Year 1842.

Province of Rio de Janeiro.	Province of Rio Grande do Sul.	Province of Santa Catharina.	Province of Bahia.	Province of Alagoas.	Province of Parahiba.	Province of Rio Grande do Norte.	Province of Ceara.	Province of Maranhao.	Province of Para.	Total Weight in Arrobas.	Total in English Weight.
Arr. lbs.	Arr. lbs.	Arr. lbs.	Arr. lb.	Arr. lbs.	Arr. lb.	Arr. lb.	Arr. lbs.	Arr. lbs.	Arr. lb.	Arr. lbs.	Tons ct. qr. lb
114,443 13	15,169 24	2011 10	6 0	105 13	39 20	348 8	7092 15	84,883 28	..	224,101 3	3201 8 3 12
Value										£45,440 0 0	

Value of Produce exported to Foreign Countries £688,546
 Ditto of Sugar exported Coastways 45,440

Total Value . . . £733,986

H. AUGUSTUS COWPER, *Consul.*

No. 308.

*Mr. Cowper to the Earl of Aberdeen.**British Consulate, Pernambuco, August 4, 1843.**(Received October 9.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch (Slave Trade,) of the 30th May last, and hasten to answer your Lordship's interrogatories.

Query No. 1.—“What is at present the amount of the population of the State in which you reside; and what the number of whites, and of coloured people forming that population, distinguishing males from females, and free people from slaves? What was the amount of the population of the same State in the year 1832; and what was the amount in the year 1837, distinguishing the particulars as in the case of the present time?”

Reply to No. 1.—It is almost impossible to reply with any degree of accuracy to this query, as no real census of the population has ever been taken. According to Anthony Finlay, of Philadelphia, the total population in 1829 amounted to 520,000; to the Weimar Almanac, in 1823, 602,205; to Gama, in 1840, 1,300,000; and to the official return made by the President, the Baron of Boa Vista, in 1838, to only 289,601: thus divided—

Free.								Indians.			Totals.
Men.				Women.				Men.	Women.	Total.	
White.	Mulatto.	Black.	Total.	White.	Mulatto.	Black.	Total.				
37,017	50,041	8444	105,307	51,576	52,532	9377	105,645	1036	1058	2094	213,046
Freed by Purchase or Manumission.											Totals.
Men.				Women.				Men.	Women.	Total.	
Mulatto.	Creole Blacks.	Africans.	Total.	Mulatto.	Creole Blacks.	Africans.	Total.				
1283	1342	568	3211	1261	1216	706	3103				6394
Slaves.											Totals.
Men.				Women.				Men.	Women.	Total.	
Mulatto.	Creole Blacks.	Africans.	Total.	Mulatto.	Creole Blacks.	Africans.	Total.				
3526	16,721	12,956	39,945	3855	13,1519	7637	28,513				68,458
Foreigners.											Totals.
Men.				Women.				Men.	Women.	Total.	
White.	Mulatto.	Black.	Total.	White.	Mulatto.	Black.	Total.				
1442	1		1443	256	3	1	260				1703
											289,601

For details respecting the population, and the impossibility of answering that part of your Lordship's interrogatory which relates to the years 1832 and 1837, I beg to refer to my Despatch of this day's date, “Slave Trade, No. 5.”

Query No. 2.—“Is it supposed that any slaves have been imported into the country within the last ten years, either direct from Africa, or from other quarters; if so, how many in each year?”

Reply to No. 2.—I regret that my means of information preclude me from replying in full to this query also; for particulars I must again refer your Lord-

ship to my before-mentioned Despatch, and transmit an abstract from the tables therein contained, relating to the number of slaves imported during the last four years only:—

1839	..	..	1500 slaves
1840	..	..	2979 „
1841	..	..	2907 „
and 1842	..	..	924 „
			—
			8310 „

Query No. 3.—“Is the slave protected by law equally with a free man in criminal cases?”

Reply to No. 3.—To this and other legal questions I reply in the words of Dr. Alcanforado, my Advocate, to whom I referred them:—“The slave so far enjoys the protection of the laws, and the same guarantees as a freeman in criminal cases, that he is proceeded against in the same manner, but is not allowed the choice of his advocate or attorney, who is nominated by his master: he can only be punished in accordance with the decision of the Court; and should he be condemned to any punishment short of death, the Judge may commute the sentence to flogging, the severity of which is regulated according to his crime; but the number of stripes may not exceed fifty a day until the whole number have been received, when he is delivered, with an iron collar round his neck, to his master; this is in accordance with the 60th Article of the Penal Code. The law of the 10th of June, 1835, in abolishing the punishment of death, excepts slaves who kill, administer poison, or wound, with intent to kill, their masters, and the decision of the Judge in these cases is executed without appeal (Decree 9, March 1837.)” The floggings alluded to frequently result in death, and women as well as men are publicly and most indecently exposed to this punishment; indeed, a master wishing to murder his slave can thus without difficulty make the law his instrument.

Query No. 4.—“What protection is there by law to a slave against ill conduct on the part of his master?”

Reply to No. 4.—“The Municipal Chambers are charged with the protection of slaves from the ill treatment of their masters; they formerly reported upon the subject to the General Council, now to the Provincial Assemblies, from whom emanate such preventive measures or punishments as are deemed necessary (Art. 59, law of 1st October, 1828). The Penal Code justifies moderate punishment of a slave by his master (Art. 14, Penal Code); and if the infliction should be deemed immoderate, the master is held responsible for his actions. If the slave is treated with cruelty by his master, the same law enacts that a valuation shall be put upon him, and he shall be withdrawn from his master's power, and placed in safe deposit until he has worked for and paid to his master the sum required.” As far as the practice of these laws is concerned they might as well have never been enacted; even if they were practised, justice could never be enjoyed by the slave.

Query No. 5.—“Is the evidence of a slave received in a court of law?”

Reply to No. 5.—“The slave cannot give evidence in criminal cases; he may give a statement, which, being reduced to writing, such credit is placed upon it as the Jury may think fit; the statement is not sworn to.” (Art. 89, Criminal Code.) It is unnecessary for me to point out to your Lordship that the Judge and Jury are of course slaveholders.

Query No. 6.—“Is the slave well or ill fed—well or ill treated?”

Reply to No. 6.—They are both ill fed and ill treated; the quality of their daily food is injurious to the human constitution, and I believe would not support life for any lengthened period, if it were not varied by these most unfortunate creatures themselves, some of whom spend a portion of their limited hours of rest in catching land crabs, whilst others are reduced to the less laborious mode of setting traps for rats, which they devour; and I conceive that the great cause of that awful mania, dirt-eating, is attributable in a great measure to the cravings of nature for a change of diet. The quantity of food also is insufficient; and with regard to their treatment, certainly no domestic animals upon the face of the earth are treated with the inhumanity and utter want of feeling that the wretched slaves of this Province are by their fellow men. For details I have again to refer your Lordship to my Despatch of this day.

Query No. 7.—“Is the slave considered generally to enjoy as good health, and to live as long as a free person?”

Reply to No. 7.—No; nor do I believe that many slaves attain their fiftieth year, with the exceptions of favourites, whose position has ensured them wholesome diet and kind treatment; leprosy, elephantiasis, and other cutaneous disorders, diseases of the uterus, to which they are peculiarly subject; harsh treatment, mental depression, excess of work, little rest, food, or clothing; no time for lavatory or other cleanly purposes,—must indisputably curtail the wretched slave's existence.

Query No. 8.—“Is the slave population considered to be on the increase or decrease, and from what causes?”

Reply to No. 8.—From the above causes, added to the too early and too promiscuous intercourse of the sexes, and the astonishing spread of syphilitic diseases; the check given to abundant importation of slaves; their increased value when landed, and consequent difficulty of purchase,—the slave population decreases, or has certainly not increased during the last ten years: the President is of the former opinion; Colonel Drummond believes it have been stationary, and I have never heard any report that it is on the increase.

Query No. 9.—“Is the manumission of slaves of common occurrence?”

Reply to No. 9.—If by manumission it is intended to be asked if the Brazilians in this Province are in the habit of freeing their slaves, I should say, Never; freedmen, or “libertos,” are confined to men who have acquired their liberty by their own exertions; to women who have been freed by men connected with them whilst young; and to the children the birth of these connexions.

Query No. 10.—“Have the laws and regulations in respect to slaves become more or less favourable to them within the last ten years?”

Reply to No. 10.—“The only laws which favour the slave are those mentioned in answer to Query No. 4; no others have been enacted during the last ten years.”

Query No. 11.—“Is there in the State in which you reside a party favourable to the abolition of slavery? And what is the extent and influence of such party? And is such party on the increase or otherwise?”

Reply to No. 11.—There is not. I have stated in my before-quoted Despatch that the proprietors appear willing to emancipate their slaves upon receiving compensation, with other terms dependent upon the amount of that compensation; but the abolitionist upon moral or religious grounds is unknown in Pernambuco.

Query No. 12.—“Is there any difference in the eye of the law between a free white, and a free coloured man?”

Reply to No. 12.—“There is no distinction whatever between the *born* free of any colour either legal or political; nor between these and the freedman, excepting that the latter cannot vote at elections, municipal, provincial, or general, and of consequence can neither be a deputy or senator.—Arts. 94 and 95 of the Constitution of the Empire.”

Query No. 13.—“Are free coloured men ever admitted to offices of the State?”

Reply to No. 13.—“There is a law forbidding freedmen holding office, which may be said to be practically in force against all coloured people, although there exist exceptions to this rule in some who were born free.”

Query No. 14.—“You will state whether you have drawn your answers from public documents, or from private information; and you will state whether any periodical census is taken of the population within the district of your Consulate; and what was the last period at which it was taken?”

Reply to No. 14.—My answer to the 1st Query I have obtained from public documents, and works in my library; to the 3rd, 4th, 5th, 10th, 12th and 13th from my Advocate, who is perfectly acquainted with the laws of the empire: to the 2nd, from the archives of the Consulate; and the remainder from my own observations. No periodical census is taken of the population, and the statements upon that subject must be received as extremely doubtful authority.

I have, &c.

(Signed)

H. AUGUSTUS COWPER.

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

&c.

&c.

&c.

No. 309.

*Mr. Cowper to the Earl of Aberdeen.**British Consulate, Pernambuco, September 30, 1843.**(Received November 10.)*

MY LORD,

I HAVE the honour to enclose to your Lordship a Table, showing the state of the Slave Trade in this Province, during the quarter expired this day.

There has occurred no extraordinary or remarkable feature in the usual routine of this unnatural traffic, in the course of this period, with the exception of an unprovoked, gross, cowardly, and unredressed attack, made by a party of soldiers and civilians (no doubt employed by the slavetraders) upon some of the crew and an Officer of Her Majesty's steam ship "Growler." The following are the particulars:—

It appears that upon the evening of the 7th instant, Mr. Blakey, the master's assistant, was ordered by the First Lieutenant to go on shore for the liberty men. Upon landing, he found Sergeant Burns, of the Royal Marines, waiting for the boat, whom he ordered to accompany him. They had collected the men, and had arrived within one hundred yards of the boat upon their return, when a drunken soldier, it is to be feared premeditatedly, ran against Mr. Blakey, who, perceiving the man's state, allowed him to pass. He, however, pushed into the midst of the seamen, drew his bayonet, and endeavoured to stab all who came within his reach: at the same moment, a gang of some twenty men rushed upon the sailors, armed with huge sticks, and attacked them most barbarously. The "Growlers" were driven back into the town, and a very serious disturbance took place, the drunken soldier who had commenced the attack, still taking a prominent part. Mr. Blakey desired Sergeant Burns to disarm him, and lead him to the guard-house: this was effected amidst great opposition, and the sergeant of the guard refused to take cognisance of the fact; on the contrary, his soldiers turned out and charged our people at the point of the bayonet, whilst the town's people attacked them with sticks and stones. The men appear to have behaved very well: unarmed as they were, they defended themselves with sticks wrenched from the hands of their assailants; but they were at length overpowered by numbers, and Mr. Blakey, the sergeant, carpenter, and four seamen made prisoners.

The sergeant of the guard admits that he collared Mr. Blakey, and that his soldiers beat him with their bayonets, and he was thus dragged through the streets until two German gentlemen interfered and obtained his release: the rest were lodged in prison. One soldier of the Royal Marine Artillery had his collar-bone broken; the carpenter and two seamen were stabbed with bayonets; the sergeant was cut across the face; and the rest of the men have suffered more or less from contusions.

On the following morning I accompanied Captain Buckle to the Delegate of the Police, who promised to release the men immediately, but said that there would be some trifling delay in making out the papers: we therefore proceeded to the President, to request an expression of his disapproval of the public outrage offered to the Officers. His Excellency assured us of his regret, and, after having made enquiries of satisfaction, we then returned to the Delegate, who first gave us evasive answers, and then referred us to the Sub-Delegate, Colonel Maméde. We called upon him, and were not received with ordinary courtesy: he prejudged the case by at once declaring our people to be criminal; and, in reply to my question, if they might not be bailed, he declared that they could not. It would be wearisome, and indeed unnecessary, to detail the vexations to which we were subjected: we were at length obliged to consult an Advocate, for the men had then been confined for eight days with felons, without any examination. He hastened to the Sub-Delegate, and pointed out to him the illegality of refusing bail. He replied that I had not made the application in writing; he then urged that the men should have been informed of their offence by a "*Nota de Juiz*," within twenty-four hours of their incarceration; he also pointed out to him that, by the law, the case should have been adjudged within eight days.

Colonel Maméde at length, upon the 18th, allowed us to put in bail; but your Lordship will scarcely credit, that he required from persons of their

CLASS B.

station in life—who had been confined unexamined eleven days in a loathsome dungeon—who were indeed the injured party, the enormous sum of Rs.4,780 000!!

To this we were compelled to submit, after having expended in law, through this unworthy person's delays, Rs.395 000. He has also refused to specify any day for the men's appearance: he, therefore, most probably intends the bond to be forfeited. That he will convict them is certain; and if his decision is confirmed by the higher courts, the men must be surrendered, or one half of the bail must be paid: Captain Buckle will not surrender his innocent men.

Captain Buckle has carried on his own correspondence with the President, the result of which has been most unsatisfactory. He has forwarded copies to Commodore Purvis, and I have addressed a Despatch of the same tenor as my present one to Her Majesty's Minister at Rio de Janeiro, pointing out to his Excellency the specific Brazilian laws which I conceive to have been infringed, in the hope that he may be enabled to obtain that justice for our fellow subjects, which is hopeless here, and adopt some measure which may avert the intended robbery which is about to be added to their unmerited insults. I have also addressed a similar Despatch to the Lords Commissioners of the Admiralty, with my quarterly account, explanatory of this unlooked-for expenditure.

Captain Buckle finding that his men could not obtain a hearing, I have taken their depositions upon oath, and have the honour to enclose them.

The origin of this attack may be traced to a report that the "Growler" had captured a slaver; and one notorious person, more indiscreet than his fellow human-flesh dealers—a highly respectable man!! in Pernambuco—has declared that if the capture were confirmed, he would give a conto of reis from his own purse to any one who would assassinate Captain Buckle. The Commandante of Fort Bruno, more valiant than discreet, has expressed his anxiety for Captain Buckle to visit a Brazilian vessel in the roads, that he might destroy the "Growler!!" The steamer's boats have twice had shot and stones thrown into them; and some of the Slave Trade class have lately forgotten the pacific nature of my office, and have pelted me in the streets upon three occasions.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.

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

&c.

&c.

&c.

First Enclosure in No. 309.

No. 1.—List of Arrivals of Vessels suspected of being employed in Slave Trade, at Pernambuco, from the Coasts of Africa, for the quarter ending September 30, 1843.

Date of Arrival.	Name of Vessel.	Name of Master.	Owner.	Rig.	Tonnage.	Nation.	Whence.	Cargo.	Remarks.
1843. July 27 . . .	St. Anto. Flor do Braze	J. R. Dias . . .	Azevedo Lisboa . . .	Hiate . . .	50	Brazilian . . .	Sierra Leao . . .	Ballast	

No. 2.—List of Arrivals of Vessels suspected of being employed in Slave Trade, at Pernambuco, from Rio de Janeiro, &c., during the above period.

August 28 . . .	Francelina . . .	C. F. De Lacerda . . .	Gabriel Antonio . . .	Schooner . . .	218	Brazilian . . .	St. Catherine's . . .	Farinha . . .	Both these vessels sailed from hence to Africa in May 1842, and reported to have landed slaves near Rio de Janeiro.
August 28 . . .	Deliberacao . . .	A. F. Da Silva . . .	J. G. Cascao . . .	Brigantine . . .	216	Ditto . . .	Rio de Janeiro . . .	Ditto . . .	

No. 3.—List of Departures of Vessels suspected of being employed in Slave Trade, from Pernambuco to the Coasts of Africa, &c., during the above period.

August 20 . . .	Nossa Senhora do Socorro	J. J. Martins . . .	— Nolasco . . .	Barque . . .	381	Brazilian . . .	Assu . . .	Ballast . . .	This is the notorious slaver "Temeraria," changed owner and name.
August 31 . . .	Sr. Anto. Flor do Braze	J. R. Dias . . .	Azevedo Lisboa . . .	Hiate . . .	50	Ditto . . .	Angola . . .	Merchandise . . .	

No. 4.—List of Vessels suspected of being employed in Slave Trade, loading in the Port of Pernambuco for the Coasts of Africa, &c., upon the 30th September, 1843.

Ernelinda . . .	N. M. Passalacqua . . .	A. F. Carneiro . . .	Barque . . .	244	Brazilian . . .	Loanda and Benguela.
San Manoel . . .	Manoel Simoes . . .	B. A. de Miranda . . .	Brig . . .	237	Ditto . . .	Ditto (to sail in a few days).
Paq. de Madeira . . .	A. J. Rodrigues . . .	V. Thos. dos Santos . . .	Schooner . . .	94	Portuguese . . .	Benguela and Loanda.

H. AUGUSTUS COWPER, Consul.

Second Enclosure in No. 309.

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esq., Her Britannic Majesty's Consul for the Province of Pernambuco, Mr. George Blakey, Master's Assistant of Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows :

That at about a quarter before eight o'clock upon the evening of the 7th of September instant, he received orders from the First Lieutenant to go on shore and bring off the liberty-men. Upon landing, he met Edward Burns, the Sergeant of Marines, upon the Arsenal Wharf, and desired him to accompany the deponent, and assist in finding the men. He proceeded to the nearest public-house, one kept by Altenberg, in the Fora das Portas, and there picked up John Tucker, the carpenter, George Smith, and several other liberty-men; he then proceeded to the public-house in the Arco de Bom Jezus, and found several men there; he then returned towards the boat, the men following, the Sergeant of Marines being somewhat in the rear, bringing up the stragglers. Upon reaching the shed half way between the Arch and the boat, a drunken soldier reeled with considerable force against him; seeing that the soldier was drunk, he allowed him to pass; immediately afterwards the deponent heard a scuffle behind, and upon turning round, perceived the soldier in the midst of the liberty-men, with his drawn bayonet, flourishing it about him. On the instant, as if by premeditation, about a dozen men, armed with sticks, attacked the party, who, being unarmed, were driven back through the Arco de Bom Jezus into the town: he saw Mr. Tucker, the carpenter, knocked down. Upon entering the town, the mob increased; some, however, attempted to persuade the soldier who commenced the disturbance to desist; but, as he continued to attempt to stab any of the party he could reach, the Sergeant of Marines enquired of the deponent if he should disarm the soldier; which the deponent having ordered, George Smith took his bayonet, and the said Sergeant took the soldier into custody. The disturbance continued along the Rua da Cruz. In passing the Consul's Office, the deponent ran up for assistance, but finding it closed, returned and led his party as well as he could to the nearest guard, which was that of the Consulado, or Export Office; there he enquired for the Officer of the Guard: a Sergeant presented himself, of whom the deponent requested protection for himself and men as far as their boat; he replied that he could do nothing. The deponent then desired the Sergeant of Marines to deliver up the drunken soldier, and Smith at the same time gave up the bayonet, upon which the deponent delivered it into the hands of the Sergeant of the Guard, who promised to take the soldier's name (which deponent has since heard was St. Anna); he proceeded from thence to the house of Mr. John Carroll for assistance, opposite the guard-house, and having knocked without effect, two soldiers came, took him violently into custody, striking him on the back with their bayonets, threatening to stab him, and beating him with their fists. The deponent, being unarmed, could make no resistance, but they would not allow him even to explain; every time that he attempted it, they struck him again. When they arrived at the guard-house, the soldiers pushed him about, and insulted him in every possible way; the Sergeant, notwithstanding the explanation of some German gentleman that the deponent was an Officer, offered no opposition to this ill treatment, of which he was a witness. Upon the further expostulation of the before-mentioned German gentleman, he was sent under the guard of one soldier to the Palace-guard, where he was finally released after a detention of two hours.

(Signed) G. BLAKEY.

(Signed) H. AUGUSTUS COWPER, *Consul.*

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esquire, Her Britannic Majesty's Consul for the Province of Pernambuco, John Tucker, Master Carpenter and Warrant Officer of Her Majesty's steam vessel "Growler," who being duly sworn, deposed as follows :

That he came on shore on leave at about three o'clock on the afternoon of the 7th instant; in the evening he went to Altenberg's public-house in the

Fora das Portas, and was there when Mr. Blakey came on shore for the men; left with him and the men to go to the boat. He was somewhat in the rear, when a drunken soldier ran against him two or three times before he resented it, he then returned his blows, upon which the soldier knocked him down with some weapon, either a stick or bayonet. Upon rising from the ground found himself surrounded by several soldiers, who commenced ill-using him; the liberty-men then returned to his assistance; a general scuffle ensued, and they were driven into the town; the crowd increased to a hundred or more. Every time the deponent got upon his legs he was knocked down again; he received a bayonet wound in his arm, and several severe contusions about his person, and was finally conveyed to prison, from whence he was released the next day, that he might be placed under the surgeon's care.

(Signed) JOHN TUCKER.

(Signed) H. AUGUSTUS COWPER, *Consul*.

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esquire, Her Britannic Majesty's Consul for the Province of Pernambuco, George Smith, Captain of the Forecastle and Petty Officer of Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows:

That he came on shore on liberty on the morning of the 7th instant; that on the evening of the same day he was sitting in Altenberg's public-house with the Carpenter and others, and left it when Mr. Blakey came to fetch them. That he left the party at the Arco de Bom Jesus for a few moments to look after some other men; upon rejoining, he heard Mr. Tucker calling out, "Oh, murder! they are going to murder me!" At this time there were not many people present, but almost immediately afterwards the whole place seemed filled with them; saw several persons respectably dressed in white jackets and beaver hats, attacking the liberty-men with heavy white sticks as thick as a man's wrist. The men were driven back into the town, and a general riot commenced: one man struck the deponent with a stick over the shoulder; he closed with him, and got the stick away out of the man's hand; a soldier then collared the deponent, who tripped him up, and took the bayonet from him. Upon arriving at the guard, the sentinel charged the deponent with fixed bayonets, who, thinking the weapon too near his body, closed with the man, intending, in case of aggression, to knock him down; deponent then saw Mr. Blakey driven across the square by the soldiers, and heard the Carpenter call out "murder!" Saw Sergeant Burns retreating from several soldiers, who were charging him with fixed bayonets, whilst he defended himself with a stick. Deponent remained for some time where he was, and was proceeding towards the boat, when he met a soldier with a long sword, who desired him to stop, but deponent would not be stopped by him; the soldier whistled, but seeing some others running down another street, he followed them. The deponent had heard from G. Magrath, whom he met, that he had been knocked down; joined him at Samuel Smith's, and waited there until the Master came and took them off.

(Signed) GEORGE SMITH.

(Signed) H. AUGUSTUS COWPER, *Consul*.

On this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esq., Her Britannic Majesty's Consul for the Province of Pernambuco, William Aaron, stoker of Her Majesty's steam vessel "Growler," who being duly sworn, deposed as follows:

"That he was at the public-house under the Arco de Bom Jesus, on the evening of the 7th instant, waiting for the boat, when Mr. Blakey and the Sergeant came to say that the boat was all ready. Upon arriving at the shed, half-way between the Arch and the boat, saw a drunken soldier run foul of Mr. Blakey, who took no notice of it. Upon Wright making some observation on the subject, the soldier drew his bayonet, and endeavoured to stab him. One of the men then tripped the soldier up, upon which 20 or more persons, some respectably dressed, attacked the men with sticks, some as large as a

man's wrist. Heard Mr. Tucker calling "murder," and saw him lying upon the ground, beaten by several men. Wright, the stoker, was also knocked down. Deponent rushed to their assistance, but finding the odds too great, ran down to the boat for a stretcher, or anything else he could find. Returned with Weedon, one of the Carpenter's crew, and Magrath; but the crowd had then dispersed, and they reached the Recife-bridge without seeing any one. Upon their return the deponent was charged by half-a-dozen soldiers, but seeing the door of an English public-house open, ran in and escaped them. He there remained until the master took him away.

(Signed) his
WILLIAM X AARON,
mark.

(Signed) H. AUGUSTUS COWPER, *Consul*.
JOHN GORING.

