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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
TRIBUNALS.**

1844.

1953

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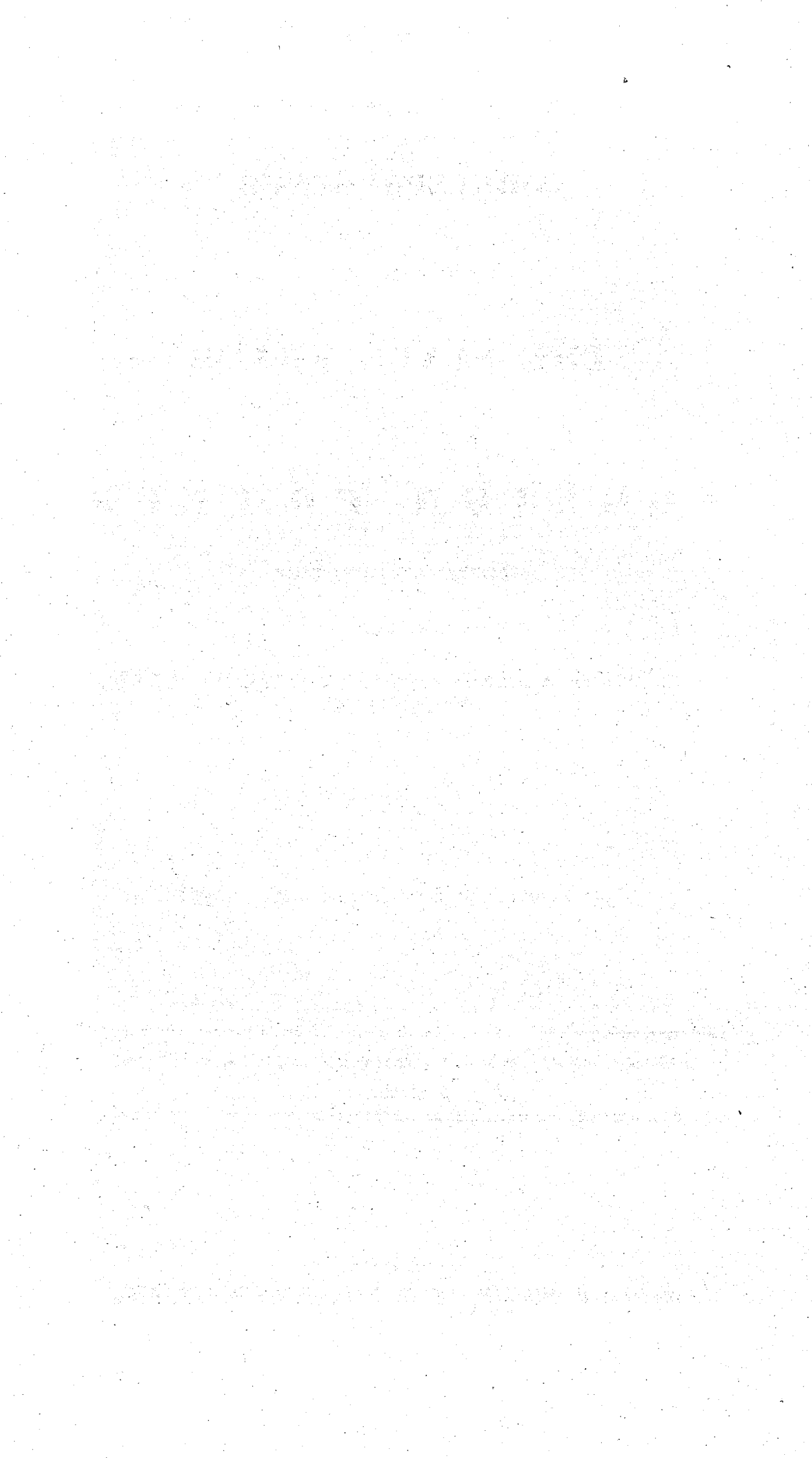
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1844.



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CORRESPONDENCE

WITH

FOREIGN POWERS.

SPAIN.

No. 1.

Mr. Bulwer to the Earl of Aberdeen.

MY LORD,

*Madrid, January 7, 1844.
(Received January 15.)*

IN obedience to the instructions contained in your Lordship's Despatch of the 19th ultimo, marked Slave Trade, I have the honour to enclose a copy of the note which I have addressed to Senhor Gonzalez Bravo, regarding the late occupation of the island of Fernando Po by the Spanish Government.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

Enclosure in No. 1.

Mr. Bulwer to Senhor Gonzalez Bravo.

SIR,

Madrid, January 3, 1844.

HER Majesty's Government having received information of the intention of the Government of Spain to assume the administration of the island of Fernando Po, and to establish a settlement upon it, I have been instructed to make to your Excellency the following observations.

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

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 effectual suppression of the Slave Trade; for which object they were of opinion, that the possession of that island would afford greater facilities. And if now Her Catholic Majesty's Government are about to form an establishment on that island, Her Majesty's Government feel that they are justified in requiring that the great and humane purpose to which I have just alluded, shall 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 the spot they are about to occupy; but on the contrary, use every means which their position in Fernando Po will afford them for putting down this irregular traffic.

CLASS B.

I am further directed specially to require, that any Spanish authorities who may be established in the island shall be enjoined 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 thus address your Excellency in the perfect confidence that Her Catholic Majesty's Government will readily furnish the assurance that the wishes of Her Majesty's Government will in this instance be fully complied with.

I have, &c.

(Signed) HENRY LYTTON BULWER.

His Excellency Don Luis Gonzalez Bravo,
&c. &c.

No. 2.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, January 18, 1844.