On this 18th day of September, in the year of Our Lord, 1843, personally came and appeared before me, Henry Augustus Cowper, Esquire, Her Britannic Majesty's Consul for the Province of Pernambuco, Charles Nesbitt, seaman of Her Majesty's steam vessel "Growler," who being duly sworn, deposed as follows:

That he was in the public-house under the Arco de Bom Jezus, on the evening of the 7th instant, when Mr. Blakey and the Sergeant came to announce that the boat was ready. Was the last who left the house with the Sergeant. Saw the soldier run foul of Mr. Blakey who, offered no resistance, but passed on. The soldier then pushed into the middle of the liberty-men, and drew his bayonet; at the moment several persons rushed from the logs with sticks, and commenced an attack upon them. The deponent ran to the boat for a weapon; upon his return the crowd had left; he proceeded towards the town, and found Donaldson on the ground bleeding. He said two men had knocked him down, broke his collar-bone, and beat him when he was down. Donaldson was taken to the boat; deponent continued along the street, and came up with Mr. Blakey and his party, who were then being dispersed by an immense mob of soldiers and town's people. Deponent ran off towards the boat, which he succeeded in reaching by taking to the beach, and running under the quays.

(Signed) CHARLES NESBITT.
H. AUGUSTUS COWPER, *Consul*.

On this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esquire, Her Britannic Majesty's Consul for the Province of Pernambuco, Edward Burns, Sergeant of the Royal Marines belonging to Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows:

That upon the evening of the 7th instant he was standing upon the Arsenal Wharf, when Mr. Blakey came on shore, who desired deponent to assist him in bringing the liberty-men off; that he accompanied him accordingly, and at the Arco de Bom Jezus left the party for a few moments to reach the European tavern; there found one of the men, with whom he proceeded towards the boat; met George Smith, who informed him that there had been a disturbance on the other side of the Arch, and pointed to a soldier who had insulted Mr. Blakey, and knocked down Mr. Tucker. Mr. Blakey then came up, and ordered him to keep his eye upon the man, as he was determined to have him secured. That he endeavoured to detain the man quietly, but he drew his bayonet, and made several thrusts at the deponent, who parried these thrusts for a time, and at length struck the man with a stick, which he was carrying. Smith got possession of the soldier's bayonet, took him to the guard-house, where they refused to receive him, upon which he let the soldier go. The guard then commenced surrounding deponent, and the crowd threw stones and used their sticks. Made his way through the crowd, and was pursued by the Sergeant and the guard. He was at length overpowered by numbers, and after having been much ill-used by blows from the butts of the bayonets, and occasional pricks with the points, they lodged him in the guard-house, from whence

he was conveyed to the prison, and placed amongst felons of all sorts, and only released this day without examination or any intimation of the offence with which he is charged.

(Signed)

EDWARD BURNS.

H. AUGUSTUS COWPER, *Consul*.

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esq., Her Britannic Majesty's Consul for the Province of Pernambuco, Charles Tedrey, seaman of Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows :

That on the evening of the 7th instant, was at the boat waiting to go off, when one of the men came down and said that the soldiers had taken Mr. Blakey and Mr. Tucker into custody ; went up with some others to assist, and found Mr. Tucker in the custody of two soldiers, who were holding him whilst two others were beating him with a stick ; endeavoured to rescue him, but was immediately seized himself ; a civilian struck him in the face, and the soldiers beat him with their bayonets ; received a bayonet wound in the shoulder, and was lodged in the guard-house ; from thence conveyed to prison, and placed among thieves of all descriptions, and was only released this day without examination, or any intimation of the offence for which he is charged.

(Signed)

CHARLES TEDREY.

H. AUGUSTUS COWPER, *Consul*.

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esq., Her Britannic Majesty's Consul for the Province of Pernambuco, John Wright, stoker, of Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows :

Was in the public-house under the Arco of Bom Jezus, on the evening of the 7th inst., when Mr. Blakey came to report the boat ready to take the libertymen off ; upon proceeding to the boat, saw a soldier beating Mr. Tucker with a stick ; ran between them to separate them, upon which a soldier and a civilian commenced an attack upon the deponent, and succeeded in capturing him ; took him to three guard-houses, and finally to prison, where the sentinel on duty struck him upon the leg with the butt end of his musket so severely that he has not recovered from the effects of the blow ; and three days afterwards a soldier on duty at the prison, charged him, through the bars, with his fixed bayonet ; that he has remained in prison to this day without examination or communication of any sort respecting the offence with which he is charged.

(Signed)

JOHN WRIGHT.

H. AUGUSTUS COWPER, *Consul*.

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esq., Her Majesty's Consul for the Province of Pernambuco, William Cant, stoker of Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows :

Knows nothing of the disturbance, was quietly walking on the evening of the 7th instant, on this side of the Recife-bridge, when two soldiers met him, and struck him with their sticks for some time, and then lodged him in the guard-house ; from thence he was conveyed to prison, where he has remained until this day without any knowledge of the cause of his imprisonment.

(Signed)

WILLIAM ~~X~~ CANT.his
mark

JOHN GORING.

H. AUGUSTUS COWPER, *Consul*.

ON this 18th day of September, in the year of Our Lord 1843, personally came and appeared before me, Henry Augustus Cowper, Esq., Her

Britannic Majesty's Consul for the Province of Pernambuco, Joshua Miller, seaman, of Her Majesty's steam vessel "Growler," who, being duly sworn, deposed as follows :

Was proceeding to the boat with Mr. Blakey and the liberty-men, on the evening of the 7th instant, when he saw two civilians and a drunken soldier ; the soldier pushed against Mr. Blakey, who let him pass, when the three commenced an attack upon Mr. Tucker ; deponent ran to the boat to obtain assistance ; when here turned found them in the Rua da Cruz ; was pursued by soldiers and civilians ; ran to the European Tavern, but was cut off and made for the square ; saw two civilians beating Black upon the steps ; Mr. Blakey then went in search of some one to speak English ; was attacked by two civilians with sticks ; was advised to seek shelter in the guard-house ; went there, but was repulsed by the sentry ; returned to the church ; was charged by three soldiers ; and captured ; the soldiers beat him with their bayonets, and a very fat civilian struck him in the face with his fist, was taken to prison, where he has since remained without examination or knowledge of his offence.

(Signed)

JOSHUA MILLER.

H. AUGUSTUS COWPER, *Consul*.

THE deposition of David Donaldson, gunner, of the Royal Marine Artillery, belonging to Her Majesty's steam ship "Growler," was taken on board, by John Lodweck, Esq., First Lieutenant, the deponent being confined to his hammock, as follows :

That upon the evening of the 7th of September instant, at about half-past eight, he was proceeding alone to the boat, when two persons, a civilian and a soldier, came out from near the boat-shed with large sticks ; that both struck him without any provocation of word or deed ; that he fell down, and that the soldier struck him after he was down ; and that he knows nothing more than that upon his examination on board it was found that his collar-bone had been fractured.

(Signed)

DAVID DONALDSON, *Gunner, R.M.A.*

H. AUGUSTUS COWPER, *Consul*.

Surgeon's Certificate.

I HEREBY certify that David Donaldson, gunner, of Marine Artillery, was received on board Her Majesty's steam vessel "Growler," on the evening of the 7th inst., with a fracture of the left clavicle, which he stated to me was occasioned by a blow from a long cudgel as he was quietly returning on board ; marks of a recent contusion were observed over the left side of neck and face.

Given under my hand this 14th day of September, 1843, Pernambuco Roads.

(Signed)

W. F. CARTER, *Surgeon,*

H.M.S.V. "Growler."

H. AUGUSTUS COWPER, *Consul*.

I CERTIFY that Mr. Tucker, carpenter, has received an injury on the right side, also two small wounds over the right elbow, apparently inflicted by the point of a bayonet, and bruises in other parts, the results of recent blows, all of which he states were received on the evening of the 7th instant, in some disturbance in the streets of Pernambuco.

Given under my hand this 14th day of September, 1843, in Pernambuco Roads.

(Signed)

W. F. CARTER, *Surgeon,*

H.M.S.V. "Growler."

H. AUGUSTUS COWPER, *Consul*.

NETHERLANDS.

No. 310.

*Sir E. C. Disbrowe to the Earl of Aberdeen.**The Hague, January 23, 1843.
(Received January 26.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 31st December, 1842.

With respect to the liberated slaves on board the "*Snow*," otherwise labourers, I have to enclose the copy of a note which I addressed to M. de Kattendyke on the 25th of last October, and which I did not transmit on that day, because, in consequence of a conversation which I had had with his Excellency, I was under the impression that I should have been enabled to have returned your Lordship his reply within a few days from that period, and I thought it would be better to forward the whole correspondence together.

I have more than once reminded his Excellency on the subject, and although I have always found him anxious to comply with the request of the British Government, he was compelled to postpone his official answer until he received a communication from the Netherland Colonial Office.

The delay having proved so much longer than I anticipated, I now beg to express my regret that I did not at once forward the copy of the note of the 25th October.

I beg leave to enclose the copy of a further note on the same subject, which I have this day addressed to Baron de Kattendyke, as well as a letter on the subject of the negroes abducted from Barbadoes and carried to Surinam.

I have, &c.

(Signed) E. C. DISBROWE.

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

 First Enclosure in No. 310.
*Sir E. C. Disbrowe to Baron Kattendyke.**The Hague, October 25, 1842.*

THE Undersigned, &c., has the honour to inform his Excellency Baron de Kattendyke, &c., that he has received copies of the communications which passed between the British Commissary-Judge of the Mixed Tribunal established at Surinam, and the Governor of that Colony, under the respective dates of the 23rd and 24th July, and of the 8th and 10th of August, on the subject of the situation of the emancipated negroes in that colony. Of these papers the Undersigned does not annex copies, as he has no doubt they are in the hands of his Excellency the Minister for Foreign Affairs; he begs, however, to add those of the examinations of the negro women, Phœbe and Charlotte, which took place before the Commissary-Judge, adding, at the same time, that as these negroes do not form part of those whose case has come under the consideration of the Mixed Commission, the British Government offers no remark.

The Undersigned is perfectly satisfied that it is sufficient to bring to the knowledge of the Netherland Government the fact of the lash having been employed to compel females to work; but as the cases of the other negroes fall under the stipulations of the Treaty of May 14, 1818, the Undersigned, in obedience to his Instructions, is bound to draw his Excellency's attention to the point. By the Sixth Article of the Instructions for the guidance of the Court

CLASS B.

of Mixed Commission, annexed to the Treaty concluded between Great Britain and the Netherlands, it is stipulated that the negroes who are liberated by the Mixed Commission shall receive certain certificates of freedom therein specified.

It appears, however, from the reports of the British Judges that certain negroes belonging to the "*Snow*" ("*Los Nuevos*,") are not in possession of these certificates. If such is the case, it will be readily admitted on all sides that the omission, proceeding from whatever cause, is contrary to the stipulations of the Treaty; and the Undersigned feels perfect confidence that the Netherland Government will, in all such cases, concur with that of Great Britain, in giving to those whose duty it is to fulfil the stipulation the most positive orders to rectify the error.

In reference to the above correspondence, it appears that the British Commissary-Judge, Mr Schenley, was desirous of holding personal communication with the negroes in question, for the purpose of ascertaining the fact of their possessing these certificates of freedom, according to the stipulations of the Treaty; a step the more justifiable on his part, as a correspondence relative to their position, has already passed between the British Government and that of the Netherlands.

Without entertaining the slightest wish to step beyond the limits assigned to the respective parties by the Treaty, the British Government cannot help regretting that the Governor, *ad interim*, of the Colony of Surinam, should not have permitted Mr Schenley, the British Commissary-Judge, to hold personal communication with the negroes in question. At the same time, judging from the anxiety for the effectual abolition of slavery, so often shown by the Netherland Government, the British Government feels confident that orders will be sent out to the new Governor-General to grant all those facilities to the British Commissary-Judge, which circumstances require to enable him to ascertain that this part of the Treaty has been executed.

(Signed) E. C. DISBROWE.

His Excellency Baron Kattendyke,
&c. &c. &c.

Second Enclosure in No. 310.

Sir E. C. Disbrowe to Baron Kattendyke.

MONSIEUR LE BARON,

The Hague, January 23, 1843.

IN reference to the note which I had the honour of addressing to your Excellency on the 25th of last October, I now beg to state that the British Government feels extremely anxious to learn that the engagements taken with regard to the surviving negroes of the brig "*Los Nuevos*" have been fully carried into effect, and that each of these individuals has been separately made aware that he may consider himself assimilated to a free negro of the colony, and that the Governor-General should take care that these negroes are effectually and *bonâ fide* treated in the same manner as other free negroes.

The execution of these measures, founded on Treaty, had been promised more particularly in the note of your Excellency's predecessor, Baron Verstolk de Soelen, of the 3rd of May 1841, on which occasion it appears that orders to that effect, which had been previously given to the Governor-General, had been repeated on the 21st of the preceding month; but, notwithstanding, it does not appear that these orders had been completely carried into effect up to the 24th of November, 1842.

Under these circumstances, I again beg leave to call your Excellency's attention to the fact, and repeat my request for an early reply to my former communication of the 25th of October.

I avail, &c.

(Signed) E. C. DISBROWE.

His Excellency Baron Kattendyke,
&c. &c. &c.

Third Enclosure in No. 310.

Sir E. C. Disbrowe to Baron Kattendyke.

MONSIEUR LE BARON,

The Hague, January 21, 1843.

THE last accounts which have been received from the West Indies state that certain negroes, Her Britannic Majesty's subjects, have been enticed and carried away from Barbadoes to Surinam, and that they are there kept in slavery.

I am therefore instructed to request, that orders may be sent out to the Governor-General of Surinam to cause a strict inquiry to be made into the truth of these accounts; and the British Government does not doubt that if the reports prove correct, these British negroes, subjects of Her Britannic Majesty, will be immediately restored to their entire liberty, to which they have an undoubted right, and which they would enjoy under British dominion.

Fully convinced that the Netherland Government will, with its usual justice and consideration, lose no time in giving the necessary instructions on this point,

I beg to avail myself, &c.

(Signed) E. C. DISBROWE.

His Excellency Baron Kattendyke,
&c. &c. &c.

No. 311.

*Sir E. C. Disbrowe to the Earl of Aberdeen.**The Hague, January 24, 1843.**(Received January 26.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch marked "Slave Trade," of the 31st December 1842, and I beg to enclose the copy of a note which I have consequently addressed to this Government.

I have, &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 311.

*Sir E. C. Disbrowe to Baron Kattendyke.**The Hague, January 21, 1843.*

THE Governor of British Guiana has written to the Principal Secretary of State of the Colonial Department, informing his Lordship, that certain free negroes, inhabitants of Surinam, have evinced a disposition to emigrate to British Guiana; and that he understands that the Netherland Colonial Authorities are not adverse to their departure.

The particular class to which these free negroes belong is more fully explained in the Despatch of Governor Light, of which a copy is annexed, as well as the dangers which, in his opinion, might result from any attempt to prevent them from emigrating from their present settlement, should they feel inclined to do in mass.

Although it appears that these free negroes are at liberty to proceed where they will, and that, consequently, no objection is likely to arise to the granting of a bounty by the British Government to such individuals as are willing to quit their present abode, and seek for settlement in the British possessions; still it feels it a duty which it owes to a friendly Power, to communicate the circumstances to the Netherland Government, and to request to be informed, with as little delay as possible, of the view which that Government takes of the subject.

The Undersigned, &c., &c., in executing the Instructions which he has received, avails himself, &c.

(Signed) E. C. DISBROWE

His Excellency Baron de Kattendyke,
&c. &c. &c.

No. 312.

*Sir E. C. Disbrowe to the Earl of Aberdeen.**The Hague, February 17, 1843.
(Received February 20.)*

MY LORD,

I CALLED on M. de Kattendyke in the course of last week, to request his Excellency to enable me to forward immediately to your Lordship a reply to the note which I had the honour to address to him on the 25th of October I have this day received the two notes of which I hasten to transmit copies.

I have, &c.

(Signed) E. C. DISBROWE.

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

&c. &c. &c.

First Enclosure in No. 312.

Baron Kattendyke to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 14 Fevrier, 1843.

J'AI l'honneur de porter à votre connoissance que le Département des Colonies a demandé un rapport au Gouverneur Général des Possessions Néerlandaises aux Indes Occidentales, afin de pouvoir répondre avec plus de certitude à l'objet dont vous avez bien voulu m'entretenir par votre office du 21 Janvier dernier, concernant certain nègres qui, bien que sujets Britanniques, se trouveroient en état d'esclavage à Surinam.

Je ne manquerai pas de vous communiquer le résultat de cette démarche aussitôt que j'en aurai été informé, et je saisis entretemps cette occasion pour vous renouveler l'assurance de ma haute considération.

(Signé)

HUYSSSEN DE KATTENDYKE.

Sir Edward Cromwell Disbrowe,

&c. &c.

Second Enclosure in No. 312.

*Baron Kattendyke to Sir E. C. Disbrowe.**La Haye, le 14 Fevrier, 1843.*

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de porter à la connoissance de Sir Edward C. Disbrowe, &c. &c., que le Département des Colonies, n'ayant pas cru pouvoir répondre, sans entendre l'administration des Indes, à la question proposée par la note que Sir E. C. Disbrowe a bien voulu adresser au Soussigné le 21 de Janvier dernier, au sujet des navigations vers la Guyanne Britannique, de nègres libres, descendans de ceux qui ont fui anciennement de la Colonie de Surinam, on a demandé à cet égard un rapport au Gouverneur-Général des possessions Néerlandaises aux Indes Occidentales.

Le SS. s'empressera, aussitôt la réception de ce rapport, d'en communiquer le résultat à Sir E. C. Disbrowe, et saisis entre temps cette occasion pour renouveler l'assurance de sa, haute considération.

(Signé)

HUYSSSEN DE KATTENDYKE.

Sir Edward Cromwell Disbrowe,

&c. &c.

No. 313.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, April 5, 1843.

WITH reference to my Despatch of the 31st December, 1842, and to previous correspondence on the subject of the treatment of the negroes eman-

culated by the Mixed British and Netherlands Court of Justice at Surinam and located in that colony, I herewith transmit to you a copy and extract from Despatches from Mr. Schenley, Her Majesty's Commissioner of Arbitration at Surinam, containing further information upon this subject.

You will communicate the substance of these papers to the Netherlands Government, and urge them to institute an enquiry into the truth of the facts therein alleged, with a view to obtain for the unfortunate persons referred to that entire freedom which the Government of the Netherlands have so long and so repeatedly promised to secure to them, and to which they have a full right under the guarantee of the Treaty of 1818.

I am, &c.

Sir E. C. Disbrowe, G.C.H.
&c. &c.

(Signed) ABERDEEN.

Enclosures in No. 313.

1. *Mr. Schenley to the Earl of Aberdeen, dated December 30, 1842.*
 2. " " " *December 31, "*
- (See Class A. Nos. 203 and 204, pages 293 and 294.)
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No. 314.

Sir E. C. Disbrowe to the Earl of Aberdeen.

*The Hague, April 14, 1843.
(Received April 16)*

MY LORD,

IN reference to your Lordship's Despatch marked "Slave Trade," of the 5th inst., I beg leave to state that I lost no time in calling on Baron Kattendyke, and laying before his Excellency the substance of the letters from Mr. Schenley of the 30th and 31st of December, and of placing, in the strongest view, the improper conduct of the Netherland Authorities at Surinam, in so long withholding the completion of their liberty from the unfortunate individuals captured on board the "*Snow*" ("*Los Nuevos*"), particularly after the promises contained in Baron Verstolk's note of the 3rd of May, 1841.

M. de Kattendyke, after a conference with the Minister of the Colonies, called on me, and informed me that the Netherland Government by no means approved of conduct act of the Governor-General in so long withholding the certificates of liberation from these individuals. He read to me the copy of M. Elias's, the Governor-General's, communication to Mr. Schenley, accounting for the delay which, from Mr. Schenley's correspondence, must have been transmitted to your Lordship on the 18th of December, and therefore I did not ask for a copy.

His Excellency having given me the assurance that the mode in which M. Elias proposed to release these persons, *by degrees*, had been disapproved of by the Netherland Government, and that a reply to his last Despatches had left this country full a month since, peremptorily ordering him on the very day that he received the Despatch to give complete liberty to these negroes, and to deliver to them the certificates of freedom which had been so long unjustly withheld, I thought I might feel justified in withholding a note which I had prepared for the occasion.

I have, &c.

(Signed) E. C. DISBROWE.

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

P.S.—With regard to placing the negroes of the "*Snow*" under the orders of the new colony of emigrants, as mentioned in Mr. Schenley's letter, it will not be admitted of, even if such is the intention of the Governor-General, which they doubt.

E. C. D.

No. 315.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, April 27, 1843.

I HAVE received your Despatch of the 14th instant; and I have the satisfaction to acquaint you, that, considering the assurances which you have received from the Netherlands Minister, I approve of your having withheld the note which, in accordance with the Instructions contained in my Despatch of the 5th instant, you had prepared on the subject of the negroes taken on board of the Dutch slave vessel the "*Snow*."

I am, &c.

Sir E. C. Disbrowe, G.C.H.
&c. &c.

(Signed) ABERDEEN.

No 316.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, April 27, 1843.

I HEREWITH transmit to you an Extract of a Despatch which I have received from Mr. Schenley, Arbitrator on the part of Her Majesty in the Mixed British and Netherland Court at Surinam, mentioning the barbarous treatment of a young female slave by the manager of an estate in that colony, who appears to have met with a punishment very far from commensurate with his offence.

I have to desire that you will communicate this paper to M. de Kattendyke, and at the same time state that Her Majesty's Government cannot doubt that such a crime, if proved to have been committed, would be visited with a less insignificant punishment.

I am &c.

Sir E. C. Disbrowe, G.C.H.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 316.

Extract from a Despatch from Mr. Schenley to the Earl of Aberdeen, dated 10th February, 1842.

THE cruelties practised towards slaves, I believe since the establishment of the colony, and which have given to Surinam such a frightful notoriety, though abated, are not entirely exploded; for I regret to say that it has reached my knowledge that, very recently, upon the estate of Zoelen, near Fort Amsterdam, *the place where the emancipated negroes are detained*, the manager of the estate, a native of Holland, caused a young female, for a very trifling fault, to be whipped to death;—dismissal from his situation being the only punishment which I have been able to learn, that has been inflicted upon him for this barbarity.

I should not intrude the recital of these horrid acts upon your Lordship, but to extenuate any seeming importunity upon my part, relative to my solicitation in favour of the unfortunate "emancipated negroes" and British subjects (Barbadoes negroes) who are unjustly held in slavery by this Colonial Government.

No. 317.

Sir A. Malet to the Earl of Aberdeen.

MY LORD,

The Hague, May 12, 1843.
(Received May 14.)

I HAVE the honour of enclosing a copy of the note which in pursuance of the Instruction contained in your Lordship's Despatch to Sir Edward C. Disbrowe, marked "Slave Trade," of the 27th ultimo, I have addressed to the Netherland Minister of Foreign Affairs, together with a copy of the Extract of

Mr. Schenley's Despatch to your Lordship, mentioning cruelty exercised in the colony of Surinam towards a young female slave.

I beg at the same time to acknowledge the receipt of your Lordship's other Despatch, marked "Slave Trade," of the 27th ultimo, to Sir Edward Cromwell Disbrowe.

I have, &c.

(Signed) A. MALET.

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

Enclosure in No. 317.

Sir A. Malet to Baron de Kattendyke.

MONSIEUR LE BARON,

The Hague, May 12, 1843.

IN accordance with Instructions received from Her Britannic Majesty's Government, I have the honour of transmitting to your Excellency an Extract of a Despatch from Mr. Schenley, Arbitrator in the Mixed British and Netherlands Court at Surinam, mentioning the barbarous treatment of a young female slave, by the manager of an estate in that colony, who appears to have met a punishment very far from commensurate with his offence.

The Earl of Aberdeen, in directing communication of this statement of Mr. Schenley's to be made to the Government of His Netherlands Majesty, desires that it should be accompanied by the expression of the certitude felt by Her Majesty's Government, that from the known humane sentiments and intentions of that of His Netherlands Majesty, such a crime, if proved to have been committed, would be visited with a less insignificant punishment than that said to have been inflicted.

In making this communication, I avail myself, &c.

(Signed) A. MALET.

His Excellency Baron de Kattendyke,
&c. &c. &c.

No. 318.

The Earl of Aberdeen to Sir E. C. Disbrowe.

Foreign Office, May 30, 1843.

Queries as to state of Slave Trade and Slavery in the Dutch Colonies.
(See Despatch of same date to Her Majesty's Commissioner at Surinam,
Class A. No. 212, page 301.)

No. 319.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, June 2, 1843.

(Received June 4.)

MY LORD,

I HAVE the honour to enclose the copy of a note which I have received from Baron de Kattendyke, stating that the Governor of the Netherlands West India possessions has been directed to make enquiries relative to punishments inflicted on certain negroes in those colonies, according to your Lordship's request.

I beg at the same time to acknowledge the receipt of your Lordship's Despatch marked "Slave Trade Circular," of the 30th April last.

I have, &c.

(Signed) E. C. DISBROWE

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

Enclosure in No. 319.

Baron Kattendyke to Sir E. C. Disbrowe.

M. LE CHEVALIER,

La Hague, le 1 Juin, 1843.

EN reponse à l'office que Sir Alex. Malet, a bien voulu m'adresser le 12 Mai dernier, J'ai l'honneur de porter à la connoissance, que l'on s'est empressé de demander au Gouverneur-Général des Possessions Néerlandaises aux Indes Occidentales, un rapport sur le fait fait dénoncé par l'arbitre dans la Cour Mixte établie à Surinam, d'une Jeune Esclave fouettée à mort par le Directeur d'une Plantation dans la Colonie.

A la demande du Département que concerne cet objet, j'ajouterai que bien que l'on ait vu dans la lettre de Monsieur Schenley, une nouvelle preuve de son désir manifesté plusieurs fois, d'intervenir dans des affaires étrangères à ses attributions, l'on remercie pas moins sincèrement le Gouvernement Britannique de la communication précitée.

Je ne manquerai pas de vous instruire du résultat du dit rapport, aussitôt qu'il me sera parvenu, et le saisis entretemps cette occasion, M. Le Chevalier, pour nous renouveler l'assurance de ma plus haute considération, &c.

(Signé) HUYSSSEN DE KATTENDYKE.

Sir Edward Cromwell Disbrowe, G.C.H.

&c. &c. &c.

No. 320.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, June 24, 1843.

WITH reference to my several Despatches to you on the subject of the negroes from on board the captured slave vessel "*Snow*," emancipated by the Mixed Court of Justice at Surinam, in the year 1823, I hereby transmit to you an Extract of a Despatch from Her Majesty's Commissioner of Arbitration at Surinam, stating that, up to the end of the month of April last, certificates of freedom had not been given to the survivors of the negroes in question.

You will communicate the enclosed Paper to the Dutch Government.

I am, &c.

(Signed) ABERDEEN.

Sir E. C. Disbrowe, G.C.H.

&c. &c.

Enclosure in No. 320.

Extract of a Despatch from Mr. Schenley to the Earl of Aberdeen, dated May 2, 1843.

I BEG leave to report that the month of April has expired without any proceedings upon the part of the Government here to remedy the violation of the Treaty of the 4th May, 1818, perpetrated upon the emancipated negroes who survived from the cargo of the slave vessel "*Snow*." The certificates of freedom are still withheld from them, and they are lingering in the horrors of slavery.

In a few days (the 23rd current) they will have completed the long period of *twenty years'* unjust bondage!

The only shadow of excuse that has been offered for this breach of a solemn engagement is, that the fulfilment of the stipulations of the Treaty towards these persons, not numbering in all twenty individuals, might endanger the tranquillity of a slave population of upwards of fifty thousand! Although I totally deny the correctness of this assumption, yet its admission gives a frightful indication of what the condition of slavery must be in this colony, to resort to such an assertion.

No. 321.

*Sir E. C. Disbrowe to the Earl of Aberdeen.**The Hague, August, 29, 1843.
(Received August 31.)*

MY LORD,

I DID not reply at the time to your Lordship's Despatch, marked "Slave Trade," of the 24th of June last, enclosing for my information the extract of a Despatch from Her Majesty's Arbitrator at Surinam, of the 2nd of May, 1843, because it was only at the end of the month of April that M. de Kattendyke gave me the assurance that the most positive orders had been sent out to give these unfortunate persons their certificates of freedom, which had been so long and so unjustly withheld.

I did not, however, fail to speak to M. de Kattendyke as soon as the mails arrived from the West Indies; and I have now the satisfaction of informing your Lordship, that at the date of the last advices, as M. de Kattendyke informs me, the Minister of the Colonies had received a letter from the Governor-General, stating that these orders had been obeyed, and that the survivors of the negroes are restored to complete liberty. I have requested M. de Kattendyke to communicate this information to me officially.

I have, &c.

(Signed) E. C. DISBROWE.

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

&c.

&c.

&c.

No. 322.

The Earl of Aberdeen to Sir E. C. Disbrowe.

(Extract.)

Foreign Office, September 14, 1843.

I HAVE received your Despatch of the 29th ultimo. With reference to that Despatch, as well as to previous correspondence respecting the negroes emancipated by sentence of the Mixed Commission at Surinam, I herewith transmit to you copy of a Despatch and of its Enclosures, which has been received from Her Majesty's Arbitrator at that place.

You will communicate the substance of these papers to the Netherlands Government, for any observations which they may have to make thereupon.

In doing so, you will express confidence on the part of Her Majesty's Government in the good faith and humane views of the Government of the King of the Netherlands; and you will state that Her Majesty's Government are convinced that they shall receive assurances on which they shall be able to rely, that the humane intentions of the contracting parties to the Treaty of 1818, shall not be finally frustrated.

I have to desire, however, that before making this communication, you will ascertain from some competent authority whether, if the negroes in question are placed in a condition of free negroes, there exists any law to hinder them from emigrating from the colony, should they be inclined to do so. And, if you should find that no such law exists, you will suggest to the Government of the Netherlands, as a certain means of ensuring that entire freedom which is due to these unfortunate persons, and of which, up to a very recent date, if not up to the present moment, they have confessedly been unjustly deprived, that the survivors of them shall openly, and in a way not to admit of mistake, receive the option of proceeding to a British Colony; and you will add that Her Majesty's Government will cheerfully bear the expense of their conveyance.

Enclosure in No. 322.

1. *Mr. Schenley to the Earl of Aberdeen, dated March 16, 1843.*

(See Class A. No. 208, page 293.)

No. 323.

*Sir E. C. Disbrowe to the Earl of Aberdeen.**The Hague, September 29, 1843.**(Received October. 1.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 14th September, marked "Slave Trade."

Not having been able to ascertain in a satisfactory manner whether any law exists in the colony of Surinam to hinder the free negroes from emigrating from that colony, I addressed to his Excellency, M. Schimmelpenninck, the note of which I beg to enclose a copy.

I have, &c.

(Signed) E. C. DISBROWE.

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

&c.

&c.

&c.

Enclosure in No. 323.

Sir E. C. Disbrowe to Baron Schimmelpenninck.

M. LE BARON,

The Hague, September 29, 1843.

ON the 28th of August Baron Huyssen de Kattendyke informed me that the survivors of the negroes taken on board the "Snow", "Los Nuevos," and emancipated by the Mixed Commission at Surinam, had at length received their certificates of freedom; and his Excellency was good enough to add, that he would make me a further official communication on the subject for the information of my Government. This communication I have never had the honour of receiving. A report having reached the British Government, that they were emancipated the latter end of June, I beg to request that the list of the surviving negroes, which was furnished on a former occasion to this Mission, should now be completed by a statement of the names of the negroes to whom the certificates of freedom were lately furnished, together with the dates of the certificates; and I am further directed to enquire if any law exists to prevent these negroes from emigrating from the colony, if they should be inclined to do so.

(Signed) E. C. DISBROWE.

His Excellency M. le Baron Schimmelpenninck,

&c.

&c.

&c.

No. 324.

*Sir E. C. Disbrowe to the Earl of Aberdeen.**The Hague, October 31, 1843.**(Received November 2.)*

MY LORD,

I HAVE the honour to transmit the copy of a note which I have received from his Excellency Baron de la Sarraz, together with translations of its Enclosures, relating to the final emancipation of the surviving negroes of the brig "Los Nuevos."

I have, &c.

(Signed) E. C. DISBROWE.

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

&c.

&c.

&c.

Enclosure in No. 324.

Baron de la Sarraz to Sir C. E. Disbrowe.

MONSIEUR LE CHEVALIER,

La Hage, le 23 Octobre, 1843.

J'AI l'honneur de vous communiquer ci-joint deux pièces que je viens de recevoir du Département des Colonies, relativement à l'émancipation des nègres survivans du brick "*Los Nuevos*," objet au sujet duquel vous avez bien voulu entretenir au dernier lieu le Département des Affaires Etrangères par votre Office du 29 du Mois passé.

Ces pièces consistant dans un procès verbal et un extrait des registres de la Cour Mixte à Surinam, indiquent la manière dont les certificats d'émancipation ont été délivrés aux nègres dont il s'agit, et à leurs enfans, ainsi que les noms des individus qui les ont reçus. Vous remarquerez, Monsieur le Chevalier, que du nombre primitif de ces individus, qui était de 49, 23 seulement sont encore en vie, que seize d'entre eux ont reçu des certificats dressés sous la date du 5 Mai, 1843, et que les sept autres, qui servent dans le Corps des Guides coloniaux, les avaient obtenus antérieurement; que les femmes ayant mis au monde dix enfans, ceux-ci ont reçu des certificats constatant leur naissance comme personnes libres; qu'enfin pour ce qui est du nègre nommé Kapitein, son certificat ne lui a été remis que plus tard, à cause d'absence.

En me félicitant de voir cet objet terminé selon vos désirs, j'ajouterai d'après les renseignemens du Département des Colonies, quant à la question posée à la fin de l'office sus rappelé, que les nègres susdits devenus libres, sauf leur soumission aux dispositions législatives établies, le sont également aussi pour ce qui concerne le choix de leur résidence.

Je suisis, &c.

Sir E. C. Disbrowe,
&c. &c.

(Signé) DE LA SARRAZ.

First Sub-Enclosure in Enclosure in No. 324.

ON this day, Tuesday, the 27th of June, of the year 1843, the Governor-General of the Netherland West India Possessions, assisted by the Government Secretary and the Major of Artillery, charged with the administration of the Engineer Department, proceeded to the delivery of proofs of Emancipation to the undermentioned individuals, who having been found on board of the schooner "*Los Nuevos*," or "*Snow*," (sent up to this colony by Her Majesty's brig of war the *Kemphaan*, Commander the Lieutenant of the First Class, Johannes Godson, by virtue of the Treaty concluded between their Majesties the Kings of the Netherlands and Great Britain at the Hague, dated 4th May, 1818.; and having been tried before the Mixed Court for the Suppression of the African Slave Trade, have, by judgment of said Tribunal, dated 1st May, 1823, been declared to be free :

Said certificates of Emancipation, dated 5th May, 1823, having at the time been made out by the Mixed Court aforesaid, and transmitted to the Colonial Government, for the purpose of causing the individuals in question to be employed in conformity with the stipulations of the Treaty alluded to.

The certificates issued on this occasion are as follows :

1. Socrates.
2. Nero.
3. Mars.
4. Solon.
5. Otto.
6. Caron.
7. Alexander.
8. Cromwell.
9. Peter.
10. Vesta.
11. Proserpina.
12. Helena.
13. Antonia.
14. Flora.
15. Elizabeth.
16. Marianne.

To the children besides, procreated by the women found on board of said vessel, certificates were given of their birth as free persons, viz.

1. To "William," son of the free labourer Elizabeth, born the 5th August, 1840.

2. To "Besanto," son of the free labourer Maria, deceased, born the 3rd October, 1833.

3. To "Wilhelmus," son of the free labourer Elizabeth, born the 22nd November, 1839.

4. To "Henrietta," daughter of the free labourer Proserpina, born the 15th September, 1833.

5. To "Evelina," daughter of the free labourer Elizabeth, born the 20th May, 1842.

6. To "Sophia," daughter of the free labourer Vesta, born the 17th August, 1842.

7. To "Elba," son of the free labourer Venus, (date of birth not known.)

8. To "Corsica," son of the free labourer Diana, (date of birth not known.)

9. To "Rosalia," daughter of the free labourer Marianna, (date of birth not known.)

10. To "Kapitein," son of the free labourer Diana, (date of birth not known.) To which latter, however, the certificate has not been delivered by reason of his absence from town; but the date of such eventual delivery will be noted at the foot of the present.

Of the individuals found on board of said vessel as before stated, the following have since deceased :

1. Jupiter.
2. Pluto.
3. Hercules.
4. Saturnus.
5. Samson.
6. Cicero.
7. Bacchus.
8. Cæsar.
9. Thomas.
10. London.
11. Ian.
12. Wellington.
13. Venus.
14. Minerva.
15. Juno.
16. Diana.
17. Pallas, (alias Petronella.)
18. Betsy.
19. Polly.
20. Gulnare.
21. Maria.
22. Louisa.
23. Carolina.
24. Emma.
25. Victoria.
26. Adele.

Finally, the following took service voluntarily, with the corps of Guides or Colonial Chasseurs, to whom certificates of emancipation had previously been granted, viz. :

1. Apollo.
2. Adonis.
3. Adam.
4. Isaac.
5. Jack.
6. Goes.
7. Zeeland.

Of all which facts above detailed, the present Memorial has been drawn up, and signed at this place at the Government House of the Colony of Surinam, on the day stated above.

(Signed)

{ B. J. ELIAS.
G. S. DE VEER.
J. L. DE CASEMBROOT.

Paramaraibo, July 24, 1843.

The certificate was delivered this day to the boy "Kaptein, son of Diana.
(Signed) B. J. ELIAS.

(For a True Copy.)

(Signed)

G. S. DE VEER, *the Government Secretary.*

(For a True Copy.)

(Signed)

CONRAD DE GRANT,
The Acting-Secretary-General at the Colonial Department.

Second Sub-Enclosure in Enclosure in No. 324.

Paramaraibo, July 24, 1843.

EXTRACT from the Note-book of the Mixed Court for the Suppression of the Slave Trade, established at Surinam.

Names of Emancipated Negroes.

MEN.

1. Jupiter.
2. Apollo,
3. Adonis.
4. Mars.
5. Pluto.
6. Nero.
7. Hercules.
8. Saturnus.
9. Samson.
10. Socrates.
11. Solon.
12. Cicero.
13. Adam.
14. Bacchus.
15. Caron.
16. Cæsar.
17. Otto.
18. Alexander.
19. Thomas.
20. Peter.
21. Isaac.
22. Jack.
23. Cromwell.
24. Ian.
25. Wellington.
26. London.
27. Goes.
28. Zeeland.

WOMEN.

1. Venus.
2. Minerva.
3. Juno.
4. Diana.
5. Peternella.
6. Betsy.
7. Polly.
8. Proserpina.
9. Gulnare.
10. Vesta.
11. Flora.
12. Maria.
13. Louisa.
14. Carolina.
15. Emma.
16. Helena.
17. Elizabeth.
18. Natura.
19. Marianne.
20. Adele.
21. Antonia.

Agrees with the aforesaid Note-book.

(Signed)

J. ELLIS, *Secretary to Court aforesaid.*

(For Copy.)

(Signed)

CONRAD DE GRANT,
The Acting-Secretary-General at the Colonial Department.

No. 325.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, November 10, 1843.

I HAVE received your Despatch of the 31st ultimo, enclosing a copy of a note addressed to you by the Netherland Minister for Foreign Affairs, on the subject of the negroes emancipated by the Mixed Court of Justice at Surinam.

I now transmit to you, for your information, copies of two Despatches recently received from Her Majesty's Arbitrator at Surinam, announcing the departure of the negroes in question from Surinam to Demerara, together with a copy of a communication from the Colonial Office, stating that the negroes in question had arrived in British Guiana, and that they had entered into the service of Mr. Bagot, of the Peters-hall estate in that colony.

I transmit to you, at the same time, a copy of a Despatch which I have addressed to Her Majesty's Arbitrator in Surinam, approving of his conduct in request to these negroes; but cautioning him not to overstep the bounds of his duty in his communications with the Dutch Colonial Authorities.

I have to desire that you will communicate the substance of these papers to the Netherland Minister for Foreign Affairs, and that you will express to him the great satisfaction which Her Majesty Government feel at seeing these negroes at length restored to the full and entire freedom to which they were entitled.

I am, &c.,

Sir E. C. Disbrowe, G.C.H.
&c. &c.

(Signed) ABERDEEN.

First Enclosure in No. 325.

Mr. Schenley to the Earl of Aberdeen, dated July 28, 1843.

(See Class A. No. 222, page 310.)

Second Enclosure in No. 325.

Mr. Schenley to the Earl of Aberdeen, dated August 21, 1843.

(See Class A. No. 225, page 315.)

Third Enclosure in No. 325.

Mr. Stephen to Viscount Canning.

MY LORD,

Colonial Office, October 19, 1843.

WITH reference to your Lordship's letter of the 12th instant, I am directed by Lord Stanley to apprise you, for the information of the Earl of Aberdeen, that a Despatch has been received at this department from the Governor of British Guiana, reporting the arrival in that colony on the 22nd of August last, from Surinam, of the twenty-four liberated Africans described in Mr. Schenley's Despatch to Lord Aberdeen.

These people were made fully aware by the Governor of their position, and that they were at perfect liberty to choose their employer and their employment. They have entered into the service of Mr. Bagot, of the Peters-hall estate in British Guiana, where they are now located.

I have, &c.

Viscount Canning,
&c. &c.

(Signed) JAMES STEPHEN.

Fourth Enclosure in No. 325.

The Earl of Aberdeen to Mr. Schenley, dated November 2, 1843.

(See Class A. No. 227, page 318.)

No, 326.

Sir E. C. Disbrowe to the Earl of Aberdeen.

MY LORD,

The Hague, November 14, 1843.

I HAVE the honour to acknowledge your Lordship's Despatch of the 10th instant, marked "Slave Trade," and I have communicated its contents to Baron de La Sarraz.

I have to forward to your Lordship, Despatches from Her Majesty's Commissioners at Surinam, which were transmitted to me on Sunday, by the British Consul at Amsterdam.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

No. 327.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, November 30, 1843.

WITH reference to previous correspondence respecting the negroes belonging formerly to the Netherland vessel the "Snow," I herewith transmit to you, for communication to the Netherland Government, the accompanying copy of a Despatch and of its Enclosure, which I have recently received from Her Majesty's Commissioner at Surinam, upon this subject.

I am, &c.

Sir E. C. Disbrowe, G.C.H.

(Signed)

ABERDEEN.

&c.

&c.

Enclosure in No. 327.

Mr. Schenley to the Earl of Aberdeen, dated September 22, 1843.

(See Class A. No. 232, page 324.)

No. 328.

Sir E. C. Disbrowe to the Earl of Aberdeen.

MY LORD,

*The Hague, December 1, 1843.**(Received December 8.)*

I HAVE the honour to transmit to your Lordship, the copy of a communication made to me by the the Netherland Minister of Foreign Affairs, in reply to the note which I addressed to this Government on the 20th of January last, a copy of which was enclosed to your Lordship in my Despatch, marked "Slave Trade," of the 24th January last, relating to the negroes in the Netherland colony of Surinam, who, it was stated by his Excellency, Governor Light, were desirous of emigrating to the British settlements: a disposition which your Lordship will perceive, by the enclosed note, is asserted by the Netherland authorities never to have existed, and which, had it been the case, would have been discouraged by their Colonial administration.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

Enclosure in No. 328.

*M. De la Sarraz to Sir E. C. Disbrowe.**La Haye, le 21 Novembre, 1843.*

LE SOUSSIGNE, Ministre des Affaires Etrangères a l'honneur de porter à la connoissance de Sir Edward Disbrowe, &c., que le Département des Colonies a reçu le rapport du Gouverneur à Surinam relativement à l'objet dont

Sir Edward a bien voulu entretenir le département des Affaires étrangères par son office du 21 Janvier dernier, auquel une réponse provisoire a été donnée sous la date du 14 Fevrier suivant.

Il résulte du rapport susmentionné, que les renseignements transmis à l'agent général pour les émigrations à Demerarie, par un Capitaine de la marine marchande, touchant le désir qui animerait certaine classe des nègres libres de la colonie de Surinam d'émigrer vers la Guiane Britannique, sont peu exacts ou invraisemblables. Les tribus nègres dont il s'agit, montant ensemble à six au sept mille ames, se conduisent d'une manière inoffensive depuis les arrangements conclus avec eux. Quoique peu laborieux, ils savent toutefois pourvoir à leur existence de manière à n'être à charge de personne et comme ils aiment le sol qui les a vu naître, qu'ils y trouvent leur subsistence sans avoir beaucoup à travailler qu'ils ont une antipathie prononcée contre les voyages de mer, et qu'un voyage par terre de Surinam à la Guiane Britannique serait extrêmement difficile, il paroît peu probable qu'ils y seroient réellement disposés, ou qu'ils disireroient quitter leur demeure actuelle. De son côté le Gouvernement de Surinam n'a aucun motif pour souhaiter la migration de ces peuplades ou pour les encourager dans une pareille entreprise, qui pourrait occasioner, comme M. L'Agent-Général Susmentionné l'observe très bien une grande fermentation parmi la population esclave de la colonie.

Le Soussigné prie Sir Edward C. Disbrowe, de vouloir bien communiquer les details qui précèdent au Gouvernement de Sa Majesté Britannique, et lui temoigner en même temps combien le Gouvernement des Pays Bas apprecie les sentimens de bonne intelligence et d'amitié qui ont dirigé le Cabinet de Londres en fournissant à celui de la Haye, l'occasion d'exposer le veritable état des choses relativement aux dits nègres libres qui habitent la colonie de Surinam.

Le Soussigné renouvèle, &c.

(Signé) DE LA SARRAZ.

Sir E. C. Disbrowe, G.C.H.
&c. &c.

No. 329.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, December 5, 1843.
(Received December 8.)

MY LORD,

GENERAL De la Sarraz not having taken any notice in his note of the 21st of November of the British subjects (negroes) said to have been seduced from Barbadoes, and retained in slavery at Surinam, I addressed to his Excellency the enclosed note, recalling my previous demand to his attention.

I have, &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 329.

Sir E. C. Disbrowe to Baron de la Sarraz.

The Hague, December 4, 1843.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary, &c., has the honour to acknowledge the receipt of the note which his Excellency Lieutenant-General de la Sarraz, Minister of Foreign Affairs of His Netherland Majesty, addressed to him on the 20th November, in reply to one which the Undersigned had the honour to address to the Department on the 21st of January last, and he will immediately transmit that note to his Government.

The Undersigned begs leave at the same time to call his Excellency's attention to another note of the 21st of January, to which the provisional answer of the Netherland Government of the 14th February refers, relating to certain negroes, subjects of Her Britannic Majesty, who, as it has been reported, have been enticed away from Barbadoes to Surinam, where they are kept in slavery; the truth of which report the Undersigned was instructed to request that the

Governor-General might be instructed to make strict enquiries into ; and the Undersigned begs once more to draw the attention of the Netherland Government to this point.

The Undersigned avails, &c.

(Signed) E. C. DISBROWE.

His Excellency Baron de la Sarraz,
&c. &c. &c.

No. 330.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, December, 5 1843.
(Received December 8.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 30th ultimo, and I beg to enclose the copy of a note which I have in consequence addressed to the Minister of Foreign Affairs.

I have &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 330.

Sir Edward Disbrowe to Baron de la Sarraz.

The Hague, December 4, 1843.

THE Undersigned, &c. in pursuance of his Instructions, has the honour to transmit, for the information of the Netherland Government, the copy of a Despatch, which Mr. Schenley, the British Commissary-Judge at Surinam, has transmitted to the Earl of Aberdeen, under date of the 22nd September.

The Government of Her Britannic Majesty has learnt with pleasure the humane conduct adopted by the Governor-General Elias, which will no doubt contribute to the well-being of the colony.

The Undersigned, &c.

(Signed) E. C. DISBROWE.

His Excellency Baron de la Sarraz,
&c. &c. &c.

No. 331.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, December 20, 1843.

I TRANSMIT to you an extract from one Despatch, and copies of other Despatches which I have received from Her Majesty's Commissioner at Surinam, on the subject of certain negroes affirmed to have been illegally imported into Surinam, contrary to the stipulations of the Treaty of 1818, between Great Britain and the Netherlands, and in opposition to the known humane intentions of His Netherlands Majesty to suppress entirely every vestige of the illegal Slave Trade in his dominions.

I have to desire that you will communicate these papers to the Netherlands Government, and that you will request that searching enquiries may be made into the facts alleged therein ; and that special directions may be given, that if the statements sent by Mr. Schenley should turn out to be correct, the individuals who have remained so long in slavery in Surinam may be forthwith set at liberty.

Her Majesty's Government would suggest, as an easy means for providing for the future freedom and maintenance of these negroes, that they may be sent to Her Majesty's neighbouring colony of Demerara.

Her Majesty's Government will willingly bear the expense of such removal:

CLASS B.

and, upon a communication on the subject from the Netherlands Government, the Governor of the British settlement, and Her Majesty's Commissioner at Surinam, will be directed to give any assistance which the Governor of Surinam may require from them, in furtherance of any arrangement that may be made for the humane purpose in question.

I am, &c.

Sir E. C. Disbrowe,
&c. &c.

(Signed) ABERDEEN.

Enclosures in No. 331.

1. Mr. Schenley to the Earl of Aberdeen, December 18, 1842.
2. " " " July 22, 1843.
3. " " " September 10, 1843.
4. " " " September 10, 1843.

(See Class A. Nos. 200, 221, 234, and 235, pages 288, 308, 326, and 327.)

No. 332.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, December 31, 1843.

I HAVE to desire that you will call the attention of the Netherland Government to the state of those negroes in Surinam who originally formed part of a cargo of slaves belonging to a vessel called "*La Légère*," detained by Sir Thomas Cochrane, in the year 1823.

The circumstances, it appears, are as follows :

In 1823, Sir Thomas Cochrane, then commanding Her Majesty's ship "*Forte*," was employed in carrying into execution the Treaty between Great Britain and the Netherlands for the Suppression of the Slave Trade. On the 9th of September in that year, being off Surinam, he met with a brig called "*La Légère*." This brig had a cargo of 313 negroes on board, and Sir T. Cochrane having good reason to suppose that she was engaged in an attempt to infringe the decrees of the King of the Netherlands against the Slave Trade, by smuggling those negroes on shore, detained her, sent her into Surinam, and delivered her up to the authorities there, to be proceeded against for a breach of the Dutch laws.

The trial of the vessel was proceeded with, and the slaves were meantime landed. But the evidence produced of illegal intent was not, as it appears, sufficient to carry conviction to the Court, and the vessel was released.

The local Government then directed that she should sail under escort of a Dutch ship to Martinique, to be delivered up to the French authorities at that place.