WITH reference to my Despatch, marked Slave Trade, of the 13th ultimo, respecting the conduct of the authorities in Cuba, in the execution of the Treaties between Great Britain and Spain, I herewith transmit to you copies of a Despatch from Her Majesty's Commissioners, and of two Despatches from Her Majesty's Consul-General, which I have received since the date of my Despatch to you. From these communications you will perceive that the Slave Trade is still permitted to be carried on with impunity in Cuba; and that the Captain-General, following out the intention which he intimated in his note of the 29th October to the Consul-General, has not even acknowledged the receipt of Mr. Crawford's last communication; and he has required Her Majesty's Commissioners, in addressing him, to limit themselves to statements of acts done, without venturing upon any observations inculcating Spanish functionaries.

You will state to the Spanish Minister, by note, that Her Majesty's Government may reasonably hope that the Government of Her Catholic Majesty will not countenance the conduct of the Captain-General of Cuba in this particular.

It is the duty of Her Majesty's agents to make communications to the Spanish local authorities on the execution of Treaties between Great Britain and Spain; and it is no less the duty of the Spanish functionaries to receive and pay due attention to such communications.

If there had been, in the letters of Her Majesty's Commissioners, or of Her Majesty's Consul-General, upon these occasions, anything objectionable, either in matter or in tone, Her Majesty's Government would have deemed it incumbent upon them to express their disapproval of the conduct of the British functionaries in this respect; but it appears to Her Majesty's Government that the letters in question contain only matter which it was right that Her Majesty's Consul-General and Commissioners should bring to the knowledge of the Captain-General, and that they are couched in language in which there is nothing to disapprove. Such being the case, Her Majesty's Government feel that the Captain-General of Cuba ought to be directed to change his conduct towards the British functionaries, and to receive, acknowledge, and attend to the representations made by them; and you will therefore demand that orders to that effect may be issued to him.

The information contained in the accompanying Despatches, respecting the Slave Trade carried on in Cuba, will serve to strengthen the remonstrances which, by my instruction of the 31st ultimo, you are directed to make upon this point to the Spanish Government.

I am, &c.

(Signed) ABERDEEN.

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

Enclosures in No. 2.

1. *The Havana Commissioners to the Earl of Aberdeen, December 2, 1843.*
(See Class A. No. 79.)
2. *Mr. Crawford to the Earl of Aberdeen, December 11, 1843.*
3. " " "
(See Nos. 43 and 44.)

No. 3.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, January 13, 1844.

(Received January 22.)

MY LORD,

WITH reference to my Despatch, marked Slave Trade, of the 7th instant, I have the honour to acquaint your Lordship, that I have had some conversation with his Excellency Senhor Gonzalez Bravo, relative to the expedition which the Spanish Government is about to send to Fernando Po. His Excellency informed me that he had not yet been able to enter fully into all the points connected with this subject; but he assured me that he should be able to return me such an answer as would be in entire accordance with the sentiments expressed by Her Majesty's Government, and the obligations of Spain with respect to the suppression of the Slave Trade.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

No. 4.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, February 9, 1844.

(Received February 19.)

MY LORD,

I HAVE the honour to enclose copies of the two notes which, in compliance with the instructions contained in your Lordship's Despatches, marked Slave Trade, of the 31st December last, and of the 18th ultimo, I have addressed to Senhor Gonzalez Bravo, respecting the state of Slave Trade and slavery in the island of Cuba.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

First Enclosure in No. 4.

Mr. Bulwer to Senhor Gonzalez Bravo.

Madrid, February 5, 1844.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has the honour to inform his Excellency Don Luis Gonzalez Bravo, Her Catholic Majesty's President of the Council of Ministers and Minister of State, that he has been instructed to call the attention of Her Catholic Majesty's Government 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 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 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 territory the case was tried; and in the regulations for the guidance of the tribunals, it was especially 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 the said Treaty, Great Britain engaged to give to Spain the sum of 400,000*l.* 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 in question was so far fulfilled, that cruisers were appointed to act under it; Commissioners were appointed to try cases; vessels were taken, tried, and condemned; and the slaves received from the tribunals a sentence of emancipation. Regulations were also 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.

The question, therefore, naturally arises as to how Spain has fulfilled her share of the engagement.

Now 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 official census, of 210,000 in those last 14 years. But even that census is well known to be much under the reality; and all the most intelligent inhabitants at this moment agree that the number of slaves in Cuba is not less than between 800,000 and 900,000.

So unnatural and alarming increase in the slave population can only be accounted for by a long-continued and almost avowed connivance at the trade on the part of the local authorities, whose conduct has never met with that speedy and just reprehension from the Government at Madrid which the strict fulfilment of the Treaty with Great Britain peremptorily demands.

Indeed, 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 denounced by British functionaries to the Captain-General; the name of the vessel, the number of slaves, the very spot on which they were confined, have been made known to him,—all in vain. No proofs sufficiently strong; no evidence has been sufficiently clear, to establish facts which were matters of public notoriety.

Nor has the conduct of the authorities in Cuba been less culpable in respect to the negroes who have been emancipated by the Mixed Court, than to those who have been plunged into slavery before their eyes. 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.

It is true the forcible representations of Her Majesty's Government produced, on the 2nd of January, 1826, a Royal Order, enjoining the authorities in Cuba to carry the Treaty with Great Britain into faithful execution; and they were furthermore warned against the delay and evasion, from their custom of referring to Madrid upon every remonstrance or complaint addressed to them. But even this Order was of no avail, and the old practices still continued.

In the hope of placing some check upon these abuses, Her Majesty's Government concluded a new Treaty in 1835, more stringent than that of 1817, inasmuch as that it empowered British cruisers to seize vessels under the Spanish flag, when equipped for the Slave Trade; and stipulating, 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.

However, the traffic was actively carried on; and though the importation of negroes was less, those who reached the shores of Cuba were suffered to be made slaves in a manner so disgraceful as to establish the universal belief that the Captain-General profitted by his forbearance. That everything depended upon the spirit and integrity of this functionary now indeed became apparent.