In execution of this sentence, the slaves were re-embarked, to the number of 269. Before the remaining 44 reached the vessel, the master of the "*La Légère*" got under weigh, and in proceeding down the river took an opportunity to complete the intention with which Sir T. Cochrane had originally charged him, by smuggling his 269 negroes on shore again. These were seized, and accounts reached Her Majesty's Government, that upon a new investigation of the case, the authorities at Surinam had declared the negroes to be free. Her Majesty's Government directed the British Envoy at the Hague to express to the Dutch Minister the gratification of the British Government at learning this result of the proceedings. The Dutch Minister acknowledged this intimation, and, in corroboration of the supposed intentions of his Government, stated, that "prior to the sentence, the negroes composing the cargo of the "*Légère*" had, by an arrangement of the Governor of Surinam, been placed as free men under the direction of the Colonial Administration, to be employed by the Government as day labourers.

You will find the particulars of these transactions among the archives of your Mission in the Despatch from Mr. Secretary Canning to Sir C. Bagot, of the 31st May, 1825; and Sir C. Bagot's Despatches in answer, dated, severally, the 7th and 14th June of the same year.

From the statements contained in the accompanying Despatches from Her Majesty's Commissioners at Surinam, you will perceive that these negroes are not yet free.

I have therefore to desire that you will draw the attention of the Netherlands Government by note to this circumstance, and that you will request them to cause an investigation to be made into the present state of these negroes, and to give orders that any step yet wanting to their entire freedom shall be completed, so that the benevolent and just intentions expressed by the Dutch Government to the British Ambassador more than 18 years ago, may be honestly and effectually accomplished.

I am, &c.

(Signed) ABERDEEN.

Sir *E. C. Disbrowe,*
&c. &c.

Enclosures in No. 332.

1. *Mr. Schenley to the Earl of Aberdeen, December 18, 1842. (Extract.)*
2. " " *February 17, 1843.*
3. " " *October 25, 1843.*

(See Class A. Nos. 200, 207, and 238, pages 288, 296, and 330.)

SWEDEN.

No. 333.

Sir T. Cartwright to the Earl of Aberdeen.

Stockholm, October 31, 1843.

(Received November 13.)

MY LORD,

MR. Alexander and Mr. Wiffen, Members of the Slavery Abolition Society in London, lately visited this country, in order to urge the immediate emancipation of the slaves in the Swedish colony of St. Bartholomew.

During their short stay here they saw some of the leading personages, and the information they obtained agreed in its result with the statement I had the honour to make to your Lordship in my Despatch of the 28th of January of last year—viz., that in the next Diet (which is to meet in 1845) a measure will be proposed by the Government for the emancipation of the slaves, upon a pecuniary indemnity being granted to the slaveowners.

An article to this purport was published in the Government newspaper, a translation of which I have the honour to enclose.

I have, &c.

(Signed) THOMAS CARTWRIGHT.

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

&c.

&c.

&c.

Enclosure in No. 333.

*Extract from the Swedish Government Gazette, "Stats-tidning," of
September 2, 1843.*

(Translation.)

IN a Message dated April 30, 1841, the Diet laid before His Majesty their humble wish that he would be graciously pleased to examine how slavery might be abolished in the island of St. Bartholomew; and also that he would take such measures as might be found suitable and practicable for carrying this important project into effect.

In accordance with His Majesty's gracious command, the Message mentioned above was communicated to Colonel Haasum, the Governor of the Colony, in order that he might transmit to His Majesty every kind of information connected with this subject. The information requested was concerning the number of slaves in St. Bartholomew—their condition and treatment—the sum which might be thought necessary for the purchase of their freedom—the inclination of the inhabitants to assist in carrying out such an emancipation—and the influence this might probably have on the commercial and agricultural interests of the island.

The Report of the Governor, in answer to this document, delivered by him on the 9th of June, 1842, was submitted by the Colonial Department to His Majesty's gracious consideration on the 30th of July next following. In this Report, Colonel Haasum communicates the most exact information respecting the condition of the slaves in the colony. He shows that they are treated with mildness and every possible indulgence; that, as to physical comforts, their position is as easy as that of free labourers and servants in Europe; that, nevertheless, the condition of a slave cannot but be degrading to humanity, and this degradation influences very unfavourably the morality of individuals, one disagreeable consequence of which is, the non-existence of marriages among the slaves, who therefore live in concubinage, and who possess no rights over their

own children, the latter being the exclusive property of the slaveowner, and always liable to be sold by him, with the limitations marked out by the law; that, accordingly, it must be desirable, in the interest of humanity and of the moral advancement of individuals, that slavery should be abolished in St. Bartholomew; that the only method of carrying this into effect is the due compensation of the slaveowners; that, besides the justice of such a compensation, the inhabitants of the island have been guaranteed in all their existing privileges, in the Convention of the 1st of July, 1784, by which France transferred the island to Sweden; and that the number of slaves on the island at this moment amounts to 595, for the purchase of whose liberty, grounded on a classification of the whole with regard to age and sex, Colonel Haasum proposes a round sum of 20,275*l*. In the meantime, and until this proposal may be properly examined and duly executed, the Governor proposes a number of regulations, which he thinks might be enacted, all tending to improve still further the condition of the slaves, in accordance with the fatherly views entertained by His Majesty.

In a Protocol relative to Colonial Affairs, bearing date the 30th of July, 1842, His Majesty has ordered that the information and the proposed plan of emancipation contained in Colonel Haasum's Report, as before mentioned, shall be communicated to the Diet of the Kingdom at their next meeting; and that, in the meantime, the various detailed regulations proposed by the Governor for the benefit of the slave population, shall immediately become law, and be carried into full effect, within the limits of the colony.

No. 334.

Sir T. Cartwright to the Earl of Aberdeen.

Stockholm, November 2, 1843.

(Received November 13.)

MY LORD,

I HAVE the honour to transmit to your Lordship a translation of some regulations which his Swedish Majesty has directed the Governor of St. Bartholomew's to put in force, for the purpose of ameliorating the condition of the slaves in that Colony.

The Governor, Colonel Haasum, carried out these regulations with him, when he returned to St. Bartholomew's in the latter part of last autumn; but Baron d'Jhne told me, when he gave me a copy of them, that the Swedish Government had not yet received any notice of their having been promulgated.

I have, &c.

(Signed) THOMAS CARTWRIGHT.

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

&c. &c. &c.

Enclosure in No. 334.

Regulations for the Improvement of the Condition of the Slaves in the Colony of St. Bartholomew, approved by his Majesty the 30th of July, 1842.

(Translation.)

Sect. 1. EVERY slave belonging to the Island of St. Bartholomew shall hereafter be entitled to the privilege of procuring his own liberty, on payment of his full value. On the same conditions he may also be set at liberty by any persons whatsoever.

Sect. 2. This, their legal value, is to be ascertained and definitely fixed, after a proper and conscientious examination by three Commissioners or Referees ("Gode Män"), of whom one shall be named by the owner of the slave, one by the Justiciary Court, and one by the Governor of the Colony. The award of these persons, after they have been sworn before the Justiciary, shall have the force of law, without appeal.

The amount so fixed shall be immediately paid over to the owner, in the presence of the Justiciary, unless the former, of his own free will, consents to receive a certain sum in part payment, and to allow periodical payment of the remainder. In either case, the slave shall be immediately entitled to his certifi-

cate of freedom, and shall thereafter answer for his own debts; in the latter case only as a common debtor.

Sect. 3. Every emancipated slave enters immediately upon the rights and duties of every other citizen, and is equal before the law.

Sect. 4. Without his own voluntary consent, no slave can be carried or transported from the island, except when he is legally condemned to the punishment of banishment.

Sect. 5. In accordance with the Swedish "Regulations for Servants," of the 23rd November, 1833, every slave is liable to extra-judicial punishment, or what is called house chastisement. But, in addition to this, he may be imprisoned in a common jail for eight days at the utmost, on the mere demand of his owner. But should the vices or misdemeanours of the slave require still more severe punishment, and yet should not be of a kind requiring the interference of the Judge, the consent of the Governor must first be obtained thereto.

Sect. 6. The slave has the right of property in whatever he can acquire by gift, purchase, or labour, during his free hours. Always excepting arms and ammunition, which are liable to seizure in the hands of a slave; and boats, which he can only possess by the special permission of his master.

Sect. 7. In criminal cases a slave is a competent witness, provided he is of good character, and his knowledge of the Christian faith is certified by some clergyman of the island.

Sect. 8. In reference to Sections 1 and 2, the following fees are to be paid:—

	Spanish Dollars
To the Justiciary for the Certificate of Liberation (the enrolment of the Oath of the Appraisers, and the Registration included therein), in all	2 6
To the Messenger for the Summons :	0 6
To the Appraisers, each 1\$, or	3 0
Total	6 0

If an owner liberates his slave without going through these formalities, the only payment required will be for the Certificate and the Registration; in all 1\$.

Sect. 9. The owner is obliged, in accordance with the present laws and usages of the Colony, to provide his slave with wholesome food and suitable clothing; the quality of which, in case of complaint, shall be fixed by the Council, unless the two parties come to some separate arrangement thereupon. During sickness and old age, the owner of the slave shall provide and pay for his proper support, &c., and cannot evade this duty by the liberation of the slave, in case the latter was previously sick or helpless.

Sect. 10. For any infraction of this law, the Tribunal shall have the power to fine any owner or master from 5\$ to 100\$. The same fines may be imposed in case of the improper treatment of the slave. Should this be brutal, or such as to incapacitate the slave from gaining his own livelihood, the Court is also empowered to set the slave at liberty, besides compelling the owner to pay due compensation, or to support him for life, as the case may be. Should death ensue, the owner shall be judged by the common law. All fines are shared equally between the Public Prosecutor and the Municipal Fund.

Sect. 11. For the rest, hereafter as heretofore, the Governor of the Island is also the Chief Protector of the Slave Population, and it is his duty to see that all in authority under him duly observe and carry into effect whatever His Majesty may be graciously pleased to command in favour of the slave, and whatever else may be reasonable and just for the due protection of the same.

No. 335.

The Earl of Aberdeen to Sir T. Cartwright.

SIR,

Foreign Office, December 28, 1843.

WITH reference to previous correspondence respecting Mr. Gaspary, I transmit herewith to you a copy of a further Despatch which I have recently received from Her Majesty's Consul-General at Tunis upon this subject; and I

have to desire that you will communicate the same to the Swedish Government for such steps as they shall deem the case to require.

I have, &c.

Sir T. Cartwright,
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 335.

Sir T. Reade to the Earl of Aberdeen, November 20, 1843.

(See Class D. No. 76, page 152.)

ARGENTINE CONFEDERATION.

No. 336.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, November 26, 1842.

(Received Feb. 11, 1843.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 17th August last, transmitting to me, for my information, six copies of an Act of Parliament passed on the 30th June of this year, for carrying into effect the Treaty between Her Majesty and the Argentine Confederation, for the Abolition of the Slave Trade, signed at Buenos Ayres on the 24th May, 1839.

In consequence of the provision by the Sixth Article of that Treaty—that at the time of the Exchange of the Ratifications the two Governments should declare, each for its own territories, in what places the Mixed Courts of Justice should be established—not having been yet carried into execution, your Lordship directs me to declare formally by note to the Argentine Government, that Her Majesty's Government have decided that the colony of Sierra Leone is to be the station of the Mixed Court to be established in a British Possession; and if the Government of the Confederation should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone on the part of Buenos Ayres, arrangements will be made for their reception.

These directions, and the others which follow on this subject, addressed to me by your Lordship in the above-mentioned Despatch, I lost no time in executing, and have delivered a note to the Buenos Ayrean Minister for Foreign Affairs, of which I have the honour to transmit to your Lordship a copy, in which I communicated to the Government of the Argentine Confederation your Lordship's intentions and proposals for carrying into effect the stipulations of that Treaty, in the manner laid down to me by your Lordship.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

&c.

&c.

&c.

Enclosure in No. 336.

Mr. Mandeville to Don Felipe Arana.

SIR,

Buenos Ayres, November 23, 1842.

BY the Sixth Article of the Treaty for the Suppression of the Traffic in Slaves, signed at Buenos Ayres on the 24th of May, 1839, it was provided that, at the time of the Exchange of the Ratifications, the two Governments should declare, each for its own territories, in what places the Mixed Courts of Justice should be established.

As this formality has not as yet been carried into execution, I have been directed by Lord Aberdeen to make known to the Government of the Argentine Confederation, that Her Majesty's Government have decided that the Colony of Sierra Leone is to be the station of the Mixed Court to be established in a British possession; and I am desired to state, that if the Government of the Confederation should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone on the part of Buenos Ayres, arrangements will be made for their reception.

I now beg leave to enquire whether it is the intention of the Government of the Confederation to appoint a Registrar, and a Judge, and Arbitrator, to

CLASS B.

reside within their own territory ; or whether, under Additional Article 2, to the Treaty, they are desirous that a Court should be appointed there, the Commissioners of which would for the present be British only, and the expense of which would be borne by the British Government ?

In either of these cases, I have to request that your Excellency will inform me at what place the Argentine Government desire that the Court shall reside.

However, as no Slave Trade appears to be carried on under the Argentine flag, Her Majesty's Government do not think that the establishment of a Mixed Court in the territory of the Confederation is at present necessary for the service of Suppressing Slave Trade ; and that any isolated cases which may occur under this flag, might properly be disposed of by the Mixed Court at Sierra Leone, if the Government of the Confederation should concur in a provisional understanding to that effect.

I have, &c.

(Signed) J. H. MANDEVILLE.

His Excellency Don Felipe Arana,
&c. &c.

No. 337.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, June 20, 1843.

I HEREWITH transmit to you a copy of a List, furnished by the Admiralty, of Her Majesty's ships and vessels to which warrants and instructions have been issued, in pursuance of the Treaty of the 24th May, 1839, between Great Britain and the Argentine Confederation, for the Abolition of the Slave Trade, specifying the force and station of each vessel, and the name and rank of its Commander.

I have to desire, that, in accordance with the provisions of the Fourth Article of that Treaty, you will transmit a copy of that List to the Argentine Government.

I am, &c.

(Signed) ABERDEEN.

J. H. Mandeville, Esq.
&c. &c.

Enclosure in No. 337.

Admiralty, June 12, 1843.

List of Her Majesty's Vessels supplied with Warrants, authorising them to act under the Treaty between Her Majesty and the Argentine Confederation, dated 24th May, 1839, for the Abolition of the Slave Trade, with the names of their respective Commanding Officers, the Force of the Ships, and the Station on which they are employed.

Ship's Name.	Guns.	Name of Commanding Officer.	Station.
Winchester	50	Captain Charles Eden	Cape of Good Hope.
Isis	44	" Sir John Marshall	" "
Cleopatra	26	" Christopher Wyvill	" "
Buttern	16	Commander Hon. B. C. F. P. Cary	" "
Sappho	16	" Hon. Geo. Hope	" "
Thunderbolt (Steam vessel)	4	" G. N. Broke	" "
Arrow	6	Lieutenant William Robinson	" "
Madagascar	44	Captain John Foote	Coast of Africa.
Iris	26	" G. R. Mundy	" "
Terret	6	Commander Josiah Oake	" "
Cygnets	8	Lieutenant Edmund Wilson	" "
Heroine	10	" T. D. Stewart	" "
Bonetta	3	" C. E. Gray	" "
Pantaloon	10	" C. H. Lapidge	" "
Rapid	10	" E. C. Earle	" "
Kite (Steam-vessel)	2	" W. J. G. Pasco	" "
Alfred	50	Commodore J. B. Purvis	Brazil.
Curaçoa	24	Captain Sir T. S. Pasley, Bart.	" "
Dappree	18	" J. J. Onslow	" "
Pearl	20	Commander R. H. Stopford	" "
Frolic	16	" W. A. Willis	" "
Gorgon (Steam-vessel)	6	Captain Charles Hotham	" "

LIST of Her Majesty's Vessels, &c.—*continued.*

Ship's Name.	Guns.	Name of Commanding Officer.	Station.
Ardent (Steam-vessel)	4	Commander John Russell (B)	Brazil
Growler . Ditto	4	„ C. H. M. Buckle	„
Curlew	10	Lieutenant John Foote	„
Viper	6	„ James Carter	„
Spider	6	„ R. E. Pym	„
Illustrious	72	Captain J. E. Eskine	North America and West Indies.
Pique	36	„ Hon. Montagu Stopford	„
Spartan	26	„ Hon. C. G. J. B. Elliot	„
Volage	26	„ Sir William Dickson, Bart.	„
Tweed	20	Commander H. D. C. Douglas	„
Electra	18	„ Arthur Darley	„
Albatross	16	„ Regd. Yorke	„
Ringdove	16	„ Sir William Daniell	„
Scylla	16	„ Robert Sharpe	„
Wasp	16	„ Andrew Drewe	„
Rose	16	„ H. R. Sturt	„
Griffin	3	Lieutenant Charles Jenkin	„
Pickle	3	„ J. A. Bainbridge	„
Fair Rosamond	2	„ A. G. Bulman	„
Hornet	1	Lieutenant R. B. Miller	„
Avon (Steam vessel)	2	„ D. R. B. Mapleton	„

No. 338.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, July 4, 1843.

I HAVE to desire that you will inform the Argentine Government that a warrant, under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation, for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Espoir," of eight guns, commanded by Commander Arthur Harwell, and to be employed on the West Coast of Africa station.

I am &c.

(Signed) ABERDEEN.

J. H. Mandeville, Esq.
&c. &c.

No. 339.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, July 27, 1843.

I HAVE to desire that you will inform the Argentine Government that a warrant, under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation, for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Racer," of sixteen guns, commanded by Commander Archibald Reed, and to be employed on the Brazil station.

I am, &c.

(Signed) ABERDEEN.

J. H. Mandeville, Esq.
&c. &c.

No. 340.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, August 2, 1843.

I HAVE to desire that you will inform the Argentine Government that a warrant, under the Treaty of May 24, 1839, between Great Britain and the Argentine Confederation, for the Abolition of Slave Trade, has been issued to Her Majesty's ship "Conway," of twenty-six guns, about to be employed on the Cape of Good Hope station, and commanded by Captain Robert Fair.

I am, &c.

(Signed) ABERDEEN.

J. H. Mandeville, Esq.
&c. &c.

No. 341.

The Earl of Aberdeen to Mr. Mandeville,

SIR,

Foreign Office, August 11, 1843.

I HAVE to desire that you will inform the Argentine Government that a warrant, under the Treaty of May 24, 1839, between Great Britain and the Argentine Confederation, for the Abolition of Slave Trade, has been issued to Her Majesty's steam vessel "Hermes," of three guns, to be employed on the West India station, commanded by Lieutenant Washington Carr.

I am, &c.

(Signed) ABERDEEN.

J. H. Mandeville, Esq.

&c. &c.

No. 342.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, September 8, 1843.

I HEREWITH transmit to you a List of Her Majesty's ships and vessels to which warrants have been issued under the Treaty of May, 1839, between Great Britain and the Argentine Confederation, for the Abolition of the Slave Trade, specifying the force and station of each vessel, and the name of its Commander.

And I have to desire that you will communicate a copy of that List to the Argentine Government.

I am, &c.

(Signed) ABERDEEN.

Enclosure in No. 342.

List of Her Majesty's Ships and Vessels to which Warrants have been issued under the Treaty of May 24, 1839, between Great Britain and the Argentine Confederation,

Name of Vessel.	Name of Commander.	No. of Guns.	Station.
Dolphin	Lieut. W. O. B. Hoare	3	Brazil.
Inconstant	Capt. Charles H. Freemantle	36	North America & West India.
Alert	Commander C. J. Bosanquet	3	Coast of Africa.
Albert (Steam-vessel)	Lieut. Daniel Woodruffe	6	Coast of Africa.
Wasp	Commander Henry Bagot	16	North America & West India.
Spy	Lieut. S. O. Wooldridge	3	African.
Bittern	Commander Edmund Peel	16	Cape of Good Hope.

No. 343.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, July 18, 1843.**(Received October 9.)*

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of a note which I have received from the Buenos Ayrean Minister for Foreign Affairs, after repeated applications on my part to his Excellency, in answer to my note of the 23rd November last, in which I informed his Excellency that Her Majesty's Government have decided that the colony of Sierra Leone is to be the station of the Mixed Court to be established in a British possession, and that if the Government of Buenos Ayres should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone, arrangements will be made for their reception; or, if it is desirous that in virtue of the Additional Article 2, of the Treaty concluded between Her Majesty and the Argentine Confederation, the Commissioners of this Court should for the present be only British, and the expenses be defrayed by Her Majesty's Government.

M. Arana states, in his note, that he has received orders from the Governor

and Captain-General of this Province, to acquaint me, that from the present impossibility of incurring the heavy expense which the transmission to and permanency in that distant country of a Judge and Arbitrator on the part of the Confederation would require, his Excellency agrees that the Judge and Arbitrator appointed on the part of Her Britannic Majesty shall take cognisance of and decide upon the cases which may be submitted to them; but as the Government is not embarrassed by any such difficulties with respect to the designation of the place and the nomination of the Judge, Arbitrator, and Registrar, who are to compose the Mixed Tribunal of Justice which is to be formed in the territory of the Confederation, his Excellency has determined that Buenos Ayres be the residence of the Tribunal, and that the same be composed of the Magistrates named to the vacancies in the 3rd paragraph of the Tenth Additional Article, in the Class of Judge, Arbitrator, and Secretary.

I have, &c.

(Signed) J. H. MANDEVILLE.

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

&c.

&c.

&c.

Enclosure in No. 343.

Don Felipe Arana to Mr. Mandeville.

VIVA LA CONFEDERACION ARGENTINA!

(Translation.)

Buenos Ayres, July 15, 1843.

THE Undersigned has attentively perused your Excellency's note of the 23rd November last, in which you inform him that you had received orders from Lord Aberdeen to make known to this Government that Her Majesty's Government, according to the Sixth Article of the Treaty for the Suppression of the Slave Trade, had resolved that the Colony of Sierra Leone should be the destination of the Mixed Tribunal which has to be established in a British possession; and that, should this Government deem it convenient to appoint a Judge and Arbitrator to reside at that place, arrangements should be made for their reception; for which reason they were anxious to know if it is the intention of this Government to nominate a Registrar, Judge, and Arbitrator, to reside within its own territory; or whether, in conformity with the Second Additional Article to the Treaty, it is willing that a Tribunal be established there, the Commissioners whereof, for the present, may be entirely British, and whose salaries will be defrayed by that Government. Your Excellency then requests to be informed, in either of these two cases, of the place destined by this Government for the residence of the Tribunal, and concludes by stating that, as it does not appear that any traffic in slaves is carried on under the Argentine flag, Her Majesty's Government do not consider the establishment of a Mixed Court in the territory of the Confederation for the Suppression of the Trade to be at present necessary—the Mixed Tribunal of Sierra Leone being fully adequate to settle any isolated cases which may occur under this flag, provided the Government concurs in a provisional understanding to that effect.

His Excellency the Governor and Captain-General of the Province, before whom the aforesaid note of your Excellency was laid, has ordered the Undersigned to state to you in reply, that he has been duly apprised of the resolution adopted by Her Britannic Majesty's Government, conformably to the Sixth Article of the Treaty with this Republic for the Suppression of the Slave Trade, the Colony of Sierra Leone as the place of residence for the Mixed Court of Justice which has to be established in a British possession, and that from the present impossibility of incurring the heavy expense which the transmission to and permanency in that distant country of a Judge and Arbitrator on the part of the Confederation, would require, and from there not being any Consular employés or Argentine citizens resident at that place to compose the Tribunal, he agrees that, on the provisional condition which your Excellency has been pleased to indicate, the Court be established with a Judge and Arbitrator appointed on the part of Her Britannic Majesty, to take cognisance of and decide upon the cases which may be submitted to it, in conformity with the pro-

visions of the First Additional Article to the abovementioned Treaty; the more so, because, as your Excellency has been good enough to state, it does not appear that at present any traffic in slaves is carried on under the Argentine flag.

But as the Government is not embarrassed by any such difficulties with respect to the designation of the place and nomination of the Judge, Arbitrator, and Secretary or Registrar, who are to compose the Mixed Tribunal of Justice which has to be formed in the territory of the Confederation, and anxious, moreover, to fulfil the duties imposed by the Treaty, his Excellency has determined that Buenos Ayres be the residence of the Tribunal, and that the same be composed of the Magistrates named to the vacancies in the 3rd paragraph of the Tenth Additional Article in the Class of Judge, Arbitrator, whom the Government of your Excellency may be pleased to appoint; the Mixed Tribunal will be organised and ready to take cognisance of and decide upon cases which may occur.

God preserve, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) FELIPE 'ARANA.

No 344.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, October 20, 1843.

I HAVE to desire that you will acquaint the Argentine Government that the warrant supplied to Her Majesty's steam vessel "Avon," on the North America and West India station, authorising her to act under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 345.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, October 20, 1843.

I HAVE to desire that you will inform the Argentine Government, that a warrant under the Treaty of May 24, 1839, between Great Britain and the Argentine Confederation for the Abolition of Slave Trade, has been issued to Her Majesty's steam vessel "Hydra," of two guns, to be employed on the Coast of Africa station, commanded by Commander H. B. Young.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 346.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, November 1, 1843.

I HAVE to desire that you will acquaint the Argentine Government, that the warrant supplied to Her Majesty's ship "Tweed," on the North America and West India Station, authorising her to act under the Treaty of the 24th May, 1839, between Great Britain and the Argentine Confederation, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 347.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, November 5, 1843.

I HAVE to desire that you will inform the Argentine Government that a warrant under the Treaty of May 24, 1839, between Great Britain and the Argentine Confederation for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Star," of six guns, to be employed on the North America and West India station, commanded by Commander Robert J. W. Dunlop; and to Her Majesty's ship, "Eurydice," of twenty six guns, to be employed on the North America and West India station, commanded by Captain George Elliot, and to be employed on the North American and West Indian station.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 348.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, November 11, 1843.