In the spring of 1841, General Valdes arrived as Captain-General at Havana. His intentions of acting up to the engagements by which his country was bound were at once made public; though to such an extent did he find a recognised crime an acknowledged custom, that he thought himself obliged to allow a certain time for the engagements entered into under the disgraceful patronage of his predecessor to be brought to a close, and to declare that he would wait six months before adopting a new course, but that after that period no infraction of the Treaty should be allowed to pass unpunished. What was the effect of this conduct? 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 three. The number of arrivals, which in 1840 were 41, were in 1841 only 27, and in 1842 only nine.

Of course the importation of slaves decreased accordingly. The number introduced into the island in 1840 was not less than 14,470; and in 1841 was 11,850; and in 1842 it was reduced to 3,150.

General Valdes was, however, then removed, and what again was the consequence? In this last year, 1843, the importations of slaves have again taken place as formerly in Cuba.

The Undersigned has to notice a similar result with respect to the negroes to whom he has already alluded, as retained in slavery notwithstanding their emancipation by the Mixed Commission: a class calculated at about 7,000 at Cuba.

In the course of 1842, 920 adult individuals, or about an eighth of the whole number, besides 295 children, their offspring, were set free. In the first six months of 1843, 141 adults with 19 children; and in the next four months only 103 adults with 29 children were liberated; whilst in September last there were only 20 adults, with three children; and in October last but 12 adults, with 10 children, who received their long-promised boon.

The Undersigned has been directed to state to the Government of Spain, that it is with real sorrow that Her Majesty's Government, looking at all these facts, find themselves compelled 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 Spain executing her 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. Encouraged, however, by the 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 of Madrid, and forbore to press the said Convention. The state of things, however, which at present exists puts an end to all the hopes that, for the brief and honourable period of the late Governor-General's administration of Cuba, were entertained. Great Britain then must now trust to her own resources, and to those alone, for the suppression of the Slave Trade carried on by vessels under the Spanish flag. 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 these vessels, as well as the receivers of their cargoes, shall be criminals by the law of Spain, and that they shall be punished accordingly. More than eight years have passed since this engagement was entered into, and it is still unredeemed.

The Undersigned, therefore, is now instructed to demand from Her Catholic

Majesty's Government, that an immediate compliance with the obligations of the 2nd Article of 1835, by the promulgation of a penal law against all the slave traders, subjects of Her Catholic Majesty.

The Undersigned has also been directed to 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 29th of last October (of which a copy is enclosed), he has declared it to be his intention to adopt in his intercourse with that officer; and furthermore, to require that his Excellency may be enjoined to pay due attention for the future to such communications, bearing upon the infraction of Treaties between Great Britain and Spain, as may be addressed to him by the authorized agents of Her Majesty.

Finally, the Undersigned has to request, that general orders may be sent forthwith from Madrid, directing General O'Donnell to follow up all the measures of repression began by his predecessor, and to carry them out efficaciously to the redemption of the good faith of Spain, and to the satisfaction of the just demands of Great Britain.

The Undersigned, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Luis Gonzalez Bravo,
&c.

Second Enclosure in No. 4.

Mr. Bulwer to Senhor Gonzalez Bravo.

SIR,

Madrid, February 6, 1844.

WITH reference to my note of yesterday's date, I have the honour to acquaint your Excellency, that Her Majesty's Government have received further communications from Her Majesty's Commissioners and Consul-General at the Havana, showing that the Slave Trade is permitted to be carried on with impunity in Cuba, and that the Captain-General, following out the intention which he intimated in his note of the 29th of last October, to Her Majesty's Consul-General, has not even acknowledged the receipt of Mr. Crawford's last communication upon the subject; and that he has required Her Majesty's Commissioners, in addressing him to refrain from all observations inculpatory of Spanish functionaries, however strong the general reason which they may have for calling his Excellency's attention to the conduct of his subordinates.

I am directed to state to your Excellency, that Her Majesty's Government may reasonably hope, that the Government of Her Catholic Majesty will not support the Captain-General of Cuba in this conduct.

It is the duty of Her Majesty's agents to make communications to the Spanish local authorities on the execution of Treaties between Great Britain and Spain, and it can be no less the duty of the Spanish functionaries to receive and pay due attention to such communications.

If there had been in the letter of Her Majesty's Commissioners, as of Her Majesty's Consul-General, anything objectionable either in matter or in tone, Her Majesty's Government would have deemed it incumbent upon them to express their disapproval of the same; but it appears to Her Majesty's Government, that all the letters in question have only contained matters which it was right that Her Majesty's Consul-General and Commissioners should bring to the knowledge of the Captain-General, and that they were couched in language which affords no ground for disapproval.

Such being the case, Her Majesty's Government feel that they ought to have met with a different reception; and I am instructed to demand, that the Captain-General of Cuba shall be forthwith instructed to receive, acknowledge, and attend to, all future representations that Her Majesty's Consuls in execution of their duty shall find it necessary to make to him.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Luis Gonzalez Bravo,
&c.

&c.

No. 5.

*Mr. Bulwer to the Earl of Aberdeen.**Madrid, February 24, 1844.**(Received March 7.)*

MY LORD,

I HAVE the honour to enclose a copy and translation of a report from the Captain-General of Cuba, stating that a conspiracy among the negroes had been discovered in that island, in the district of Matanzas, and that 14 of the ringleaders had been executed.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

Enclosure in No. 5.

(Translation.) *Report from the Captain-General of Cuba.*

Ministry of Marine, Commerce, and Colonies.