I HAVE to desire that you will acquaint the Argentine Government, that the warrant supplied to Her Majesty's ship "Volage," on the North America and West India station, authorising her to act under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation, for the Suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 349.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, September 8, 1843.**(Received December 12.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch, of the 20th June, of this year, transmitting to me a copy of a List furnished by the Admiralty of Her Majesty's ships and vessels to which warrants and instructions have been issued, in pursuance of the Treaty of the 24th May, 1839, between Great Britain and the Argentine Confederation for the Abolition of the Slave Trade, specifying the force and station of each vessel, and the name and rank of its Commander.

In obedience to your Lordship's directions, I lost no time in transmitting a copy of that List to the Argentine Government, to which I added Her Majesty's sloop "Espoir" of eight guns, Commander Arthur Morrell, to which a warrant had been issued, in conformity with the Instructions contained in your Lordship's Slave Trade Despatch, of the 4th July, which I received at the same time.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 350.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, December 19, 1843.

I HAVE to desire that you will inform the Government of Buenos Ayres, that a warrant under the Treaty of May 24, 1839, between Great Britain and

the Argentine Confederation for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Sealark" of six guns, commanded by Commander Thomas L. Gooch, and to be employed on the West Coast of Africa station.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 351.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, December 29, 1843.

I HAVE to desire that you will inform the Government of the Argentine Confederation, that a warrant under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Helena" of 16 guns, commanded by Commander Sir C. Ricketts, Bart., and to be employed on the Cape of Good Hope Station.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

/ (Signed) ABERDEEN.

ARGENTINE CONFEDERATION—(*Consular.*)

No. 352.

The Earl of Aberdeen to Mr. Griffiths.

Foreign Office, May 30, 1843.

QUERIES as to state of Slave Trade and Slavery in the Argentine Confederation.

(See Despatch of same date to Her Majesty's Commissioner at Surinam, Class A. No. 212, page 301.)

No. 353.

Mr. Griffiths to the Earl of Aberdeen.

British Consulate, Buenos Ayres, August 4, 1843.

(Received November 10.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated May 30 of this year, directing me to do my utmost to obtain answers to various questions, regarding the number of the population of all classes of this State, and of the condition of the black as well as of the free coloured men.

In compliance with your Lordship's desire, I shall use every endeavour to obtain information on these points, and shall not fail to communicate the results of the enquiries upon the matters proposed as soon as is possible.

I have, &c.

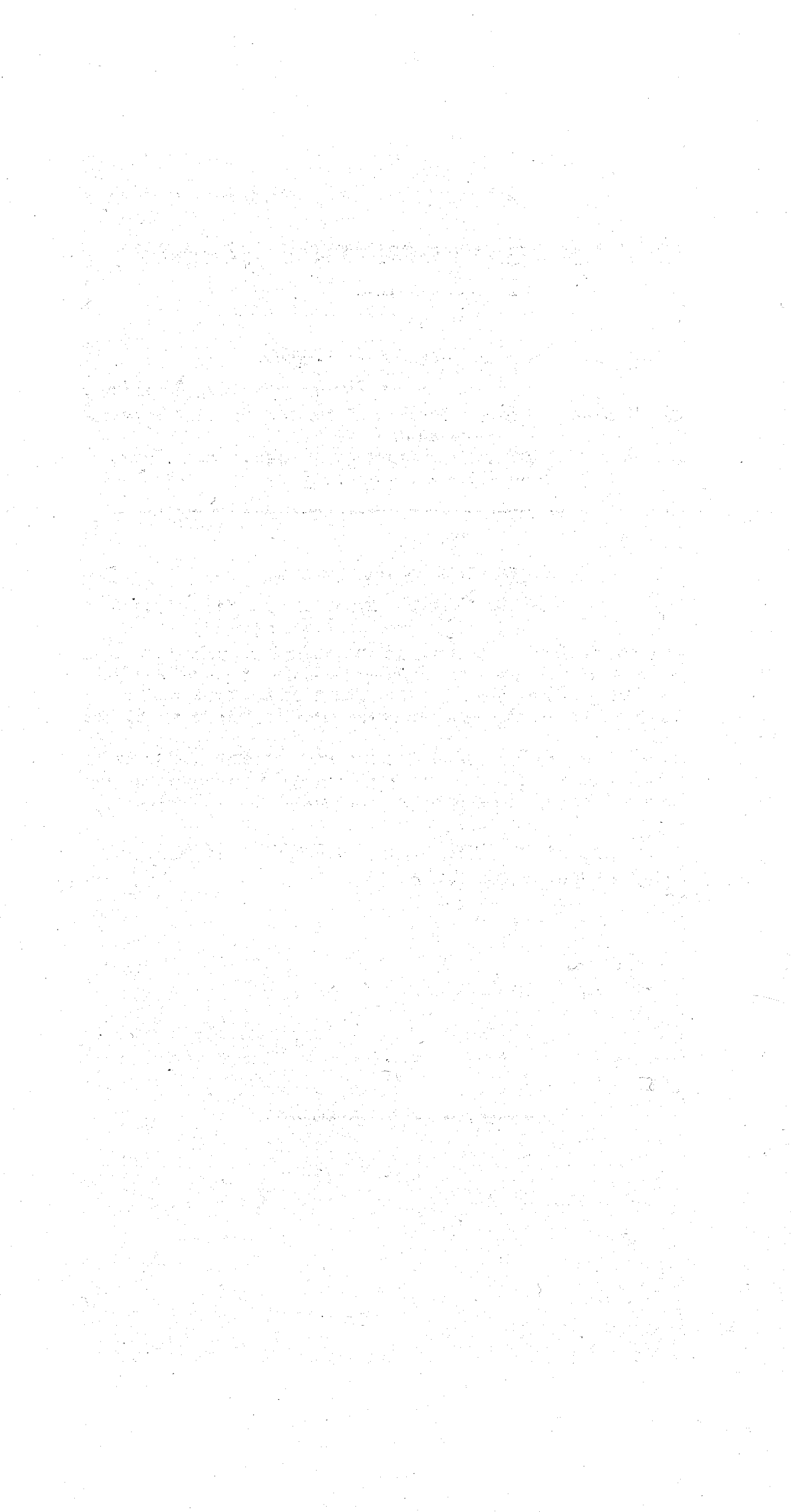
(Signed) CHARLES GRIFFITHS, *H. M. Consul.*

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

&c.

&c.

&c.



BOLIVIA.

No. 354.

Mr. Masterton to Mr. Bidwell.

*Chuquisaca, October 17, 1842.
(Received March 14, 1843.)*

SIR,

I HAVE the honour to report to you, for the information of Her Majesty's Principal Secretary of State for Foreign Affairs, that on the 8th instant the Bolivian Minister of Foreign Affairs, in the name of his Government, received from my hands the Ratification of the Treaty for the Abolition of the Slave Trade, concluded on the 25th September, 1840, between Her Britannic Majesty and the Republic of Bolivia.

I enclose the original receipt in Spanish, for the delivery of the said Treaty. The duplicate, in English, remains in the archives of this Consulate.

I have, &c.

(Signed) CHARLES MASTERTON,
British Vice-Consul in Bahia.

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

No. 355.

The Earl of Aberdeen to Mr. Masterton.

Foreign Office, May 30, 1843.

QUERIES as to the state of Slave Trade and Slavery in Bolivia.
(See Despatch of same date to Her Majesty's Commissioner at Surinam,
Class A. No. 212, page 301.)

No. 356.

The Earl of Aberdeen to Mr. Masterton.

Foreign Office, August 23, 1843.

SIR,

I HAVE not up to this date received from you an acknowledgment of the receipt of my Despatch, marked "Slave Trade," of the 17th October, 1842,* on the subject of the establishment of Mixed Courts for the adjudication of vessels captured under the Treaty concluded between Her Majesty and the Republic of Bolivia, on the 25th September, 1840, for the Abolition of the Traffic in Slaves. I therefore send you a duplicate of that Despatch, and I have to desire that in the event of your not having received the original, you will on the receipt of this Despatch lose no time in executing the Instructions therein contained.

I take this opportunity of transmitting to you, for your information, six copies of an Act of Parliament passed during the present Session for carrying into effect the Treaty in question.

I am, &c.

(Signed) ABERDEEN.

*Charles Masterton, Esq.
&c. &c.*

* See Class B., 1842, No. 358, page 497.

No. 357.

Mr. Masterton to Mr. Bidwell.

SIR,

Chuquisaca, March 31, 1843.

I HAVE the honour to report to you, for the information of Her Majesty's Principal Secretary of State for Foreign Affairs, that, in fulfilment of the Instructions left with me by Mr. Belford Wilson, I have addressed a note to the Bolivian Minister of Foreign Affairs, enclosing to his Grace the Project of a Law agreed upon between Mr. Wilson and Don José Maria Linares, in 1840; reminding him that, in fulfilment of the stipulations of the Treaty between Her Britannic Majesty and the Republic, for the Abolition of the Slave Trade, it is expedient that the said Project, by the sanction of the present National Convention, should be passed into a law, declaring the persons who may hereafter engage in the said traffic to be guilty of the crime of Piracy; and also fixing the port of Cobija or La Mar as the residence of the Mixed Commission to be established in virtue of the aforesaid Treaty.

Notwithstanding the refusal of the Bolivian Minister to continue to transact international business with me, on account of the low standing of my rank, as reported to you in my No. 8 of this year, I considered it to be my duty to remind the Bolivian Government of the propriety of getting that measure finally sanctioned by the Representative Body to be assembled on the 16th of next month, so that, if it be not done, the fault of its omission may not be imputed to negligence on my part.

I have, &c.

(Signed)

CHARLES MASTERTON,
*British Vice-Consul in Bolivia.**John Bidwell, Esq.*
&c. &c.

First Enclosure in No. 357.

Mr. Wilson to Mr. Masterton.

SIR,

Sucre, November 11, 1840.

I HAVE the honour to transmit herewith, for your information and guidance, a copy of a note and of its enclosure addressed to me, under date of the 6th inst., by the Minister of Foreign Affairs of Bolivia, enclosing to me a Project of a Law initiated by him in the Senate, for carrying into effect certain stipulations of the Treaty between Her Majesty and Bolivia, for the Abolition of the Traffic in Slaves.

You will take a favourable opportunity to call the attention of the Minister of Foreign Affairs to that Project, and to urge upon him the expediency of its being recommended to the adoption of Congress, either in the Message of the President or of his own.

I am, &c.

(Signed)

BELFORD HINTON WILSON.

Charles Masterton, Esq.
&c. &c.

Second Enclosure in No. 357.

*Mr. Masterton to the Bolivian Minister.**British Consulate in Bolivia,**Chuquisaca, March 31, 1843.*

SEÑOR MINISTRO,

I HAVE the honour to enclose to your Grace a copy of a Despatch from Don Joze Maria Linares to Mr. Belford Wilson, dated November 6, 1840, enclosing a Project of Law, initiated by the Bolivian Government, declaring the persons who may henceforward engage in the Slave Trade to be guilty of the crime of Piracy, according to the stipulations of the Treaty between Her Britannic Majesty and the Republic of Bolivia, for the Abolition of the Slave

Trade; and also fixing the port of Cobija, or La Mar, as the residence of the Mixed Commission, to be established in virtue of the aforesaid Treaty.

I beg leave most respectfully to remind your Grace of the propriety and expediency of the enclosed Project being recommended, in the Message of his Excellency the President of the Republic, for the adoption of the National Convention appointed to assemble in this capital on the 16th of next month, so that it may finally be passed into an effective law.

I have, &c.

(Signed) CHARLES MASTERTON.

His Grace the Minister of Foreign Affairs of Bolivia,
&c. &c. &c.

Third Enclosure in No. 357.

(Translation.)

M. Linares to Mr. Wilson.

Palace of Government in the city Sucre,
November 6, 1842.

THE Undersigned, Minister of Foreign Affairs, has the honour to enclose to Mr. Wilson, a copy of the Project of Law which his Government has initiated declaring (in conformity with the Treaty for the Abolition of the Slave Trade, concluded on the 25th of last September with the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland), the said traffic to be the crime of Piracy, and establishing the penalty with which it is to be punished in the Republic. The Project also contains the declaration that the port of La Mar is the place where the Mixed Commission established by the Treaty is to reside, to take cognisance of the cases of Slave Trade.

The Government of the Undersigned has hastened to initiate the Project, without waiting for the Ratification of the Treaty on the part of the Government of Her Britannic Majesty, because it doubts not for a moment that it will be obtained, and because, by this proceeding, it wishes to give a proof of its desire to complete, on its part, as soon as possible, a wish which confers so much honour on the Government of Her Majesty.

The Undersigned also informs Mr. Wilson that in the Project the penalty of death is not enacted, because the Constitution of the Republic only recognises it in cases of treason against the country, rebellion, parricide, and assassination, prohibiting its application in other instances; and as, according to the penal laws in force in Bolivia, the greatest punishment next to death is that of Ten years of imprisonment, according to the Project, the crime of Piracy is to be visited with that punishment.

The Undersigned, &c.

Mr. Bedford Wilson,
&c. &c.

(Signed) JOZE MARIA LINARES.

Project of Law.

THE Senate and Chamber of Representatives of the Bolivian Nation decree the following Law.

Article 1st.—In conformity with the stipulations of the Treaty for the Abolition of the Slave Trade, concluded between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republic, the said traffic is declared to be the crime of Piracy.

Article 2nd.—Besides the penalties established by the Treaty, the person who commits the crime of Piracy, shall suffer Ten years of imprisonment. The other guilty persons shall suffer the same punishment, observing, as to the period, the scale and proportion established by the Penal Code, according to the class to which it appertains.

Article 3rd.—The port of La Mar shall be the place where the Mixed Commission established by the said Treaty shall reside.

Article 4th.—The 174th Article of the Penal Code is abrogated.

Let it be communicated, &c.

(A copy.)

(Signed) LINARES.

THE following is a copy of the 174th Article of the Bolivian Penal Code, which is ordered to be abrogated by the 4th Article of the foregoing Project.

"They who by sea or land introduce slaves into Bolivia, shall suffer Two or Four years of imprisonment, and a fine equivalent to the sixth part of the value of said slaves, they remaining free. They who knowingly buy slaves of those thus introduced shall suffer the said penalties, the slaves remaining also free."

No. 358.

Mr. Masterton to Mr. Bidwell.

Chuquisaca, April 21, 1843.
(Received September 14.)

SIR,

WITH reference to my Despatch of the 31st ultimo, I have the honour to enclose to you, for the information of Her Majesty's Principal Secretary of State for Foreign Affairs, a copy and translation of the reply of the Minister of Bolivia to my note of the 31st March, (enclosed to you in my number referred to above) in which I reminded the Bolivian Government of the propriety and expediency of passing a law, during the sessions of the present Convention, attaching to the Traffic in Slaves the crime of Piracy, as agreed upon between M. Belford Wilson and the late Government of the Republic.

By the reply of the Minister, the Bolivian Government conceives itself without power to propose to the present Convention the passing of a law of the nature requested; because that Convention, being assembled solely for the consideration of particular business, possesses no attributes for the purpose in question.

The Minister has, however, expressly pledged his Government to pass the law at a future period.

I have, &c.

John Bidwell, Esq.
&c. &c.

(Signed)

CHARLES MASTERTON,
British Vice-Consul in Bolivia.

(Translation.)

Enclosure in No. 358.

Senhor Mendez to Mr. Masterton.

SIR,

Sucre, April 20, 1843.

I HAVE received your note dated the 31st of March, in which you request that, in conformity with the Treaty concluded for the Abolition of the Slave Trade between the Government of Her Britannic Majesty and Bolivia, the sanction of the Project of Law declaring the Traffic in Slaves to be Piracy, may be recommended by the Executive Power in the Message to the Congress to be assembled in a few days.

I am directed by his Excellency to inform you, that the Government is sorry not to be able to accede to your request, inasmuch as the faculties of the Legislative Body cannot be known to the Government till the Constitution has been sanctioned, as it yet remains to be determined whether or not it is to be one of the prerogatives of the Executive Power to take the initiative in the adoption of laws.

Besides the sole attributes of the Convention, by the decree of its Convocation, being to elect a President of the Republic, to examine his acts, and to form a Constitution, it appears that it would be improper to present for its approbation a law foreign to the character with which it is to assemble.

The Penal Code, which ought to comprise this crime, is to be submitted for the approbation of the Chambers; and then the Government will consider what will be the best opportunity to dictate a law such as you indicate.

You ought to be persuaded that the Government is firmly resolved to do all in its power to give the most exact fulfilment to the Treaties concluded with the Government of Great Britain, for the Abolition of the Slave Trade; and, should the Constitution which is to be promulgated authorise it to propose the sanction of any laws, the Government will then encounter no obstacles in

complying with your desire, as well as its own; but it cannot compromise itself by taking a step which would be premature.

I reiterate, &c.

(Signed) MANUEL DE LA CRUZ MENDEZ.

Charles Masterton, Esq.
&c. &c.

No. 359.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, September 29, 1843.

I HEREWITH transmit to you a copy of a List furnished by the Admiralty of Her Majesty's ships, to which warrants and instructions have been issued, in pursuance of the Treaty of the 25th September, 1840, between Her Majesty and the Republic of Bolivia, for the Abolition of the Slave Trade, specifying the force and station of each ship, and the name and rank of its Commander.

I have to desire that, in accordance with the provisions of the 5th Article of that Treaty, you will transmit a copy of that List to the Bolivian Government.

I am, &c.

Charles Masterton, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 359.

Admiralty, September 23, 1843.

LIST of Her Majesty's Ships and Vessels to which Warrants have been supplied, authorising them to act under a Treaty between Her Majesty and the Republic of Bolivia, dated September 25, 1840, for the Abolition of Slave Trade, with the Names of their respective Commanding Officers, the Force of the Ships, and the Station on which they are employed.

Ships' Names.	Guns.	Name of Commanding Officer.	Station.
Winchester	50	Captain Charles Eden	Cape of Good Hope.
Isis	44	" Sir John Marshall	" "
Cleopatra	26	" Christ. Wyvill	" "
Conway	26	" Robert Fair	" "
Bittern	16	Commander Edmund Peel	" "
Sappho	16	" Hon. George Hope	" "
Thunderbolt (Steam-vessel)	4	" G. N. Broke	" "
Arrow	6	Lieutenant William Robinson	" "
Ferret	6	Commander Josiah Oake	Coast of Africa.
Alert	6	" J. Bosanquet	" "
Espoir	10	" Arthur Morrell	" "
Rapid	10	Lieutenant E. C. Earle	" "
Spy	3	" P. O. Woodriddle	" "
Albert (Steam-vessel)	3	" D. Woodruffe	" "
Alfred	50	Commodore J. B. Purvis	Brazil.
Curacoa	24	Captain Sir T. S. Pasley, Bart.	" "
Daphne	18	" J. S. Onslow	" "
Frolic	16	Commander W. A. Willis	" "
Racer	16	" Archibald Reid	" "
Gorgon (Steam-vessel)	6	Captain Charles Hotham	" "
Ardent ditto	4	Commander John Russell (B)	" "
Growler ditto	4	" C. H. M. Buckle	" "
Viper	6	Lieutenant James Carter	" "
Spider	6	" R. E. Pym	" "
Dolphin	3	" W. O. B. Hoare	" "
Illustrious	72	Captain J. E. Erskine	N. America & W. Indies.
Pique	36	" Hon. Montagu Stopford	" "
Inconstant	36	" C. H. Freemantle	" "
Spartan	26	" Hon. C. G. J. B. Elliot	" "
Volage	26	" Sir Wm. Dickson, Bart.	" "
Electra	18	Commander Arthur Darley	" "
Albatross	16	" Reginald Yorke	" "
Ringdove	16	" Sir William Daniell	" "
Scylla	16	" Robert Sharpe	" "
Wasp	16	" Henry Bag	" "
Rose	16	" H. R. Sturt	" "
Griffin	3	Lieutenant Charles Jenkin	" "
Pickle	3	" J. A. Bainbridge	" "
Fair Rosamond	2	" A. G. Bulman	" "
Hornet	1	" R. B. Miller	" "
Hermes (Steam-vessel)	3	" Washington Carr	" "

No. 360.

Mr. Masterton to Mr. Bidwell.

SIR,

*Chuquisaca, May 15, 1843.
(Received November 1.)*

I HAVE the honour to acknowledge the receipt, this day, of Lord Aberdeen's Despatch, "Slave Trade," dated 17th October, 1842, instructing me to declare formally, by note, to the Bolivian Government, that Her Majesty's Government, in conformity with the Treaty for the Abolition of the Slave Trade, has decided that the Colony of Sierra Leone is to be the station of the Mixed Court, to reside in a British possession: to enquire whether the Bolivian Government wishes to appoint a Judge and Arbitrator to reside at that station: to ascertain if it be the intention of the Bolivian Government to appoint a Registrar and a Judge within its own territory: or whether, under Additional Article Two to the Treaty, it is desirous that a Court should be appointed there wholly British, the expenses to be borne by Great Britain; and, if so, to enquire at what place the Bolivian Government desires that the Court should reside; and to state to the Bolivian Government, that it is the opinion of the British Government that the establishment of a Mixed Court in the territory of the Republic, is for the present unnecessary.

The Instructions above quoted shall be attended to by me immediately, and the result communicated to you when the Bolivian Government shall impart to me its determination.

I have, &c.

(Signed)

CHARLES MASTERTON,

*British Vice-Consul in Bolivia.**John Bidwell, Esq.**&c. &c.*

No. 361.

Mr. Masterton to Mr. Bidwell.

SIR,

*Chuquisaca, May 24, 1843.
(Received November 1.)*

I HAVE the honour to report to you, for the information of Her Majesty's Principal Secretary of State for Foreign Affairs, that, in compliance with the Instructions of the Earl of Aberdeen in his Lordship's Despatch, dated Foreign Office, 17th October, 1842, (the receipt of which I acknowledged in my Despatch of the 15th instant, I addressed a note to the Bolivian Minister, informing his Grace that Her Majesty's Government had decided that the Colony of Sierra Leone was to be the station of the Mixed Court, to reside in the British possessions; and enquiring whether the Government of the Republic should think proper to appoint a Judge and Arbitrator to reside in that Colony. I also requested to be informed whether it was the intention of the Bolivian Government to appoint a Registrar, a Judge, and an Arbitrator, to reside within its own territory; or whether, under Additional Article Two to the said Treaty, it was desirous that a Court should be appointed in its said territory, the Commissioners of which would, for the present, be British only, and the expense of which would be borne by the British Government; adding, that as no Slave Trade appears to be carried on under the Bolivian flag, the Government of Her Majesty does not think that the establishment of a Mixed Court in the territory of the Republic is at present necessary for the service of suppressing Slave Trade, as any isolated cases that may occur under that flag might properly be disposed of by the Mixed Court in Sierra Leone.

To my note the Bolivian Minister replied by putting to me the following question:—"What amount of salary will Her Britannic Majesty assign to the Bolivian functionaries sent to Sierra Leone?" "A question necessary to be asked," adds the Minister, "as by the Second Additional Article to the Treaty, it is stipulated that the entire expense of both Courts, to be established under the Treaty, shall be borne by the Government of Her Britannic Majesty." Without a knowledge of that particular, his Grace the Bolivian Minister says that he cannot, with security, reply to the contents of my note above quoted.

As I possess no Instructions to warrant my expressing any idea on the point, I merely replied to the Bolivian Minister that I would, without loss of time,

submit the subject to the consideration of the Government of Her Majesty, a duty which I fulfil by the present communication.

I have, &c.

(Signed)

CHARLES MASTERTON,
British Vice-Consul in Bolivia.

John Bidwell, Esq.
&c. &c.

First Enclosure in No. 361.

Mr. Masterton to the Minister of Foreign Affairs of Bolivia.

British Consulate in Bolivia, Chuquisaca, May 15, 1843.

SEÑOR MINISTRE,

I HAVE the honour to inform your Grace that I am commanded by the Government of Her Britannic Majesty to draw the attention of the Government of Bolivia to the Seventh Article of the Treaty between Her Majesty and the Republic, for the Abolition of the Traffic on Slaves, signed at Sucre on the 25th September, 1840, wherein it is stipulated, that at the time of the exchange of the Ratifications, the two Governments should declare each for its own territory, in what places the Mixed Courts of Justice should be established.

The Right Hon. the Earl of Aberdeen, Her Majesty's Principal Secretary of State for Foreign Affairs, observes in his Despatch to me, that as it appears that on the transmission to me of Her Majesty's Ratification of the Treaty in question, I was not directed to make any declaration on that subject to the Bolivian Government on the part of that of Her Majesty's; to remedy that omission, I am now instructed to declare formally, by note, to the Government of the Republic of Bolivia, that Her Majesty's Government has decided that the Colony of Sierra Leone is to be the station of the Mixed Court, to reside in a British possession; and I am further to state, that if the Government of the Republic should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone, on the part of Bolivia, arrangements will be made for their reception.

I am instructed, besides, to enquire whether it is the intention of the Government of the Republic to appoint a Registrar, a Judge, and an Arbitrator, to reside within its own territory; or whether, under Additional Article Two to the Treaty, the Bolivian Government is desirous that a Court should be appointed in its said territory, the Commissioners of which would, for the present, be British only, and the expense of which would be borne by the British Government. In either of these cases, I am to request to be informed at what place of its territory the Bolivian Government desires that the Court should reside.

I am, moreover, instructed to state to the Government of Bolivia, that as no Slave Trade appears to be carried on under the Bolivian flag, Her Majesty's Government does not think that the establishment of a Mixed Court in the territory of the Republic; is at present necessary for the service of suppressing Slave Trade, but it is of opinion that any isolated cases, which may occur under that flag, might probably be disposed of by the Mixed Court at Sierra Leone, if the Government of the Republic should concur in a provisional understanding to that effect.

I have, &c.

(Signed)

CHARLES MASTERTON,
British Vice-Consul in Bolivia.

His Grace the Minister of Foreign Affairs of Bolivia,
&c. &c. &c.

Second Enclosure in No. 361.

Sr. Mendez to Mr. Masterton.

SIR,

Sucre, 19, May, 1843.

To reply securely to your note of the 15th instant, relative to the appointment of the person to go to Sierra Leone, the place designated by Her

CLASS B.

Britannic Majesty for the residence of the Mixed Courts which, in conformity with one of the Articles of the Treaty for the Abolition of the Slave Trade, are to be established in the possessions of Her Britannic Majesty, and another in the Bolivian territory, it appears necessary to enquire what is the salary that Her Britannic Majesty assigns to those Bolivian Functionaries? I make this enquiry, because, in conformity with the Second Article of the Additional ones to the Treaty of the 25th September, 1840, "the entire expense of both Courts to be established under the Treaty, shall be borne by the Government of Her Britannic Majesty;" and as, according to the greater or less amount of the salary to be assigned to those Functionaries, the quality of the person to be employed will depend, and his higher or lower category as Judge or Arbitrator in that Commission on the part of Bolivia.

I reiterate, &c.

(Signed) MANUEL DE LA CRUZ MENDEZ.

Charles Masterton, Esq.
&c. &c.

Third Enclosure in No. 361.

Mr. Masterton to Sr. Mendez.

Sr. MINISTRO, *British Consulate in Bolivia, Chuquisaca, May 20, 1843.*

HAVING no Instructions to authorise me in any manner to answer the question put to me by your Grace, in your esteemed note No. 10, relative to the amount of salary to be assigned by Her Britannic Majesty to the Bolivian Functionaries who, in compliance with the Treaty for the Abolition of the Slave Trade, may be sent to the Mixed Court at Sierra Leone, I have the honour to inform your Grace, that I will lose no time in referring the question to the British Government.

I have, &c.

(Signed) CHARLES MASTERTON.

His Grace the Minister of Affairs of Bolivia.

No. 362.

The Earl of Aberdeen to Mr. Masterton.

SIR, *Foreign Office, November 5, 1843.*

I HAVE to desire that you will inform the Bolivian Government, that warrants under the Treaty of the 25th September 1840, between Great Britain and the Republic of Bolivia, for the Abolition of Slave Trade, have been issued to Her Majesty's sloop "Star" of six guns, to be employed on the West Coast of Africa, commanded by Commander R. J. W. Dunlop; and to Her Majesty's ship "Eurydice" of 26 guns, to be employed on the North America and West India station, commanded by Captain George Elliot.

I am, &c.

Charles Masterton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 363.

The Earl of Aberdeen to Mr. Masterton.

SIR, *Foreign Office, November 27, 1843.*

I HAVE received your Despatch of the 24th of May last, enclosing a copy of a note which, in pursuance of the Instructions contained in my Despatch of the 17th October, 1842, you had addressed, on the 15th of May, 1843, to the Bolivian Minister for Foreign Affairs, and also a copy and translation of a note from the Bolivian Minister in reply thereto, enquiring what salary Her Britannic Majesty will assign to the Bolivian Functionaries who may be employed in the Mixed Courts, under the Treaty of the 25th September, 1840, between Great Britain and Bolivia, for the Suppression of the Slave Trade.

It does not appear clearly whether the Bolivian Minister, in asking this question, refers only to Bolivian Functionaries, who may be sent to Sierra

Leone, or also to Bolivian Functionaries who may be employed in the Mixed Court which may be established in Bolivia.

But, in either case, that Minister has misinterpreted the stipulations of the Additional Articles to the Treaty.

According to those Articles, Her Majesty's Government are in no case bound to pay the salaries of the Bolivian Judge or Arbitrator in either of the Mixed Courts.

By Additional Article 1 it is stipulated, that in the event of delay in the appointment of a Bolivian Judge and Arbitrator in the Mixed Court, to be established in British territory, the British Judge and Arbitrator shall adjudge such cases as may be brought before them, and the sentence pronounced by them shall have the same force and validity as if the Bolivian Judge and Arbitrator had been present and acting.

The efficiency of the Mixed Court now established at Sierra Leone is not therefore affected by the appointment or non-appointment of Bolivian Commissioners.

By the Second Additional Article it is stipulated, that so long as no Bolivian Judge and Arbitrator is nominated, it will be unnecessary for the Bolivian Government to appoint a Secretary or Registrar in the Mixed Court to be established in Bolivia; that in the meanwhile (namely, until such time as the Bolivian Government shall appoint such functionaries), the Secretary of the Court in Bolivia shall be named and paid by the Government of Her Britannic Majesty, and the entire expense of both the Courts to be established under the Treaty shall, during such interval, be borne by Her Majesty's Government.

But so soon as the Bolivian Government shall fill up, on their part, the appointments for the Mixed Court in Bolivia or at Sierra Leone, this conditional obligation contracted by Her Majesty's Government will cease, and the Bolivian Government will, according to the First Article of Annex. B. be liable to one half of the contingent expenses of such Court or Courts.

The state of the case is, therefore, as follows: 1st, With respect to the Mixed Court in British territory.

Her Majesty's Government have appointed a Judge, Arbitrator, and Registrar at Sierra Leone; and the Judge and Arbitrator have been instructed to open the Mixed Court, and adjudicate cases presented to them.

If the Bolivian Government appoint a Judge and Arbitrator at Sierra Leone, they must pay them their salaries, and be prepared to pay, in addition, half of the aggregate amount of the incidental expenses of that Court.

2ndly, With respect to a Mixed Court in Bolivian territory—

If the Bolivian Government do not appoint a Judge, Arbitrator, or Registrar in Bolivia, and if, notwithstanding, they insist upon a Court being established there, Her Majesty's Government will appoint and pay a Registrar, Judge, and Arbitrator there, which Judge and Arbitrator will adjudicate alone the cases presented to them.

But if the Bolivian Government appoint a Bolivian Judge, Arbitrator, and Registrar in Bolivia, Her Majesty's Government will appoint a British Judge and Arbitrator to meet them; and, in the latter case, the Bolivian Government must pay their Judge, Arbitrator, and Registrar, and one-half of the aggregate amount of the incidental expenses of the Court.

If, however, the Bolivian Government should appoint neither Judge or Arbitrator at Sierra Leone, nor Judge, Arbitrator, or Registrar, in Bolivia, they will not be liable to pay any portion of the contingent or other expenses attending either Court.

I am, &c.

Charles Masterton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 364.

Mr. Masterton to Mr. Bidwell.

Chiuquisaca, June 10, 1843.
(Received November 28.)

SIR,

WITH reference to my Despatches of the 31st of March and 21st of April of this year, I beg leave to be instructed whether, when I avail myself of

another fitting opportunity to press on the attention of the Bolivian Government the propriety and expediency of passing a law attaching the crime of Piracy to the Traffic in Slaves, I am also to draw its attention to the arrangement, between Mr. Belford Wilson and Senhor Linares, which fixes the Port of Cobija, or La Mar, as the residence of the Mixed Commission to be established in the Bolivian territory.

I request instructions on that point, because, in my conception, the Earl of Aberdeen's Despatch, No. 10, dated 17th October, 1842, insinuates that the arrangement about Cobija is not indispensably requisite to be entered upon for the present.

I have, &c.

(Signed)

CHARLES MASTERTON,

British Vice-Consul in Bolivia.

John Bidwell, Esq.
&c. &c.

No. 365.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, December 19, 1843.

I HAVE to desire that you will inform the Government of Bolivia, that a warrant, under the Treaty of September 25, 1840, between Great Britain and the Republic of Bolivia, for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Sealark," of six guns, commanded by Commander Thomas L. Gooch, and to be employed on the West Coast of Africa station.

I am, &c.

Charles Masterton, Esq.
&c. &c.

(Signed)

ABERDEEN.

No. 366.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, December 29, 1843.

I HAVE to desire that you will inform the Government of Bolivia, that a warrant under the Treaty of September 25, 1840, between Great Britain and the Republic of Bolivia, for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Helena," of 16 guns, commanded by Commander Sir C. Ricketts, Bart., and to be employed on the Cape of Good Hope station.

I am, &c.

Charles Masterton, Esq.
&c. &c.

(Signed)

ABERDEEN.

CHILE.

No. 367.

Colonel Walpole to the Earl of Aberdeen.

Santiago, October 20, 1842.

(Received March 11, 1843.)

MY LORD,

I HAVE herewith the honour to forward to your Lordship the Chilian Ratification of the Treaty signed on the 19th of January, 1839, and of the Additional and Explanatory Convention concluded on the 6th of August, 1841.

The original certificates transmitted for the signature of the Chilian Plenipotentiary, and of myself, are likewise enclosed.

I have, &c.

(Signed)

JOHN WALPOLE.

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

No. 368.

Colonel Walpole to the Earl of Aberdeen.

Santiago, October 21, 1842.

(Received March 13, 1843.)

MY LORD,

I HAVE the honour to transmit, for your Lordship's information, a copy of the Law, which was communicated to me yesterday by his Excellency the Minister for Foreign Affairs, declaratory of the imposition of the punishment, allotted by the Law 18, tit. 14, part 7, to those guilty of Piracy, on those who shall hereafter either be personally engaged in the Traffic in Slaves, exporting them from the Coast of Africa, or purchasing them on the high seas subsequently to their exportation from the Coasts of Africa.

Art. 2. Declares subject to the same penalty those who shall participate in the said Traffic, by supplying, freighting, or equipping vessels; forming a part of their officers or crew; contributing funds, provisions, or other articles; or constituting themselves partners, factors, consignees, or agents of any description, whenever the said acts have been performed knowingly for the prosecution of the said Traffic.

Art. 3. Declares that cognisance of the crime shall be alone intrusted to the Courts and Tribunals established for the ordinary administration of Criminal Justice, to the exclusion of all foreign authority, and in spite of the special privilege which the criminal may enjoy.

I have, &c.

(Signed)

JOHN WALPOLE.

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

P.S. I have further enclosed, for your Lordship's information, a copy and translation of the above-mentioned Law of the Partida, imposing the punishment of death on those who shall, in armed vessels, commit depredations on the property of others.

J. W.

First Enclosure in No. 368.

(Translation.)

Santiago, October 20, 1842.

WHEREAS the National Congress has agreed to the following Project of Law :

“ Article 1st. Every Chilian citizen who shall be personally engaged in the Traffic in Slaves, exporting them from the Coasts of Africa, or purchasing them on the high seas, subsequently to their exportation from the Coasts of Africa, shall be subjected for this crime to the penealty which the laws of the Republic, especially Law 18, tit. 14, part 7, impose, or shall hereafter impose, on the crime of Piracy.

“ Art. 2nd. All those who shall participate in the said Traffic, as it has been defined in the preceding Article, by supplying, freighting or equipping vessels; forming part of their officers or crew; contributing funds, provisions, or other articles; or constituting themselves partners, factors, consignees, or agents of any description, whenever the said acts have been performed knowingly, for the prosecution of the said Traffic, shall be subjected to the same punishment for Piracy.

“ Art. 3rd. Only those Courts and Tribunals, to which the administration of ordinary Criminal Justice is entrusted by the laws, shall take cognisance of this crime; to the prohibition of all foreign authority, and notwithstanding the special privilege which the criminals may enjoy.”

And whereas, with the power which the 43rd and 82nd Articles of the Constitution confer on me, and with the assent of the Council of State, I have deemed it expedient to approve and sanction it; I therefore order it to be promulgated and carried into effect in all its parts, as a Law of the State.

(Bulnes) RAMON LUIS IRARRAZAVAL.

(A true Copy.)

(Signed)

R. L. IRARRAZAVAL.

Second Enclosure in No. 368.

(Translation.)

Law 18, Tit. 14, Part 7.

What Punishment Thieves and Robbers deserve.

ROBBERS can be punished in two ways—one is by fine, and the other is by bodily punishment for the theft or wrong which they commit; and we therefore say that if the theft is done openly, the thief shall take the thing stolen, or its value, to the person from whom it has been stolen, although it may be dead or lost, and besides he shall pay fourfold its value. And if the theft shall be committed secretly, then the thief shall restore the thing stolen, or its value, and pay besides twice what it was worth. This same penalty, shall that person pay, who has given counsel or assistance to the thief to commit the theft; but he who shall give assistance or counsel only to do it, shall pay double what was stolen by his assistance, and not more. Moreover, the Judges shall, when the case is brought before them, punish the thieves publicly with lashes, or otherwise, so that they may suffer pain or shame. But for theft they shall not put to death, nor cause any limb to be cut off.

Excepting it shall be a known robber, who has openly disturbed the roads, or who has robbed others on the sea in armed vessels, which they call corsairs, or if they should be robbers who shall have entered by force into the houses or places of another to rob, with arms or without arms; or a robber who has stolen from the church or any other religious place, anything holy or sacred; or any Officer of the King, who shall have any of his treasure under charge, or who has had to collect his taxes or duties, and shall rob or conceal any of them from him knowingly; or the Judge who shall embezzle the King's fees, or those of any Court, whilst he shall hold the office—any of these aforesaid, who shall be proved to have committed robbery in any of these ways, shall die for it. And, whosoever shall give assistance or counsel to such robbers to commit the theft, or shall conceal them in their houses or other places, shall undergo the same punishment. But, if the King or the Court should not bring their officer to trial for the robbery committed, after they shall have known it as certain, during five years, they shall not afterwards punish him for it with death, although they shall be able to impose on him the penalty of a fine of four times the amount.

No. 369.

*Colonel Walpole to the Earl of Aberdeen.**Santiago, November 15, 1842.**(Received March 11, 1843.)*

MY LORD,

ON the exchange of the Ratifications of the Slave Trade Treaty of January, 1839, and of the Additional Convention of August, 1841, of which I have already had the honour to apprise your Lordship, I, in conformity with the Instructions contained in Despatch, "Slave Trade," of the 15th February last, presented a formal note to the Minister for Foreign Relations, a copy of which is enclosed, making known to his Excellency the desires of Her Majesty's Government for the assimilation of the limits within which the right of search might be exercised, with those stipulated in the Treaty with Spain of 1835.

But while in the performance of this act of duty, I may not conceal the little expectation which I entertained of its favourable issue. The difficulties which had been interposed during the discussion in the Legislative Chambers of the original Treaty; their recorded objections to any engagement with Foreign powers extending beyond a very restricted period; and the effect of that objection having been subsequently removed only by the substitution of limits as to space, forbade all hopes of their concurrence in this proposition; and the reply of his Excellency did not undeceive me. In it he exposes not only his opinion of the nature of the reception it would meet with in the Congress, but he expresses the determination of his Government in no ambiguous or faltering language.

Guided by these circumstances, and reflecting that as the antipathy and execration with which slavery even in its lightest form is viewed, would effectually prevent its domestic employment, so the law about to be passed assimilating the punishment of slave-trading to that of piracy, would effectually controul those who might hereafter be inclined to assist in promoting that commerce in other parts; I availed myself of the discretion with which your Lordship's Despatch endowed me, and submitted to the Chilian Government the less extensive limits comprised within the second alternative, omitting the West Coast of South America, as a boundary unattainable, as also that of the Coast of Brazil; the latter, from an equal conviction of no further extent being granted beyond that stipulated for in the Convention of 1841, viz., twenty leagues along its entire coast. I thus restricted the demand to an extension of the limits on the West Coast of Africa so far to the north as to include the Canary Islands and the whole of the Eastern Coast of Africa, within a line drawn due north from the most southern parallel of latitude (40°), admitted in the Convention, until it meets the territory of Muscat. This would include the island of Madagascar.

These limits, my Lord, proposed to a power existing in a different hemisphere, having no connection with the coasts referred to, and it is to be hoped with no prospect of any, until long subsequently to the suppression of the trade in slaves, and few members of which are even acquainted with the bearings or positions of the coasts thus proposed to be guarded, might be considered as wholly unobjectionable.

I regret, nevertheless, to say that they have been rejected on the same grounds as those of greater extent; and it will be observed that the negative has been founded, not on the apprehension of injuries to the national interests, but on the differences and discussions supposed to exist between other powers, on arguments which should have led to an opposite conclusion, and without reference to the more recent measures of the slavedealers, or to the altered field of their operations which I had announced.

Uninfluenced by his Excellency's representations, I again pressed the favourable consideration of the Separate Article.

In his Excellency's reply, the objections previously exhibited would seem to have moderated; nevertheless the decision of this Government, evidently still hanging on the solution of questions which should in no way influence an independent power compromised to the maintenance of a principle, the operation of which is now only sought to be extended, deprives me of all sanguine expectations of eventual success.

As no apparent useful object was to be attained by the prolongation of this discussion at the present moment, I have consented to its postponement, as proposed by M. Irarrázaval. I shall not fail to renew it on the earliest occasion. In the meantime I trust I may not be found to have treated too leniently the spirit of hostility to Her Majesty's Government, which may be implied without any very forced construction on the sense of his Excellency's communications, and on which, if hereafter repeated, I shall consider it my duty more pithily to remark.

I have, &c.

(Signed) JOHN WALPOLE.

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

First Enclosure in No. 369.

Mr. Walpole to Sr. Irarrázaval.

Santiago, August 6, 1842.

THE Ratifications of the Treaty signed on January 19, 1839, and of the Additional Convention signed on August 7, 1841, having been exchanged, the Undersigned, by Instruction, has again to invite the Chilian Government to reconsider the stipulations describing the limits within which the mutual right of search and detention may be exercised, and which Her Majesty's Government view with regret as too circumscribed, and incompatible with the full attainment of the object for which both of the contracting parties are equally solicitous.

It would be superfluous, on the part of the Undersigned, to remark to the Chilian Government on the inefficacy of all combined efforts for the extermination of the Slave Trade, so long as any portion of the high seas on which vessels employed in its prosecution are navigated, shall be left open to them. It was for the purpose of closing every passage, and, as far as human intelligence could foresee, of providing against any chance of escape from the scrutinising vigilance of the preventive cruisers, that the stipulations of the Treaty celebrated between Great Britain and Spain were admitted.

By that Treaty were left subject to the exercise of the right of search and detention, both the Coasts of Africa, both of South America, and the whole of the Atlantic Ocean, excluding alone the European Seas, from the 37th degree of north latitude. These limits were adopted in the Treaty before mentioned of 1839, and Her Majesty's Government are still in the conviction of their adaptation to the object proposed.

The Undersigned need not repeat the different observations which he had the honour to suggest during the several discussions which have taken place during this long-pending negotiation; but as he has reason to believe that the principal motive which urged the Chilian Government to the restrictions imposed by the Convention of 1841 has been a desire to procure a free passage for the national vessels on their route to Europe, he entreats them to reflect that the ships of a nation, whose prejudices and preoccupations, adverse to the institutions of slavery, have been so strongly and sincerely pronounced, and its prohibition by its citizens throughout the world has been so early and loudly proclaimed, may traverse every part of the high seas undisturbed and unmolested, because unsuspected of participation or connivance in the nefarious traffic.

Even were it otherwise, the precautions observed throughout the Treaty and the Annexes thereto, are calculated to reassure the most incredulous against any unpremeditated or improper interference with their vessels, which have, not on just grounds, excited jealousy or suspicion; and the Undersigned, though little prepared to maintain that measures, however valuable, and in their nature happily adapted to one State, are at all times to be followed by another, will again venture to instance, as he has done on a former occasion, with a view to excite a more generous reliance on the good faith with which the obligations of the Treaty have been contracted, those similar to that with Spain, and celebrated between the British Government and the Brazilian Empire, where slavery is still legally established; as also with the Argentine and Montevidean Republics, which, under similar circumstances, but placed in a geographical position more

analogous with that of Chile, are infinitely more exposed to the impediments so unnecessarily apprehended by its Government.

It remains for the Undersigned, acting in conformity with the directions received to express a hope, on the part of his Government, that, influenced by the above considerations, the Chilian Government may be induced to accede to an additional Article, extending the limits within which the right of search may be exercised as far as those prescribed in the Treaty with Spain of 1835.

The Undersigned, &c.

(Signed) JOHN WALPOLE.

His Excellency the Minister of State,
&c. &c. &c.

Second Enclosure in No. 369.

Sr. Irarrazaval to Mr. Walpole.

(Translation.)

Santiago, August 26, 1842.

THE Undersigned, Minister for the Department of Foreign Affairs, has had the honour to receive the note which on the 6th inst., the Honourable John Walpole, Chargé d'Affaires and Consul-General of Her Britannic Majesty, was pleased to address to him, and in which he solicits this Government to reconsider the stipulations of the Treaty of the 19th January, 1839, and Additional Convention of the 7th August, 1841, which describe the limits within which can be exercised the mutual right of search and detention at sea, with the view of persecuting and abolishing the Traffic in Slaves.

It is to be lamented that to the Government of Her Britannic Majesty the maritime extent which the before-mentioned stipulations define for this mutual right, does not appear to be sufficient. The President, animated with the most lively desires to concur in the complete realisation of an object which has been regarded in this country since the first epoch of its independence with particular interest, lent himself, in the negotiations which preceded the Convention of the 7th August, to all the concessions which appeared to him to be possible; and by the Instructions which the Undersigned has received from his Excellency, he finds himself in the painful necessity of saying, that the subject having been fully considered on that occasion, and the aspect of the question not having varied, the decision of his Government with respect to it now is the same as it was then.

Allowing that the Government of the Undersigned could have changed its opinion on the point to which Mr. Walpole has been pleased to call its attention, an obstacle, which appears to the Undersigned to be insuperable, would remain to be overcome, and that is the opposition which other and more ample limits would assuredly meet with in both Chambers of the National Congress. The Undersigned must add, that the present moment, — when the clamours of the periodical press of Europe and America have excited a serious alarm as to the consequences of such a right in time of peace, clamours the echo of which actually resounds in these distant countries, — would be the least suited for proposing to the Chambers the extension which Great Britain deems necessary.

Far is it from the idea of this Government that other objects than those of the purest and most enlightened philanthropy should enter into the contemplation of the British Cabinet; but, rendering this justice to the eminent men who are at present at the head of the British Administration, it is impossible not to acknowledge that there is in the right, an extension of which is desired, considered abstractedly, an exception to the old general principles which protect the liberty of the seas; an exception which envelops in its nature dangers, doubtless remote, but possible, and in no way to be despised in a Convention intended to last indefinitely. In the concessions, which it contains the Government has already taken on itself a delicate responsibility, which it confesses that it does not feel disposed to increase.

The President promises himself that the Government of Her Britannic Majesty will excuse, with the liberality which characterises it, this want of compliance with its desires, resting, as his Excellency believes it does, on motives the importance of which cannot be contested, and which have, if possible,

a yet more powerful influence on the Chambers and on the public than on the Government.

The Undersigned has the honour to reiterate to Her Britannic Majesty's Chargé d'Affaires his sentiments of high and distinguished consideration.

(Signed) R. L. IRARRAZAVAL.

*The Chargé d'Affaires and Consul-General of
Her Britannic Majesty.*

Third Enclosure in No. 369.

Colonel Walpole to Sr. Irarrazaval.

Santiago, September 12, 1842.

THE Undersigned has had the honour to receive the note of the Minister of State for Foreign Affairs, of the 26th ultimo, in which his Excellency, after stating the disappointment occasioned by the dissatisfaction expressed by the Undersigned, on the part of his Government, with the limited circle within which is restricted the exercise of that discipline by which alone the Abolition of the Slave Trade, the sole object of the Treaty of 1839, can be hoped for, has declined, on the part of his Government, the adoption of the proposal contained in the note of the Undersigned, of the 6th ultimo. His Excellency at the same time further expresses his belief, that the decision thus come to is in accordance with the opinion of the Legislative Chambers, alarmed, as his Excellency represents them to be, by the clamours of the European and American press.

Grievous will it be to Her Majesty's Government to learn that the first of the Republics of South America, which, simultaneously with the cry of independence, had raised its voice for the extirpation of all forced suberviency of one portion of the human race to the caprices of the others, and which alone constitutionally declared the equal freedom of all men, should interpose obstacles to the fullest expansion of those humane principles throughout the world, and should be induced to withhold its assistance to the consummation of the glorious work in which it has become associated, by the dictates of external and sinister influences which, have their origin in self-interested or far less praiseworthy and justifiable impulses.

More consonant with the hopes of Her Britannic Majesty's Government would it have been, had the Chilian Government, considering that measures which aimed at the eradication of a long-existing and deep-rooted evil, were usually accompanied by the malicious declamation of the perverse, which increased in energy and effrontery as the hoped-for catastrophe approached, at once and absolutely rejected those representations which have for their object the suspension of all active philanthropy, and the distraction of all parties compromised to the termination of the odious traffic, which can derive no support from arguments of reason or justice, and which must inevitably yield to the unerring and certain operation of public opinion.

His Excellency disclaims, on the part of his Government, all intentions to attribute to the British Cabinet other than the most pure and disinterested philanthropy, and the Undersigned willingly admits the sincerity of such a declaration, since by a different line it would proclaim its inconsistency in criticising the acts of a party in whose project it has already coalesced, and whose measures for its realisation it had sanctioned. It would indeed be surprising if, after the lengthened period of more than 40 years of indefatigable exertion and of sacrifices in the interest of humanity, the immensity of which must be contemplated with the most enthusiastic admiration, a period during which no power or individual has ventured publicly to reflect on the motives of the British Government, that of which his Excellency is a member, should be the first to call in question its disinterested and benevolent endeavours for the effectual destruction of a Trade of which the Chilian Government has expressed its execration.