THE Governor Captain-General of the island of Cuba writes, under date of the 3rd January last, that public tranquillity continued undisturbed throughout that colony. He adds, that a project of insurrection which the negroes of some estates in the district of Matanzas intended to carry into effect having been discovered, the principal ringleaders of the plot were arrested, and tried by a Court Martial, whereby 14 of them were condemned to death, and immediately executed.—*Madrid Gazette, February 20, 1844.*

No. 6.

*Mr. Bulwer to the Earl of Aberdeen.**Madrid, February 24, 1844.**(Received March 7.)*

MY LORD,

THE "Heraldo" published a few days ago an article with reference to the conspiracy which has lately been discovered among the negroes in the island of Cuba, an official report of which, from the Governor of Cuba, I enclosed in my other Despatch, of this day's date,

After accounting for the origin of the conspiracy, it goes on to call the serious attention, not only of the Government, but of all those interested in the prosperity of the above-mentioned island, to the present state of the Slave Trade and slavery which exists there, condemning the vast and dangerous influx of slaves which is clearly taking place, and declaring, that in the present condition of things the journal in question will not cease in its efforts to cause the abolition of this odious traffic.

Your Lordship will not consider this public declaration on the part of the leading Moderado paper to be without importance. I have the honour to enclose a copy and translation of the article in question.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

Enclosure in No. 6.

(Translation.) *Article in the "Heraldo" of February 21, 1844.*

THE letters which we have received from the Havana by the last packet bring us the intelligence of a vast conspiracy of negroes having been detected in the district of Cardenas, the ramifications of which extended to a great number

of estates possessing numerous slaves. Fortunately, the insurrection was suffocated before its outbreak; and the innumerable disasters with which such tremendous rebellions are always attended were thereby prevented.

The particular circumstances of this conspiracy, its extension, and the frequency with which risings of negroes have taken place in the same district during the last years, prove that there exist some especial causes which, added to other ones proceeding from the social constitution of our Antilles, prepare these painful occurrences, which must call for the attention not only of the Government, but also of all such persons who are interested in the prosperity of those distant possessions, which are one of the precious gems of the Spanish crown. From the facts stated to us in the letters of respectable persons, it appears that the risings of slaves which have taken place in the late years, and the conspiracy recently detected, have been planned by Lucumean negroes, a haughty and determined race, possessing great natural strength, and of which numerous importations have lately been made into the island. This, added to the want of vigilance, and carelessness on the part of the owners of the estates, to imprudent measures, adopted perhaps with good intention, by authorities who did not know the country entrusted to their command, and to the instigations of the enemies of the prosperity of the Spanish Antilles, are undoubtedly the immediate causes of those risings which have been drowned in the blood of unfortunate seduced negroes, and which have cost many whites their lives and their fortune.

We say "the immediate causes," because we are not inclined to indulge in illusions with regard to the social state of the island of Cuba. We know that great elements of peace, of order, and of progressive prosperity exist there; but we are likewise aware, that its social constitution contains many seeds of future convulsions and disasters, and of evils which require quick remedies, but which we do not however consider as impossible to cure.

Respecting the Slave Trade question (a question which rises above all others which are debated amongst thinking men, who studiously examine the state of our coveted possessions of America), we have pursued and will always pursue the same line of conduct. Our principles are, that the Spanish Government, its representatives in those distant countries, and all such persons who desire the prosperity of those colonies and the future existence of the same, must devote all their power and their influence to obtain that the suppression of *Slave Trade* may become a truth, and that the Spanish Government, for the attainment of this object, ought neither admit nor consent the interference of any foreign Power.

And in expressing ourselves in this way, we are not exclusively prompted by that humane feeling which inspires horror towards the infamous traffic of human beings which is so repugnant to civilization, and to the times in which we live; neither do we do so from the belief of this being the only means of our being entitled to protest with energy against the machinations, the intrigues, and the pretensions of an ambitious Power;—but because we are intimately convinced that the suppression of Slave Trade is the greatest benefit which can be bestowed upon the island of Cuba, and even upon the owners of the large estates of that colony; and that it will only be after the complete cessation of that traffic that the Government, the authorities, and the influential persons will devote their attention to the increase of the native population, and that the problem of the cultivation of the Spanish Antilles by the whites will be satisfactorily resolved, as we expect; because there is nothing more fatal than the continuation of that system, if it can be so called, which attends only to the present, without caring for the future, and the incessant accumulation of inflammatory elements which must sooner or later take fire; and because the existence of those populations which have always the dagger by which they are to be murdered lifted upon their heads, is no existence at all.

Certainly, the state of our precious Antilles is not so much critical, nor these dangers so impending; but it is the Government's duty to prevent those evils, by destroying the seeds of such horrible calamities for the future. And when we see the Government compelled to struggle every day at home against those who attack its existence, we are painfully affected on considering the impossibility of attending to the necessities of those colonies, the social constitution of which is so different from our own. That is the reason why we have always advocated for the creation of a Ministry of the Colonies, and why we have always remembered the solemn promise made to those possessions of giving

them the especial laws of which they are so urgently in need; and, consequently, we have never ceased, nor will cease, from requesting the Government to fix their attention upon our coveted colonies, which, by their loyalty and the patriotism of their inhabitants, are so much entitled to the consideration and solicitude of the mother country.

No. 7.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, February 24, 1844.

(Received March 7.)

MY LORD,

WITH reference to my other Despatches, Slave Trade, of this day, I have the honour to acquaint your Lordship that the "Heraldo" of yesterday publishes a letter written by a planter in the island of Cuba, giving a detail of the particulars connected with the recent conspiracy among the negroes in that island, and stating that it stands in imminent danger of destruction in consequence of the large number of the slave population which at present exists there. The writer goes on to say that 18 or 20 vessels have recently sailed from Cuba for the coast of Africa for the purpose of importing cargoes of slaves, and that others are now being fitted out to engage in the same traffic; and he adds, that those who are engaged in slave dealing are almost exclusively Peninsular merchants, and certain *employés* of the Spanish Government.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

No. 8.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, March 2, 1844.