Nor is the Undersigned alive to the dangers which his Excellency seems to apprehend. Certainly it would be difficult to imagine any measure which is not subject to abuse. The combinations of human intellect, however well contrived, will always be exposed to the malignant and detrimental efforts of human

ingenuity; but even the Chilian Government, while it holds them in contemplation, admits their remoteness, and should scarcely therefore permit their apprehension to operate as an obstacle to the full attainment of an essential and wide-spreading good. Moreover, the regulations for the conduct of the vessels of war employed in the prevention of Slave Trade, restrict and define minutely the exercise of their powers; and his Excellency may rest assured, that whatever may be the future views of those eminent persons at the head of Her Majesty's Government, they would be little entitled to that distinction, if, for the completion of objects resolved on, they should fail in devising other means than those which are offered by the perversion of the stipulations of Treaties to purposes foreign to their original purpose, or by adopting the resource of the weak or of the degraded, the infraction of its solemn engagements.

Such are the observations which appear to the Undersigned necessarily arising from the contents of his Excellency's note of the 26th ultimo, of which, with one slight exception, the tone would seem to prohibit the expectation of any further acquiescence in the desire of Her Majesty's Government. Of that opening, however, the Undersigned will profit, and submit to the consideration of the Chilian Government a proposition which, though not so comprehensive as that already rejected, will, if agreed to, materially assist the consummation of the object of the Treaty of 1839. It requires the recognition of no principle, other than such as has already met with Chilian concurrence, and it seems alone an extension of the limits assigned in the Convention of 1841, to the inclusion of those ports and places in which it appears from recent accounts, the Slave Trade, driven from some of its strongholds, has assumed an increased activity.

His Excellency will, on reference, perceive that the extension proposed will interfere but little with the course generally taken by merchant vessels navigating between the coasts of Europe and Chile; and that thus the principal, if not the only, cause of apprehension on the part of the Chilian Government will incur no augmentation,

The Undersigned, relying on the cordial concurrence of the Chilian Government, proceeds to submit to its consideration the following terms of a Separate Article for annexation to the original Treaty, and form a part thereof.

1st. That the line extending along the Coast of Africa, from the 40th of South latitude, to the 25th degree of North latitude, should be prolonged to a distance so as to include the whole of the Canary Islands.

2nd. That a line should be drawn, westward from the point on the 40th degree of South latitude, where it is struck by the line directed from the north, to the 60th degree of longitude, East of Greenwich, and thence proceed northward, including the Eastern Coast of Africa, and abutting on the territory of Muscat.

The Undersigned, &c.

(Signed) JOHN WALPOLE.

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

Fourth Enclosure in No. 369.

Sr. Irarrazaval to Colonel Walpole.

Santiago, October 11, 1842.

The Undersigned, Minister of State for the Department of Foreign Affairs, has had the honour to receive the note dated the 12th September, from the Hon. John Walpole, Chargé d'Affaires of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, in reply to that of the 26th August, in which the Undersigned signified to Mr. Walpole that his Government was not disposed to extend the limits within which the mutual Right of Search, stipulated between the two nations to carry into effect the Abolition of the Traffic in Slaves, may be exercised.

Mr. Walpole does justice to the spontaneous sentiments of humanity which moved the Chilian Legislators, since the first epoch of the Emancipation of this country, to abolish slavery in its territory; and the Government, of which the Undersigned is the organ, does no less ample and sincere justice to those

which have stimulated Her Britannic Majesty's Government in its energetic measures for the extinction of a practice which has been for ages a reproach to civilisation.

Nor from the negative of the Chilian Government to extend the limits agreed upon for mutual search, would there be any motive to infer that its sentiments, with regard to an object so eminently humane and beneficent, had cooled. Its mode of thinking is founded on considerations which appear to it to have some force in the circumstances of the day—circumstances which the Undersigned has sufficiently indicated in his preceding note, and of which probably Mr. Walpole will not be ignorant.

But there is, besides the reasons which the Undersigned had the honour to expose in his note of the 26th of August, another which does not appear to him destitute of weight, and of which the Undersigned believes he has availed himself in his conversations with Mr. Walpole. Mr. Walpole will acknowledge without difficulty (at least so the Undersigned hopes) that there is not the least probability either that Chilian vessels will be employed in the Slave Trade, or that an illegal use will be made of the Chilian flag to cover it. The flag of a nation which from so early a period has banished slavery from its soil, and whose navy, on the other hand, is scarcely being formed; a flag which is seldom seen on the seas to which it is desired to extend the Right of Search, is not exposed to be made an abuse of by those who carry on that infamous traffic. The Government of the Undersigned does not then think that, for the present, there is any motive for giving importance to the limits within which the examination of Chilian vessels, with the object of promoting the Abolition of the Slave Trade, may be effected.

The Undersigned judges that these considerations apply completely to the modified proposal which Mr. Walpole has made in his note of the 12th of September; and he therefore finds himself under the necessity of reiterating, as he does with pain, the opinion of his Government contained in his note of the 26th of August.

The Undersigned does not think it necessary to say that, when the circumstances referred to are altered, the Government of Chile would find less difficulty in acceding to the views of the British Government.

The Undersigned avails, &c.

H. B. M. Charge d' Affaires, (Signed) **R. L. IRARRAZAVAL.**
&c. &c.

Fifth Enclosure in No. 369.

Colonel Walpole to Sr. Irarrazaval.

Santiago, October 22, 1842.

WHEN the Undersigned addressed, by order of his Government, to his Excellency the Minister for Foreign Affairs, his note of August 6, containing a proposal for the extension of the limits to which the mutual Right of Search had been restricted, he was not unaware that the line of demarcation then contemplated, pursued a direction which, by a country naturally tenacious of its independence, and keenly alive to any circumstance which might appear, however unintentionally, to menace it, might be unfavourably viewed, and that thence a plausible, if not a reasonable objection might be pleaded to the acceptance of that proposition in its full extent.

That it was desirable that such a feeling should be removed, was obvious to the Undersigned, and he accordingly ceased to press the original on the Chilian Government; but on the 12th of September, substituted a Project for a modified Article, deprived of all that could be considered as repugnant or offensive, and seeking only a mutual privilege to the Right of Search within certain districts far removed from the Chilian Coast.

Her Britannic Majesty's Government will learn with regret, that a negative is still opposed, the Chilian Government founding its refusal principally on considerations arising from circumstances which have been sufficiently indicated, as his Excellency says in his former note, and which he imagines are probably not unknown to the Undersigned.

The Undersigned could have wished that his Excellency had more particularly specified the circumstances which have thus governed the resolution of his Government. In the mean time, presuming, as he must, that his Excellency alludes to the clamours of the European and American press, adduced in his Excellency's former note, as a sufficient reason for withholding the consent of the Chilian Government, the Undersigned, while he has endeavoured to remove the effect they had apparently made on that decision, entirely disavows any knowledge of their existence.

It does indeed appear, that a discussion between two great Powers had been entered into, on a subject in connection with the Slave Trade, but having none with that now in Treaty, and in fact, essentially distinct in all its bearings; nor indeed, were it otherwise, is evidence wanted to induce a belief in the termination of that discussion, in a result little in support of the adverse resolution of the Chilian Government.

His Excellency has announced other grounds, though he apparently considers them of a minor weight, on which he rests, with some degree of confidence, the denial of his Government: he states the little probability of Chilian vessels being employed in the commerce of slaves. The Undersigned willingly bears evidence to the fact. But will this provide a just reason for the decision? The Undersigned would rather deduce an argument the reverse of that insisted on by his Excellency, and has hitherto made the same statement as a motive for the acquiescence of the Chilian Government in the terms of the Treaty already concluded. The Undersigned has already remarked, that no *bonâ fide* Chilian vessel is likely to excite the suspicions of the British cruisers, and that consequently, those alone which avail themselves of that flag to cover their atrocities would be molested. Thus, the Chilian interest, security for which must be considered as the main object of the Chilian Government, would meet with no interruption.

Nor does the improbability of the illegal use of the Chilian flag, appear more capable of being maintained. Long experience, and the perusal of the discussion above alluded to, should satisfy the most sceptical, that no resource escapes the active observation of the criminal traffickers, and that when the Right of Search is withheld, advantage is immediately taken, and the flag of the dissentient nation becomes prostituted to their infamous purposes. And does the Chilian Government suppose, that similar consequences will not result from a knowledge of the restriction imposed by itself; or that as the Slave Trade, rendered difficult on the Western Coast of Africa, has raised its head in the Canary Islands, so driven from the use of other flags, it will not avail itself of that of a State by which the only guarantee against this practice is withheld? It may be said, that whenever the Chilian flag should be fraudulently adopted, then alone would further restrictive measures be required, and would not be refused; but the Undersigned submits, that this argument can scarcely be sustained when placed in opposition to that humane and enlightened precept which ordains prevention rather than punishment of crime.

The Undersigned entreats his Excellency to reflect on the facility with which the horrible course still pursued may be followed up, while the intercourse between the principal slave markets remains uninterrupted; that it is in vain to expect the abolition of the traffic until each Independent Power, professing to be animated by a desire to co-operate for its utter extinction, sincerely and effectively shall unite in its persecution, wherever and whenever it may appear; and, resigning all hope even of its relaxation, so long as those extensive coasts which have been mentioned as becoming the principal scenes of its practice, shall remain unprotected, will, by acceding to the extension proposed, combine with the almost universal determination to suffer no respite until the final attainment of this common and merciful object shall be effected.

The Undersigned avails himself of this occasion to repeat to his Excellency the assurance of his highest consideration.

(Signed) JOHN WALPOLE.

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

Sixth Enclosure in No. 369.

Sr. Irarrazaval to Colonel Walpole.

SIR,

Santiago, November 10, 1842.

I HAVE had the honour to receive, and have laid before the Government, your note of the 22nd of October last, relative to the extension of the limits within which the Right of Search may be exercised on Chilian or British vessels respectively, with the object of rendering more efficacious for the Abolition of the Traffic in Slaves the stipulations of the Treaty which the Queen of the United Kingdom of Great Britain and Ireland has entered into with this Republic on the subject.

And, by order of his Excellency, I have the honour to reply, that the Ordinary Congress having terminated its Sessions; and, on the other hand, the urgent affairs which must occupy it during its present prolonged meeting, being great, whatever might be the resolution of the Government on the aforesaid extension of limits, it could not receive the sanction of the Chambers before its next ordinary Convocation; the Government has therefore thought that, without any prejudice to the great object which the British Government proposes to itself, and in which that of Chile cordially concurs, the discussion of this question may be reserved for next year, during which interval it will have dedicated a lengthened consideration to the arguments adduced by you, and, it is to be hoped, that time and circumstances may have thrown more light on the matter.

In the meantime, &c.

H.B.M. Chargé d'Affaires,
&c. &c.

(Signed)

R. L. IRARRAZAVAL.

Seventh Enclosure in No. 369.

*Colonel Walpole to Sr. Irarrazaval.**Santiago, November 14, 1842.*

THE Undersigned has the honour to acknowledge the receipt of the note of his Excellency, M. Irarrázaval, of the 10th inst., in which, by directions of his Excellency the President, he proposes, for reasons therein stated, to postpone the further discussion of the proposition submitted in the note of the Undersigned of September 12, and repeated in that of the 22nd ultimo, until the coming year.

The Undersigned, while he regrets, on the part of his Government, the delay thus occasioned in the termination of this question, will hasten to make known the resolution thus imparted to him, in the hope that, though the negotiation has been for the present deferred, it will be again resumed at an early period, and in that spirit of benevolence and philanthropy in which its object has been hitherto promoted, and which will render more firm and effectual the connection of the two Governments in defence and protection of outraged humanity.

The Undersigned, &c.

(Signed)

JOHN WALPOLE.

His Excellency the Minister of State
for Foreign Affairs.

No. 370.

*The Earl of Aberdeen to Colonel Walpole.**Foreign Office, May 30, 1843.*

QUERIES as to state of Slave Trade and Slavery in Chile.
(See Despatch of same date to Her Majesty's Commissioner at Surinam,
Class A. No. 212, page 301.)

No. 371.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, September 12, 1843.

By the Seventh Article of the Treaty between Her Majesty and the Republic of Chile, for the Abolition of the Traffic in Slaves, signed at Santiago on the 19th January, 1839, it is stipulated that at the time of the Exchange of the Ratifications, the two Governments should declare, each for its own territories, in what places the Mixed Courts of Justice should be established.

It appears, however, that in Lord Palmerston's Despatch of the 4th March, 1840, transmitting to you Her Majesty's Ratification of the Treaty in question, you were not instructed to make any declaration on this subject on the part of Her Majesty's Government.

I have now, therefore, to instruct you to declare formally, by note, to the Government of the Republic of Chile, that Her Majesty's Government have decided that the Colony of Sierra Leone is to be the station of that Mixed Court, which is to reside in a British possession; and you will inform the Government of the Republic, that if they should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone on the part of Chile, arrangements will be made for their reception.

You will enquire whether it is the intention of the Government of the Republic to appoint a Registrar, and a Judge, and Arbitrator, to reside within their own territory, or whether, under Additional Art. 2 to the Treaty, they are desirous that a Court should be appointed there, the Commissioners of which would, for the present, be British only, and the expense of which would be borne by the British Government.

In either of these cases you will enquire at what place the Chilian Government desire that the Court should reside.

You will add, however, that as no Slave Trade appears to be carried on under the Chilian flag, Her Majesty's Government do not think that the establishment of a Mixed Court in the territory of the Republic is at present necessary for the service of Suppressing Slave Trade, but are of opinion that any isolated cases which may occur under their flag might properly be disposed of by the Mixed Court at Sierra Leone, if the Government of the Republic should concur in a provisional understanding to that effect.

I herewith transmit to you, for your information, six copies of an Act of Parliament passed during the recent Session, for carrying into effect the Treaty above-mentioned, of the 19th January, 1839, as well as the Additional and explanatory Convention concluded on the 7th August, 1841.

I am, &c.

Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 372.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, November 1, 1843.

I HEREWITH transmit to you a copy of a List, furnished by the Admiralty of Her Majesty's ships and vessels to which Warrants and Instructions have been issued, in pursuance of the Treaty of the 19th January, 1839, between Great Britain and Chile, for the Abolition of the Slave Trade, specifying the force and station of each vessel, and the name of its Commander.

And I have to desire that, in accordance with the provisions of the 5th Article of the Treaty above-mentioned, you will transmit a copy of that list to the Chilian Government.

I am, &c.

Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 372.

Admiralty, October 24, 1843.

A List of Her Majesty's Ships and Vessels furnished with Instructions under the Treaty of 19th January, 1839, between Her Majesty and the Republic of Chile, for the Abolition of the Slave Trade; with the Force of each Ship, the Names of the respective Commanders, and the Station on which they are severally employed.

Ship:	Guns.	Name of Commanding Officer.	Station.
Winchester	50	Captain Chas. Eden	Cape of Good Hope.
Isis	44	" Sir John Marshall	
Cleopatra	26	" Christopher Wyvill	
Conway	26	" Robt. Fair	
Bittern	16	Commander Edmund Peel	
Sappho	16	" Hon. George Hope	
Thunderbolt (Steam vessel)	4	" Geo. N. Broke	
Arrow	6	Lieutenant Wm. Robinson	
Madagascar	44	Captain John Foote	
Ferret	6	Commander Josiah Oake . . . . .		Coast of Africa.
Espoir	8	" Arthur Morrell	
Alert	6	" C. J. Bosanquet	
Heroine	10	Lieutenant J. D. Stewart	
Rapid	10	" E. C. Earle	
Spy	3	" S. O. Wooldridge	
Hydra (Steam vessel)	4	Commander J. B. Young	
Albert do.	4	Lieutenant Daniel Woodruffe	
Alfred	50	Captain J. B. Purvis	
Curaçoa	24	" Sir T. S. Pasley, Bart.	Brazil Station.
Daphne	18	" J. J. Onslow	
Frolic	16	Commander W. A. Willis	
Racer	16	" Archibald Reed	
Gorgon (Steam vessel)	6	Captain Charles Hotham	
Ardent do.	4	Commander John Russel, (B)	
Growler do.	4	" C. H. M. Buckle	
Dolphin	3	Lieutenant W. O. B. Hoare	
Viper	6	" Jas. Carter	
Spider	6	" R. E. Pym	
Pique	36	Captain Hon. M. Stopford	North America and West Indies.
Inconstant	36	" C. H. Freemantle	
Spartan	26	" Hon. C. G. J. B. Elliot	
Electra	18	Commander Arthur Darley	
Albatross	16	" Reginald Yorke	
Ringdove	16	" Sir Wm. Daniell	
Scylla	16	" Robt. Sharpe	
Wasp	16	" Henry Bagot	
Rose	16	" H. R. Sturt	
Griffin	3	Lieutenant Chas. Jenkin	
Pickle	3	" J. A. Bainbridge	
Fair Rosamond	2	" A. G. Bulman	
Hornet	1	" R. B. Miller	
Hermes (Steam vessel)	3	" Washington Carr	

No. 373.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, November 5, 1843.

I HAVE have to desire that you will inform the Chilean Government that warrants, under the Treaty of January 19, 1839, between Great Britain and the Republic of Chile for the Abolition of the Slave Trade, have been issued to Her Majesty's sloop "Star," of 6 guns, to be employed on the West Coast of Africa, commanded by Commander R. J. W. Dunlop; and to Her Majesty's ship "Eurydice," of 26 guns, to be employed on the North America and West India station, commanded by Captain George Elliot.

I am, &c.

Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 374.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, December 19, 1843.

I HAVE to desire that you will inform the Government of Chile that a warrant, under the Treaty of January 19, 1839, between Great Britain and the

Republic of Chile for the Abolition of the Slave Trade, has been issued to Her Majesty's sloop "Sealark," of 6 guns, commanded by Commander Thomas S. Gooch, and to be employed on the West Coast of African station.

I am, &c.

Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 375.

The Earl of Aberdeen to Colonel Walpole.

SIR,

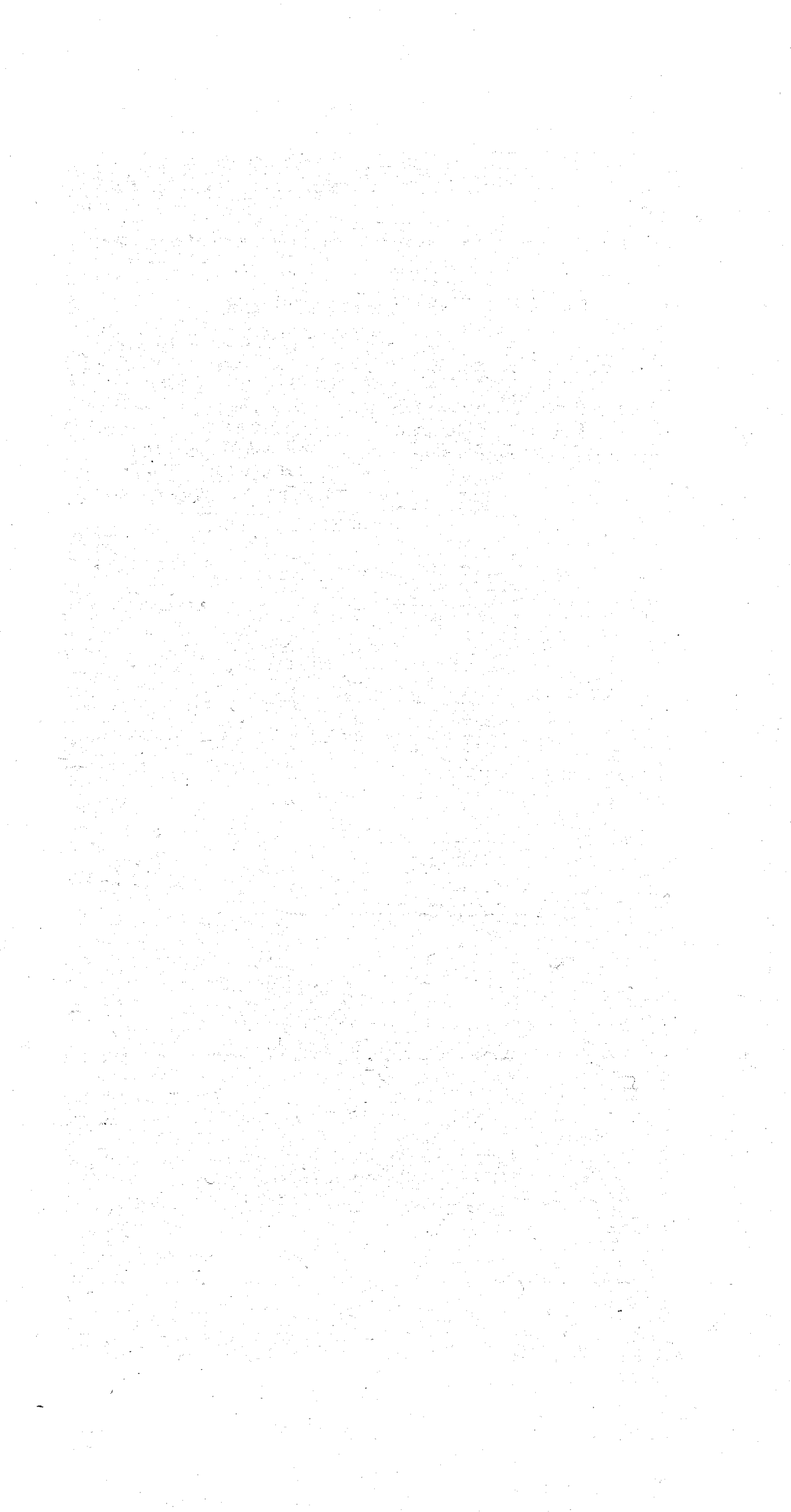
Foreign Office, December 29, 1843.

I HAVE to desire that you will inform the Government of Chile that a warrant, under the Treaty of January 19, 1839, between Great Britain and the Republic of Chile for the Abolition of the Slave Trade, has been issued to Her Majesty's sloop "Helena," of 16 guns, commanded by Commander Sir C. Ricketts, Bart., and to be employed on the Cape of Good Hope station.

I am, &c.

Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.



URUGUAY.

No. 376.

*Mr. Dale to the Earl of Aberdeen.**British Consulate-General, Monte Video, November 17, 1842.**(Received February 14, 1843.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch marked "Slave Trade," of the 10th of June last.

I have, &c.

(Signed)

JOHN POWNALL DALE,
*Pro-Consul General.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No 377.

*Mr. Dale to the Earl of Aberdeen.**British Consulate-General, Monte Video, December 16, 1842.**(Received March 13, 1843.)*

MY LORD,

I NOW have the honour to transmit to your Lordship, a copy and translation of the Decree which passed the Legislative Chambers, on the 12th instant, Emancipating the Slaves, and declaring that Slavery no longer exists in the territory of the Oriental Republic of the Uruguay.

I also beg leave to enclose the copy of a note which I addressed to the Monte Videan Government on this occasion; and it will be my duty and care by every means in my power, to prevent any future Government of Monte Video, resuming this odious and inhuman practice.

With the exception of the slaveholders themselves, I may truly say that the measure of Emancipation has given very universal satisfaction throughout the country.

I have, &c.

(Signed)

JOHN POWNALL DALE,
*Pro-Consul General.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

P.S. I have just been informed by the Monte Videan Secretary for Foreign Affairs, that the Consul for France, the Chargé d'Affaires for Brazil, and the Portuguese Consul-General, have each addressed a note to the Government of Monte Video, protesting against the act of Manumission.

I cannot ascertain the exact ground upon which these agents found their right to remonstrate against the liberation of the slaves, and the abandonment of slavery in the territory of the Republic of the Uruguay; but the Secretary informs me, that they have protested upon "*general principles.*"

JOHN POWNALL DALE.

First Enclosure in No. 377.

(Translation.)

Abolition of Slavery.

Hall of Sessions, Monte Video, December 12, 1842.

The Senate and Chamber of Representatives of the Oriental Republic of the Uruguay, united in General Assembly.

CONSIDERING :

THAT since the year 1814, those born in the territory of the Republic should not be reputed slaves.

That since July of 1830 there should not have been any slaves brought into it.

That amongst those who exist therefore with this denomination, there are very few of either sex who should be considered as such, and these have in part compensated their value by the services they have rendered.

That in no case is the recognition more urgent of the rights which these individuals hold by nature, by the Constitution, and by the enlightened opinions of the present age, than in the actual circumstances in which the Republic requires free men, to defend the liberties and the independence of the nation; decree :—

Art. 1. From and after the promulgation of the present resolution, there are no longer any Slaves in the whole territory of the Republic.

Art. 2. The Government will appoint the able-bodied men, who have been slaves, colonists, or wards, whatever may be their denomination, to the service of arms for such time as it shall consider necessary.

Art. 3. Those who are unfit for military service, and women, shall remain as pupils in the service of their masters, subject, for the present, to the constitutional law in regard to pupils or African colonists.

Art. 4. Those rights which may be considered to be prejudiced by the present resolution shall be indemnified by posterior laws.

Art. 5. To be communicated to the Executive Government for its fulfilment.

(Signed)

MANUEL B. BUSTAMANTE,
Second Vice-President.

JUAN ANTONIO LAVANDERA,
Secretary.