(Received March 13.)

MY LORD,

I HAVE the honour to enclose herewith a copy and translation of a memorial signed by 92 planters, merchants, and landowners of Matanzas to the Captain-General of Cuba, praying him to adopt the most effectual means for putting a stop to the Slave Trade, and suggesting the urgency of preventing for the future any rising among the slaves on that island.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

Enclosure in No. 8.

(Translation.) *Memorial to His Excellency the Captain-General.*

MOST EXCELLENT SIR,

Matanzas, November 29, 1843.

THE undersigned merchants, landowners, and planters of the district comprised within the military jurisdiction of Matanzas, prompted by a sacred duty, beg to call your Excellency's attention to a subject of the highest importance for the country which Her Majesty the Queen our Sovereign has been pleased to entrust to your Excellency's vigilance and care.

We allude to the importation of negroes from Africa. The incessant activity with which that abominable traffic has been carried on, in spite of humanity, of justice, of the most solemn Treaties entered into by our Government, and of several Royal Orders issued by our beneficent Monarchs, has accumulated on the territory of this island, a coloured population which, according to official

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statistical returns, amounts to the excessive number of 660,000, of whom 498,000 are slaves.

The white population not being able to increase in the same proportion, as experience has shown to be always the case when such contrary elements exist, what could be the consequences of such a confusion but to bring us to our present critical state? Yes, it is necessary to state clearly to your Excellency that the island of Cuba is in a most perilous and precarious situation; and little perspicacity is required to know what can be the consequences of the excessive number of that coloured population, both slave and emancipated. Please to God that Hayti should not offer in our vicinity a dreadful instance of a horrible disaster, which must always be borne in mind in order to prevent a second edition of it in this island!

The slave population shows a marked tendency to rebellion, which has been clearly revealed by the partial insurrections which have taken place in the present year at Bemba, and lately in the estate named Triumvirato, of this jurisdiction. It is therefore for your Excellency's paternal Government to listen to the general outcry against an illicit traffic, which, if not suppressed, will render every day the political existence of this precious Antille more and more critical, by increasing the numbers and power of the black race.

The triumph obtained by the negroes in the neighbouring island of Hayti, their emancipation at Jamaica, and the emissaries who, proceeding not only from those islands, but sent also by persons and societies very well known to our Government, are so numerous in the territory of Cuba, notwithstanding the incessant vigilance and zeal of our authorities, are as many causes which, combined together, keep constantly alive that dangerous tendency. Another sort of emissaries, still more mischievous, since they will form a part of the slave population of the plantations, is about to invade this country among the expected importations from Africa. An English mission, with one of the most violent abolitionists at its head, is now visiting that savage continent, and it is not to be doubted that they aim at obtaining the fruit of their efforts in this country by means of the negroes whom they will influence in Africa. This and no other is the cause of a great number of negroes, familiarized with the language of powerful Albion, having been found among the recent importations.

It is high time, Most Excellent Sir, to put an end to that unlawful traffic, the disgrace of our civilization, the horrid abyss which swallows all our hopes of security and future welfare, the hydra which frightens the wealthy people who are inclined to establish themselves in our country, and obliges those who acquired their fortunes here to emigrate with them, in order to enjoy them without alarm in another country. So high a glory is reserved to your Excellency. By rigorously persecuting the clandestine traffic of African negroes until obtaining its real and total suppression, your Excellency will firmly consolidate the welfare and tranquillity of Cuba, and secure for ever to the Crown of Castille its most precious gem.

But the plantations of the island, and particularly those of the district of Matanzas, which contain upwards of 60,000 slaves, require at the same time from your Excellency's paternal solicitude a measure of protection and security, which may not only be a powerful dike against the attempts of the negroes, but also offer continually to their eyes positive marks of the careful watchfulness exercised on them, thereby preventing any occasion of their carrying their plans into effect, which, however partially realized, are the cause of great injury to the planters; because every rising which takes place ends in the execution of several of the rebellious slaves, who form a considerable part of our property.

Thus the insurrections at Bemba and Triumvirato were suppressed with great activity, but not without the slaughter of 300 negroes, which has considerably reduced the property of worthy planters; and besides, the innocent victims immolated by those barbarous savages claim from their graves for the adoption of a measure which may prevent the recurrence of such dreadful and bloody scenes. But no measure will be sufficient, so long as the slave race shall go on increasing in number by the Slave Trade, and receiving thereby fresh stimulus to rebellion.

The undersigned, on addressing so zealous and enlightened an authority, have considered it their duty to speak the frank language of truth in stating the facts and arguments: many of the latter have not certainly been adduced, because

the reasons which support a question of such vital importance to the material interests and the existence of Her Majesty's faithful subjects, and which are entrusted to your Excellency's immediate protection, are too numerous.

The undersigned would also have considered this question under its economical point of view, had it not been already favourably resolved, and should the political existence of the country not have claimed the preference.

Consequently, the undersigned humbly request that your Excellency, taking under favourable consideration all what has been stated in this memorial, and the well-founded and ardent wishes of the population of Cuba, will be pleased to adopt all such measures as your Excellency, prompted by your zeal for the strict observance of the existing laws upon the subject, may think proper for the purpose of putting an end to the clandestine traffic of African slaves, and of affording protection to our abandoned plantations.

[Here follow 92 signatures.]

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

No. 9.

Mr. Bulwer to the Earl of Aberdeen,

Madrid, March 2, 1844.

(Received March 13.)

MY LORD,

HAVING been confined to my room for some days past, I asked Mr. Jerningham to call on Senhor Gonzalez Bravo, in order to urge him to give me an answer to the letter which I addressed to him, in compliance with the instructions contained in your Lordship's Despatch of the 31st December last, respecting the Slave Trade at the island of Cuba.

Senhor Gonzalez Bravo told Mr. Jerningham, that some little time would elapse before he could give a satisfactory answer to that note, but that Her Majesty's Government might be assured, that everything would be done by the Government of Her Catholic Majesty to put a stop to this horrible traffic, which was as opposed to the Spanish interests at Cuba as to those of humanity.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

No. 10.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, March 25, 1844.

DURING the last war between Great Britain and the United States of America, the British forces having occupied a post on the coast of Florida, called Prospect Bluffs, a portion of the population of that part of the country were taken into British service. On the evacuation of the place by the British forces, the commanding officer gave papers of freedom to the persons in question, for themselves and for their families; but on the occupation of the place by the Americans, these persons were obliged to remove.

Accordingly it appears that they went to San Augustin, in Florida, and from there were sent to Cuba, and sold into slavery. I send you a copy of a letter which I have received upon this subject from Her Majesty's Consul-General in Cuba, and copies of correspondence thereupon with the Secretary at War.

As there can be no reasonable doubt of the truth of the statements and of the identity of the persons, Her Majesty's Government entertain a confident hope, that upon your appeal to the honour and good feeling of the Spanish Government orders will be given for the liberation of these unfortunate and ill-used individuals and their families. I have therefore to instruct you to represent

the circumstances, in a note, to the Spanish Government, and to urge them strongly to the performance of that act of justice.

I am, &c.

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

(Signed) ABERDEEN.

First Enclosure in No. 10.

Mr. Crawford to the Earl of Aberdeen, June 19, 1843.
(See Class B. 1843. No. 46. Page 42.)

Second Enclosure in No. 10.

Viscount Canning to Mr. Sullivan.

SIR,

Foreign Office, July 24, 1843.

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, 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.

I am, &c.

Laurence Sullivan, Esq.
&c. &c.

(Signed) CANNING.

Third Enclosure in No. 10.

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, enquiring 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 Augustin, 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 its enclosure has been transmitted to Mr. Byham.

I have, &c.

The Viscount Canning,
&c. &c.

(Signed) L. SULLIVAN.

Fourth Enclosure in No. 10.

Mr. Sullivan to Viscount Canning.

MY LORD,

War Office, October 7, 1843.

I AM directed to acknowledge the receipt of your letter of the 24th July last, and to acquaint you, that as the records of the Ordnance Department did not furnish any information regarding the occupation by the British forces of

Prospect Bluffs, a letter was addressed to the Lords Commissioners of the Admiralty, who have furnished the Secretary at War with the enclosed letter from Colonel Nicolls, of the Marines, who was in command of that fort, and also a letter from the Comptroller for Transport Services, stating that Victualling Lists of the persons who served with the British force cannot be found to have been received by the late Victualling Board.

The Viscount Canning,
&c. &c.

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

Sub-Enclosure 1 in Fourth Enclosure in No. 10.

Colonel Nicolls to Sir John Barrow.

SIR,

Shooter's Hill, September 11, 1843.

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, and its enclosures, which I herewith return. I also herewith enclose a copy of my instructions, and a printed Proclamation from Sir Alexander Cockrane, by which you will see, that I was the officer in command at the Bluff in Florida, in the years 1814, and 1815, and which two papers I request may be returned to me when convenient. I have further to inform you, that on my leaving the post at the Bluff, in June 1815, I had not transports sufficient to take away about 350 men, women, and children, the former of whom had enlisted in the British forces on the faith of the enclosed Proclamation and my instructions, but they agreed to keep together, under the protection of the Indian Chiefs, until we had an opportunity of sending for them. I then left with each soldier or head of a family a written discharge from the service, and a certificate that the bearer and family were, by virtue of the Commander-in-Chief's Proclamation, and their acknowledged faithful services to Great Britain, entitled to all the rights and privileges of true British subjects, which indeed most of them really were, having left the United States when they rebelled against the British Crown, and had, from that time to their joining me, lived with Indians well known under the name of King George's men; and on the first sight of our colours they entered my camp with the most enthusiastic zeal, and continued their service with the strictest good faith and conduct, so much so, that out of 1,500 of them I never had occasion to punish one of them. After I left the Bluffs, before aid could be sent to them, they were treacherously attacked by the lawless slaveholders on the Georgian frontier of Florida, aided by a flotilla of four heavy gun-vessels from the slaveholding State of Louisiana, the whole force amounting to 1,200 men, to which our people had only about 60 of their oldest men, and some women, to oppose, the rest and the Indians being absent hunting and fishing, in the security of the generally acknowledged peace; yet notwithstanding their small number, and with the aid of their strong position, they made a most noble defence; the Americans being about to retire after a 14 days' siege, had broke up their encampment to retreat, being in fear of the return of the absent garrison, all of whom were strong and expert rifle men, when one of the vessels firing a gun with a red hot shot, fired it more to get rid of it than from any expected consequence, the shot glanced off a tree, and flew out of its course among some loose powder that some of the women were filling cartridges from at the grand magazine door, and which communicated to 300 five-and-a-half-inch shells, and about 300 barrels of powder, blew the whole of the battery or citadel, which stood in the centre of the fort, to atoms, destroying all the men, and several of the women and children. Even under this distress the cowardly enemy hesitated to storm the outworks for the space of four days, when at length, hearing no sound of men's voices, and the smell of the mutilated remains of the sufferers having reached them, they ventured to assault the place, and found only a few of the women and children alive, one of whom, Mary Ashley, had the courage and sagacity to hoist and pull down the colours morning and evening for four days, firing the morning and evening gun, shotted, into the enemy's camp, in the hope that the absent garrison would hear it, and come to their assistance. This poor woman was cut and most cruelly used by these lawless miscreants, her free papers destroyed, and herself, children, and the rest of the survivors sold into slavery.