Second Enclosure in No. 377.

Mr. Dale to the Monte Videan Minister-General.

British Consulate-General, Monte Video, December 14, 1842.

THE Undersigned, Her Britannic Majesty's Pro-Consul General, has the honour to offer to his Excellency, the Minister-General of the Oriental Republic of the Uruguay, his most sincere congratulations on the law which passed the Legislative Chambers of Monte Video on the 12th instant, declaring that Slavery no longer exists in the territory of the Oriental Republic of the Uruguay.

The Undersigned begs to assure his Excellency that he feels confident Her Majesty's Government will receive with peculiar pleasure and satisfaction the intelligence that Slavery is, by law, for ever abolished in the Oriental Republic.

This striking instance of humanity, justice, and sound policy, of his Excellency's Administration, may be hailed as the commencement of a new era in the political existence of the Republic; and the Undersigned cannot for a moment believe that the abolition of an unjust, oppressive, and inhuman law, can fail to operate upon the interests and welfare of the State, whose Government has the wisdom and energy to abolish such a law, in the most advantageous and beneficial manner.

The Undersigned &c.

(Signed)

JOHN POWNALL DALE.

His Excellency the Minister-General,

&c.

&c.

&c.

No. 378.

*Mr. Dale to the Earl of Aberdeen.**British Consulate-General, Monte Video, December 19, 1842.**(Received March 13, 1843.)*

MY LORD,

FOR the information of Her Majesty's Government, I have the honour to enclose a copy and translation of a note which, on the 16th instant, I received from the Monte Videan Secretary for Foreign Affairs, informing me that, on the night of the 12th instant (at the moment the Slave Emancipation Law was being passed by the Legislative Chambers), certain Brazilian subjects, with the assistance of armed boats belonging to the Brazilian vessels of war lying in this harbour, did clandestinely, and in opposition to the orders of the Commissary of Police, and contrary to the laws of the Republic, embark, from the coast opposite the city of Monte Video, and carry on board the said Brazilian vessels of war upwards of 80 slaves, or, more properly speaking, free negroes.

Upon receiving this information, I communicated to Commander P. G. Haymes, of Her Majesty's sloop "Fantome," the particulars of the transaction, as reported to me by the Monte Videan Secretary for Foreign Affairs, in order that he might take those measures which he deemed proper and justifiable to prevent the negroes so embarked being carried away and consigned to slavery, contrary to the laws of this country, and in, as I believe, violation of the Slave Trade Treaty made between Her Majesty and the Emperor of Brazil.

The Monte Videan Minister-General has informed me that, had his Government the power at command, he would instantly demand the restitution of these negroes; and he expressed the utmost indignation at the conduct of the Brazilian Officers in aiding and assisting in thus illegally carrying away free men from the shores of the Republic, for the unquestionable purpose of consigning them to slavery in Brazil.

I have taken much pains to ascertain if the accusation brought by the Government of Monte Video against the Commanders of the Brazilian ships of war is well founded and true, and I have received such information as leaves no doubt upon my mind that the embarkation did take place in the manner asserted, and that it is the intention of the owners of these unfortunate negroes to send them to the Brazils.

The two Brazilian corvettes implicated in this transaction are named the "Union," 18 guns, Commander Neire; "Seventh of April," 26 guns, Commander J. da Silva.

I have transmitted copies of the Monte Videan Secretary's note to Her Majesty's Minister at Rio de Janeiro, and to the Commodore on this station.

I have, &c.

(Signed) JOHN POWNALL DALE,

*Pro-Consul General.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure in No. 378.

Sr. Gelly to Mr. Dale.

(Translation.)

Monte Video, December 16, 1842.

THE Undersigned, Secretary for Foreign Affairs, has the honour to say to the Pro-Consul of Her Britannic Majesty in Montevideo, that he has received orders from his Government to inform him that on the night of the 12th inst., the day on which the Law of Emancipation was given by the Assembly, the Brazilian subjects, Manuel Gonsalves da Costa, and Don Rafael Machado, and Borielos, who have their saladeros in the brow of the Mount, embarked in the long boats of the Brazilian corvette, supported by armed people, 80 and odd negroes, who were put on board the above named corvette clandestinely, and in opposition to the intimations of the Commissary of Police.

The Government of the Republic has thought proper to bring this act to the knowledge of the Pro-Consul of Her Britannic Majesty as an offence against the laws, and independence of the Republic.

The Undersigned has, &c.

(Signed) JUAN A. GELLY.

J. P. Dale, Esq.
&c. &c.

No. 379.

Mr. Dale to the Earl of Aberdeen.

British Consulate-General, Monte Video, January 20, 1843.
(Received April 13.)

MY LORD,

WHILST the present Packet is on the point of sailing, I have received from the Under-Secretary of State, attested copies of the Notes addressed to the Monte Videan Government by the Consul of France, the Brazilian Chargé d'Affaires, and the Consul-General of Portugal, on the 14th ult., respecting the Emancipation of the Slaves in this Republic.

As I believe that these Documents may be interesting to your Lordship, I have thought it better to transmit them in their original form, unaccompanied by translations, than to detain them for the next Packet.

I have, &c.

(Signed) JOHN POWNALL DALE,
Pro-Consul-General.

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

First Enclosure in No. 379.

(Translation.)

Legation of the Empire of Brazil in the Oriental State of the Uruguay, Monte Video, December 14, 1842.

THE Undersigned Chargé d'Affaires of His Majesty the Emperor of Brazil having had the honour, under this very date, to address to the Minister-General a Protest against the execution of the Decree passed by the General Legislative Assembly of the Oriental State, respecting the Emancipation of the Slaves belonging to the subjects of the empire resident in this State, deems it his duty to add to that Protest, that considering that the said Decree may cause grave injuries and even melancholy consequences in the provinces of the empire, especially in the one adjacent, by occasioning the escape of slaves, and perhaps insurrections, inasmuch as they are looking upon this State as an asylum, protests likewise, in the most formal and solemn manner, against the Government of the Republic on the ground of the consequences referred to; and the Undersigned hopes that his Excellency will be pleased to bring this addition to the said Protest, also, under the notice of his Government.

The Undersigned, &c.

(Signed) JOAO. FRO. REGIS.

Second Enclosure in No. 379.

Monte Video, le 14 Décembre.

LE Consul Soussigné de Sa Majeste le Roy des Français dans la Republique Orientale de l'Uruguay, a été invité par Mr. le Chargé d'Affaires de Sa Majesté l'Empereur du Brasil prés du Gouvernement Oriental, à prendre connaissance de sa Protestation en date de ce jour contre la loi qui, sans indemnité préalable, dépouille les étrangers propriétaires d'Esclaves. En conséquence, il a l'honneur de déclarer à Son Excellence Mr. le Ministre Général que, pour tout ce qui concerne les Français établis dans cette République, adhère entièrement aux principes émis dans la note sus énoncée.

En s'associant a ces réclamations, et protestant, pour sa part, formellement, contre un acte aussi opposée à la Constitution même de cette République, qu'aux principes universellement adoptés en matière d'Emancipation, d'Esclaves, le Soussigné se plaint cependant d'espérer que l'indemnité promise par la loi a' expropriation comptée aux propriétaires, ne se fera pas long temps attendre. Il espère aussi, qu'ilé supreme Gouvernement voudra bien le mettre à même de faire connaître au Gouvernement du Roy en même temps que la mesure qui frappe ses Nationaux, celles qui serout destinées à la réparer en partie.

Le Soussignée a l'honneur d'offrir à Son Excellence Mr. le Ministre Général les assurances de sa très hauteconsideration.

THEODORE PICHON.

*A Son Excellence Mr. le Ministre Générale du Gouvernement
de la Republique Orientale de l'Uruguay.*

Third Enclosure in No. 379.

Monte Video, December 14, 1842.

(Translation.)

(Protest.)

THERE having been inserted in the Journal called the "National," No. 1200, of the 13th instant, an official notice, reciting a Decree of the General Legislative Assembly of the Oriental State, which declares the liberty of all the Slaves of both sexes, and of all ages, that may be in the Territory of the Oriental Republic, destining the men to the service of arms; and there not having been made in that Decree due exception of the slaves of foreigners residing in the said Territory, the Undersigned, Chargé d'Affaires of His Majesty the Emperor of Brazil to the Government of the State above-mentioned, though recognising the incontestable right possessed by every Government of taking measures suited to its security and preservation, cannot, however, allow that those measures should be so absolute as, from their injustice and violence, to occasion prejudice to foreign subjects, which is the case with the execution of the Decree in question; whose execution will produce the loss of foreign property to an immense amount, though the law of nations does not allow it to be seized without the previous indemnification of the owners; and which loss is so much the more to be deprecated, because the measure proposed by the Oriental Government can, for the greater part, yield it but small benefit, from the impossibility of making a great number of slaves take arms by reason of their physical disability; and from all the female slaves being rendered nearly useless by the worst treatment, in spite of the philanthropic principles invoked on this occasion,—principles which hitherto notoriously have had scarcely any influence,—though credit for their exertion has been given to the importers; a credit, on the strength of which foreigners were allowed to bring their slaves with them; and which was bestowed in consequence of the security tendered to the Police for their re-exporting the slaves. And the Undersigned considering, moreover, that such a violent measure is equivalent to an extraordinary and forced war contribution, to which foreigners are not compellable, and that, finally, the slaves thus violently torn from the Brazilian subjects are about to employ their arms against the Argentine Confederation, with whose Government the Brazilian empire is on good terms and at perfect peace;—forcing them in this manner to violate the neutrality which, according to the just mentioned law of nations, they ought strictly to observe,—

The Undersigned, in compliance with his duty, protests, in the most formal and most solemn manner, in the name of His Majesty the Emperor of Brazil, against the Government of the Oriental Republic of the Uruguay, not only on account of the said violation of neutrality to which it compels the subjects of the Empire; but also for the prejudices, losses, injuries and other annoyances, present and future, that may be entailed on those subjects, in consequence of the violent and unjust emancipation of its slaves, determined upon by the said Decree of the 12th instant, for the purpose of obtaining in due time the competent indemnification from the Oriental Government.

JOAO FRANCISCO REGIS.

Fourth Enclosure in No. 379.

Don Asevedo to Don Juan A. Gelly.

Consulate-General of Portugal in the Oriental Republic of the Uruguay, Monte Video, December 14, 1842.

THE official publication of the Resolution taken by the General Assembly, and sanctioned by the Supreme Government of the Republic, dated the 12th instant, declaring free all the Slaves of both sexes, and of all ages, that may be in the territory of the Republic, would be a humane and philanthropic measure; and I should congratulate the Authority upon it, if it did not involve prejudices to foreigners, and compel the freedmen to a sacrifice of blood, by obliging them to the service of arms, compromising thereby the neutrality of those foreigners that possess any, they being intended for the military service, to which the greater portion of these freedmen are dragged, an instance having already occurred of one of them disabling himself in order to avoid it. The mode of taking such a Resolution, and the occasion on which it was adopted, as well as the neglect of devising means to indemnify foreigners' property, or at least to warrant them, is contrary to the laws of the State, to those of the public law and of nations, and to the practice customary in the like cases.

The importation of slaves was permitted here from 1816 to 1828, and was subsequently authorised by the Supreme Government, on condition that they were to be re-exported. Expeditions of Africans also arrived here some years ago, in consequence of contracts entered into between the Government of this State and some private individuals, which Africans were placed out under the denomination of wurdos for a certain time, the contractors paying a large sum for this permission, though the greater part of them did not stay out the period of the contract.

Lastly, This Resolution, promulgated in the manner and on the occasion alluded to, is tantamount to a compulsory war-contribution, from which foreigners are exempted by the above-mentioned laws.

Accordingly, I judge it to be incumbent on me to protest, as I do protest, from this moment, not only on account of the said violation of the neutrality, but also on the grounds of the prejudices, losses, damages, and violences, occasioned by such measures, and that in due time they may be repaired by the Government of the Oriental Republic of the Uruguay.

I therefore request the Secretary of the Government and of Foreign Affairs to be pleased to convey the contents of the present Note to the cognisance of the General Minister.

I have, &c.

LEONARDO DE SOUZA LEITTE ASEVEDO,
The Portuguese Consul-General.

Don Juan A. Gelly, Secretary to the Government,
&c. &c. &c.

No. 380.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, January 13, 1843.
(Received April 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of 17th October, 1842, directing me to declare formally to the Government of the Republic of the Uruguay, that in virtue of the Seventh Article of the Treaty between Her Majesty and the Oriental Republic of the Uruguay, for the Abolition of the Traffic in Slaves, Her Majesty's Government have decided that the Colony of Sierra Leone is to be the station of the Mixed Court to be established in a British possession, and to state that, if the Republic should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone on the part of Monte Video, arrangements will be made for their reception.

These and the other directions on this subject, sent to me by your Lordship in the above-mentioned Despatch, I have executed by addressing a note to

the Montevidean Minister for Foreign Affairs, of which I have the honour to transmit to your Lordship a copy, in which I made known to the Government of the Republic of the Uruguay your Lordship's intentions and proposals for carrying into effect the stipulations of that Treaty in the manner laid down to me by your Lordship.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

Enclosure in No. 380.

Mr. Mandeville to the Monte Videan Minister for Foreign Affairs.

SIR,

Buenos Ayres, January 12, 1843.

BY the Seventh Article of the Treaty for the Suppression of the Traffic in Slaves, signed at Monte Video on the 13th July, 1839, it was provided that, at the time of the Ratification, the two Governments should declare, each for its own territories, in what places the Mixed Courts of Justice should be established.

As this formality has not as yet been carried into execution, I have been directed by Lord Aberdeen to make known to the Government of the Republic of the Uruguay, that Her Majesty's Government have decided that the Colony of Sierra Leone is to be the station of the Mixed Court to be established in a British possession; and I am desired to state, that if the Government of Monte Video should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone, on the part of the Oriental Republic, arrangements will be made for their reception.

I now beg leave to inquire whether it is the intention of the Government of the Republic of the Uruguay to appoint a Registrar, and a Judge and Arbitrator, to reside within their own territory, or whether under Additional Article 2 to the Treaty, they are desirous that a Court should be appointed there, the Commissioners of which would for the present be British only, and the expense of which would be borne by the British Government.

In either of these cases I have to request that your Excellency will inform me at what place the Monte Videan Government desire that the Court should decide.

However, as no Slave Trade appears to be carried on under the Oriental flag, Her Majesty's Government do not think that the establishment of a Mixed Court in the territory of the Republic of the Uruguay is at present necessary for the service of suppressing Slave Trade, and that any isolated cases which may occur under this flag might properly be disposed of by the Mixed Court at Sierra Leone, if the Government of Monte Video should concur in a provisional understanding to that effect.

I have, &c.

(Signed)

J. H. MANDEVILLE.

His Excellency the Minister for Foreign Affairs.
&c. &c. &c.

No. 381.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, January 30, 1843.
(Received May 7.)

MY LORD,

I HAVE the honour to transmit to your Lordship, copy of a note which I have received from the Monte Videan Minister for Foreign Affairs, in answer to mine of the 12th inst., in which I acquainted his Excellency that Her Majesty's Government have decided that the colony of Sierra Leone is to be the station of the Mixed Court to be established in a British possession, and that, if the Government of the Republic of the Uruguay should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone, arrangements will be made for their reception; or, if it is desirous that in virtue of the Additional

CLASS B.

Article 3 of the Treaty lately concluded between Her Majesty and the President of that Republic, the Commissioners of this Court should, for the present, be British, and the expenses defrayed by Her Majesty's Government.

M. Vidal acquaints me, that he has received directions from his Government to inform me, that it has no objection for the present that the Commissioners of the Mixed Court shall be only British subjects, as, should any case occur of Slave Trade being carried on under the flag of the Republic, which is not likely, it may be judged by the Court established at Sierra Leone: adding, that for the present—and certainly for the future it will be the same—no Slave Trade is carried on under the flag of the Republic, and therefore a Court in its territory would be entirely useless.

I have, &c.

(Signed) H. MANDEVILLE.

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

Enclosure in No. 381.

(Translation.) *Mr. Vidal to Mr. Mandeville.*

SIR,

Monte Video, January 23, 1843.

THE Undersigned, Minister Secretary of State for the Department of Foreign Affairs, has received and made known to his Government, the note which, under date of the 12th instant, His Excellency the Minister Plenipotentiary of Her Britannic Majesty to the Argentine Confederation, has been pleased to address to him, acquainting him that Her Britannic Majesty's Government have resolved that the Colony of Sierra Leone is to be the station of the Mixed Court, which, according to the Treaty of 13th July, 1839, is to be established in a British possession, and requesting to know in what place it is the intention of the Government of Monte Video to establish the Court which is to reside in the territory of the Republic; or if it is desirous, that in virtue of Additional Article 3, of the said Treaty, the Commissioners of this Court should for the present only be British, and the expenses defrayed by the British Government.

The Government having been made acquainted with all this, has directed the Undersigned, Minister Secretary of State for the Department of Foreign Affairs, to reply to His Excellency Her Britannic Majesty's Minister, that the Government of the Republic has no objection, that for the present, the Commissioners of the Mixed Court shall be only British subjects, as, if any case of carrying on Slave Trade under the flag of this country should occur, which is not likely to be the case, it may be judged by the Court established at Sierra Leone. At present—and certainly in future, it will be the same—no Slave Trade is carried on under the flag of this Republic, and a Court in its territory would therefore be almost entirely useless.

The Undersigned, &c.

(Signed) FRANCIS ANTONINO VIDAL.

His Excellency Mr. Mandeville, H.B.M.
 &c. &c. &c.

No. 382.

The Earl of Aberdeen to Mr. Turner.

Foreign Office, May 30, 1843.

QUERIES as to the state of Slave Trade and Slavery in the Republic of the Uruguay.

(See Despatch of same date to Her Majesty's Commissioner at Surinam, (Class A. No. 212, page 301.)

No. 383.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, July 24, 1843.

I RECEIVED your Despatches dated the 16th and 19th December, of last year's series, reporting the circumstances under which certain negroes were removed from the territory of the Republic of the Uruguay by Brazilian subjects, with the assistance of Brazilian vessels of war.

I have also received from other sources further information upon the same subject.

I referred the whole of those papers to Her Majesty's Advocate-General for his opinion thereupon. And I now transmit to you, for your information, a copy of a Despatch which, in accordance with the opinion given by that Officer, I have addressed to Her Majesty's Minister at Rio de Janeiro, upon the subject in question.

I am, &c.

J. P. Dale, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 383.

The Earl of Aberdeen to Mr. Hamilton, dated July 17, 1843.

(See No. 224, page 240.)

No. 384.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, August 2, 1843.

I HEREWITH transmit to you, for your information, six copies of a Treaty concluded on the 13th July, 1839, between Her Majesty and the Oriental Republic of the Uruguay, for the Abolition of the Traffic in Slaves.

I transmit, at the same time, six copies of an act of Parliament passed during the present Session, for carrying that Treaty into effect.

I also transmit to you the accompanying copy of a correspondence with Mr. Mandeville, on the subject of the establishment of Mixed Courts of Justice for the adjudication of vessels captured under this Treaty.

You will perceive, from that correspondence, that Her Majesty's Government of the Republic of the Uruguay, their intention of establishing at the Colony of Sierra Leone that one of the Mixed Courts of Justice which, under the provisions of the Treaty, is to reside in a British possession.

You will further observe, that the Government of the Republic of the Uruguay are not at present desirous that a Court should be established on their territory; and, moreover, that they do not at present intend to appoint a Judge and Arbitrator in the Mixed Court at Sierra Leone.

You will announce to the Government of the Uruguay, that Her Majesty has been pleased to appoint Michael Linning Melville, Esq. to be Judge, James Hook, Esq. to be Arbitrator, and Charles Brook Bidwell, Esq. to be Secretary or Registrar in the Mixed British and Uruguayan Court of Justice established at Sierra Leone.

And, I have further to instruct you, to express to the Government of the Republic the thanks of Her Majesty's Government for the readiness with which they have acceded to the views of Her Majesty's Government, with regard to the establishment of a Court in the territory of the Republic, as expressed in the note addressed by the Monte Videan Minister for Foreign Affairs to Mr. Mandeville on the 23rd January last, a copy of which is enclosed.

I am, &c.

Adolphus Turner, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosures in No. 384.

1. *The Earl of Aberdeen to Mr. Mandeville, dated October 17, 1842.*
(See Class B. 1842, No. 344, p. 490.)
2. *Mr. Mandeville to the Earl of Aberdeen, dated January 13, 1843.*
3. *January 30, "*
(See Nos. 380 and 381, pages 456 and 457.)

No. 385.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, September 29, 1843.

I HEREWITH transmit to you a copy of a List, furnished by the Admiralty, of Her Majesty's ships to which warrants and instructions have been issued, in pursuance of the Treaty of the 13th July, 1839, between Her Majesty and the Oriental Republic of the Uruguay, for the Abolition of the Slave Trade, specifying the force and station of each ship, and the name and rank of its Commander.

I have to desire that, in accordance with the provisions of the Fifth Article of that Treaty, you will transmit a copy of that List to the Government of the Republic.

I am, &c.

J. P. Dale, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 385.

Admiralty, September 18, 1843.

LIST of Her Majesty's Vessels supplied with Warrants authorising them to act under the Treaty between her Majesty and the Oriental Republic of Uruguay, dated 13th July, 1839, for the Abolition of the Slave Trade, with the Names of their respective Commanding Officers, the Force of the Ships, and the Station on which they are employed.

Ship's Name.	Guns.	Name of Commanding Officer.	Station.
Winchester	50	Captain Charles Eden	Cape of Good Hope.
Isis	44	" Sir John Marshall	" "
Cleopatra	26	" Christopher Wyvill	" "
Conway	26	" Robert Fair	" "
Bittern	16	Commander Edmund Peel	" "
Sappho	16	" Hon. George Hope	" "
Thunderbolt (Steam vessel)	4	" G. N. Broke	" "
Arrow	6	Lieutenant William Robinson	" "
Ferret	6	Commander Josiah Oake	Coast of Africa
Alert	6	" J. Bosanquet	" "
Espoir	10	" Arthur Morrell	" "
Rapid	10	Lieutenant E. C. Earle	" "
Spy	3	" P. O. Woldridge	" "
Albert	3	" D. Woodruffe	" "
Alfred	50	Commodore J. B. Purvis	Brazil.
Curacoa	24	Captain Sir T. S. Pasley	" "
Daphne	18	" J. J. Onslow	" "
Frolic	16	Commander W. A. Willis	" "
Racer	16	" Archibald Reed	" "
Gorgon (Steam vessel)	6	Captain Charles Hotham	" "
Ardent (Steam vessel)	4	Commander John Russel (B)	" "
Growler (Steam vessel)	4	" C. H. M. Buckle	" "
Viper	6	Lieutenant James Carter	" "
Spider	6	" R. E. Pym	" "
Dolphin	3	" W. O. B. Hoare	" "
Illustrious	72	Captain J. E. Erskine	North America & West Indies.
Pique	36	" Hon. Montagu Stopford	" "
Inconstant	36	" C. H. Freemantle	" "
Spartan	26	" Hon. C. J. S. B. Elliot	" "
Volage	26	" Sir Wm. Dickson, Bart.	" "
Electra	18	" Arthur Darley	" "
Albatross	16	" Reginald York	" "
Ringdove	16	" Sir William Daniel	" "
Scylla	16	" Robert Sharpe	" "
Wasp	16	" Henry Bagot	" "
Rose	16	" H. R. Sturt	" "
Griffin	3	Lieutenant Charles Jenkin	" "
Pickle	3	" J. A. Bainbridge	" "
Fair Rosamond	2	" A. G. Bulman	" "
Hornet	1	" R. B. Miller	" "
Hermes	3	" Washington Carr	" "

No. 386.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, October 30, 1843.

I HAVE to desire that you will inform the Government of the Uruguay, that a warrant, under the Treaty of the 13th of July, 1839, between Great Britain and the Oriental Republic of the Uruguay, for the Abolition of Slave Trade, has been issued to Her Majesty's steam vessel "Hydra," of 2 guns, to be employed on the Coast of Africa station, commanded by Commander H. B. Young.

I am, &c.

J. P. Dale, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 387.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, November 5, 1843.

I HAVE to desire that you will inform the Government of the Uruguay, that warrants, under the Treaty of July 13, 1839, between Great Britain and the Republic of the Uruguay, for the Abolition of Slave Trade, have been issued to Her Majesty's sloop "Star," of 6 guns, to be employed on the West Coast of Africa, commanded by Commander R. J. W. Dunlop, and to Her Majesty's ship "Eurydice," of 26 guns, to be employed on the North American and West India station, commanded by Captain George Elliot.

I am, &c.

J. P. Dale, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 388.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, December 19, 1843.

I HAVE to desire that you will inform the Government of Monte Video, that a warrant, under the Treaty of July 13, 1839, between Great Britain and the Republic of the Uruguay, for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Sealark," of 6 guns, commanded by Commander Thomas L. Gooch, and to be employed on the West Coast of Africa station.

I am, &c.

J. P. Dale, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 389.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, December 29, 1843.

I HAVE to desire that you will inform the Government of the Uruguay, that a warrant, under the Treaty of July 13, 1839, between Great Britain and the Oriental Republic of the Uruguay, for the Abolition of Slave Trade, has been issued to Her Majesty's sloop "Helena," of 16 guns, commanded by Commander Sir C. Ricketts, Bart., and to be employed on the Cape of Good Hope station.

I am, &c.

J. P. Dale, Esq.
&c. &c.

(Signed) ABERDEEN.

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For Her Majesty's Stationery Office.