The above will, I trust, show Her Majesty's Government that all the persons I left behind at the Bluff have a perfect right to their liberty as British subjects; that I perfectly well recollect the name of Mary Ashley, as a very intelligent negress. I cannot find a copy of my victualling list, but I believe, but am not certain, the original can be found in the Victualling Office. I would further beg leave to observe, that a large sum was paid by the British Government to the United States, as a remuneration for all the slaves that joined us in every part of North America. I also deem it right to observe, that I do not think the General Government of the United States authorized the attack on the Bluff, as it was a manifest breach of the treaty of peace, for I am sure they had not then, and I believe have not now, the power to restrain the white population of their southern States, particularly when the subject of slaves is the question.

I do hope, Sir, Her Majesty's Government will use all possible means to obtain the liberty of the persons in question; such praiseworthy exertions will not fail to have a powerful effect among the very intelligent and useful coloured population of Cuba, the southern States of North America, when, if ever the need should come, we can fully depend on their joining us to a man; and better or braver soldiers I would never wish to serve with, which I am able, ready, and willing to do at a moment's warning.

I have, &c.

(Signed)

EDWARD NICOLLS, *Colonel.*

Sir John Barrow, Bart.

&c.

&c.

Sub-Enclosure 2 in Fourth Enclosure in No 10.

Mr. Meek to Sir John Barrow.

Admiralty, September 26, 1843.

THE Comptroller of Victualling begs to report for their Lordships' information, that every search has been made for the victualling list referred to in the enclosed letter from Colonel Nicolls, but that the same cannot be found in his Department. The Comptroller begs to observe, that the probability is (the late Victualling Board having declared it to be impracticable to pass his accounts for his services at Pensacola) that no such list was ever received from him.

The papers which accompanied the within-mentioned letter are returned herewith.

(Signed)

JAMES MEEK.

Sir John Barrow, Bart.

&c.

&c.

No. 11.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, April 4, 1844.

I HAVE received your Despatch, Slave Trade, of the 2nd instant, enclosing copy and translation of a memorial addressed by certain proprietors of Cuba to the Governor-General, urging him to take steps for ensuring the tranquillity and safety of that island.

Her Majesty's Government have recently received many communications direct from Cuba, confirming the accounts contained in that memorial, as to the very great alarm felt by the planters, merchants, and landowners at the present state of the colony.

All those accounts concur with the memorial in stating, that "the slave population of the island shows a marked tendency to rebellion;" and that the complete and instant suppression of those insurrections which have already occurred, has not in any degree removed the danger of a repetition of the efforts of the slaves to effect their freedom by violence. They instance the fact, that within the last year three insurrections of the slave population have taken place, that neither of them was put down without much bloodshed, that the number of lives has increased at each time, and amounted in the last case to no less than 300 persons, and yet that the rebellious spirit among the slaves appears in no degree to be quelled; efforts have been made by the Governor to suppress these facts, but in vain; the alarm of the inhabitants has been too great for concealment.

The white inhabitants remind the Government of Spain, that the first and principal cause of this state of trouble and uneasiness has been the clandestine importation of blacks into the island, "in spite of humanity, of justice, of the most solemn Treaties entered into by the Government, and of Royal Orders issued by the Monarch of Spain;" effected, say the representations, "to the scandal of all persons of worth, by a handful of men in whose hearts there is not any sense of justice, and who set at nought both the commands of the Almighty and the laws of men." These are the terms in which the planters of Cuba, awakened at last by apprehensions for their own safety, speak of the proceedings which have brought the island to its present condition.

They wish, with evident anxiety, that every possible means of precaution shall be taken to avert from them the fate of the planters of Hayti, which they fear to be momentarily impending upon them. They put forward the fact of the immense and excessive black population of Cuba, amounting to 660,000, of whom 498,000 are slaves; and they end by earnestly pressing upon the Government their conviction that all measures of precaution against insurrection will be in vain, unless an immediate and effective stop is put to the further importation of negroes from Africa.

I send you copies of such of the Despatches, enclosing these accounts, as have arrived subsequently to my last instruction to you on the subject of Slave Trade, in order that you may, according to your judgment, make use of their contents in your communications with the Spanish Government.

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

I am, &c.
(Signed) ABERDEEN.

Enclosures in No. 11.

1. *Mr. Crawford to the Earl of Aberdeen, Dec. 21, 1843.*
 2. " " " *Jan. 17, 1844.*
 3. " " " *Feb. 8, "*
- (See Nos. 46, 50, and 53.)

No. 12.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, April 10, 1844.
(Received April 17.)

MY LORD,

I HAVE the honour to enclose the copy of a note which I have addressed to Senhor Gonzalez Bravo, pressing for an answer to my communications of the 6th and 7th of February last, respecting the state of Slave Trade and slavery in the island of Cuba.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

Enclosure in No. 12.

Mr. Bulwer to Senhor Gonzalez Bravo.

SIR,

Madrid, April 6, 1844.

I BEG to call to your Excellency's attention the notes which I addressed to you on the 6th and 7th of February last, respecting the state of Slave Trade and slavery in the island of Cuba.

I am aware, that of late your Excellency has been much occupied with various and important business, and it is for this reason that I have hitherto refrained from writing again on the subject of the above-mentioned notes.

But the subject they refer to is one on which Her Majesty's Government take the most lively interest, and I should therefore be glad if your Excellency

could now furnish me with such an answer to my communications as would at once satisfy Her Majesty's Government as to the scrupulous attention which the Government of Her Catholic Majesty is disposed to pay to the strict fulfilment of those Treaties between Great Britain and Spain which have for their object the abolition of a traffic which I know that your Excellency views with the horror with which it inspires into the enlightened and humane throughout Europe.

I avail, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Luis Gonzalez Bravo,
&c. &c.

No. 13.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, May 2, 1844.

ACCOUNTS which have reached Her Majesty's Government from time to time on the state of Slave Trade in Cuba, have made it their duty to address, within the last nine months, more than one urgent remonstrance to the Government of Her Catholic Majesty against the non-fulfilment of the compact by which Spain engaged to put an end to the trade in slaves carried on by Spanish subjects.

Her Majesty's Government had a right to expect from the Government of Her Catholic Majesty that ready compliance with this requisition, which would become a nation jealous of its honour and good faith, and bound to Great Britain by the ties of intimate alliance. No official answer, however, has been returned to the representations which Her Majesty's Envoy at the Court of Madrid, in obedience to instructions from home, has made upon this subject.

In the meantime there has not arrived one packet from Cuba without an account of new and glaring violations of the faith of Spain, on the part of the local authorities of that island; until at length (as it appears from the last Despatches, of which I herewith enclose to you copies, from Her Majesty's Commissioners and Her Majesty's Consul-General in that island), these violations have reached to such a height, that towards the end of January last 800 negroes from one vessel, consigned to Don Pedro Blanco, and 300 from another, consigned to Don Pedro Forcade, were landed near Trinidad de Cuba; on the 8th of February, 1,104 negroes were landed from the "*Segunda Palmyra*," at Bahia Honda; and on the 2nd of March, 635 negroes were landed not above three miles from the Morro Castle, at the Havana, making an importation of 2,839 negro slaves from Africa in little more than a month.

The negroes from the last cargo were, on the evening of their landing, brought to the city of the Havana along the high road, "thus," remark the Commissioners, "showing a disregard of public observation such as had not been known for many years, and evincing the entire reliance which the slave traders had in the support of the local authorities;" and at the Havana the cargo of slaves remained openly exposed for sale.

Her Majesty's functionaries in Cuba formally announced these several violations of the Treaties to the Captain-General, in the hopes that some steps would be taken to punish and to put an end to such illegal proceedings; but none were adopted, either for the one or for the other of these objects. Meantime, the undertakings for slave trading are actively and openly carried on. By the last advices from Her Majesty's Consul-General, four more cargoes of slaves were daily expected, and several slave vessels were being fitted out in the very harbour of the Havana.

The probable consequences of this unnatural and most dangerous increase of the African population of the island, if the promoters of it are to continue their guilty practices unchecked, may best be judged from events which have already occurred. In the last year no less than three insurrections of negroes have taken place in the island, besides several minor outbreaks; and in most cases the ringleaders of these insurrections were found to be negroes who had recently been torn from their families in Africa. The most cruel tortures were inflicted upon them, to induce in them a confession of the origin and cause of

the conspiracy. At the very stake they have declared, that it was not of any one particular feature of their treatment in Cuba, or of any one particular individual that they complained, and that it was not cruelty or ill-usage which drove them to rebellion, but the loss of that liberty of which they had been unjustly deprived, and for the recovery of which they declared themselves ready to brave any amount of suffering, and without which they would not willingly live; and in many cases, even where insurgent negroes have not fallen into the hands of the authorities, they have made good this assertion by putting an end to themselves.

In other instances they have been tortured, to induce them to confess their associates. "In their agony," says the Consul, "they have promised to tell all; and when that all has been told it has turned out, not that disclosures have been made as to particular parties engaged in the plot, but that all the black and coloured people are of the same opinion, considering themselves to be as free as the whites. "The lash," continues the Consul, "has been resumed, and continued until death has released the victims from their sufferings." "Negroes," he says, in his latest Despatch, "are cut to pieces and butchered wholesale in every direction."

The insurrections, however, are not put down. "Every day," observes Mr. Crawford, "the state of the island becomes more and more alarming. The negroes are in a disturbed and very dissatisfied way throughout all the cultivated district, especially in the neighbourhood of Matanzas, Santa Clara, and all up to Cardenas. The proprietors find that, with the severity of treatment and restraint consequent on the recent disaffection, there is great disposition to revolt, and upon some estates the negroes refuse to work altogether." According to a private letter from a respectable planter, all is suspicion, distrust, and apprehension throughout the island.

It was not an unnatural consequence of this state of things, that the most respectable and wealthiest proprietors in the island should have joined in addressing a memorial to the Governor, in which they urged him to put in execution the Treaty of Spain with Great Britain, reminding him how constantly and how notoriously it had been broken, and to take every possible means to prevent the success of the rising rebellion of the slaves; but concluded by saying, that all measures would be in vain, unless he put an end to further importations.

The Captain-General in one instance refused to receive the memorial, and warned those who presented it, that their conduct in so doing would be marked.

Instead of stifling the expression of opinion by this course, the feelings of dissatisfaction and apprehension which produced that memorial were only strengthened; another was drawn up and presented to him, which he tore to pieces before the faces of the memorialists.

In a third instance he is said to have committed himself even further, and to have written to the parties transmitting it to him a threatening letter, "of such a character," adds the informant, "as effectually to prevent their further expression of opinion."

Nevertheless, the memorials have got abroad; two of them having reached Madrid, have been sent as Enclosures in your Despatches, and others have reached this country and have been already forwarded to you; and yet, when the Commissioners recently represented to the Captain-General the violations of the Treaty which were continually taking place, and supported their representations by calling his attention to the statements confirming them in these memorials, his Excellency ventured to declare to the Commissioners, that "he had neither memorial presented to, nor representation made to him, from any place in Cuba of the character they alleged; whence" said he, "I draw the conclusion that the people are satisfied with my resolution to fulfil the Treaties and punish the offenders."

The Commissioners exclaim, and no doubt justly, "that the whole community of the place is scandalized by the manner in which these affairs are carried on, raising fear and apprehension in the minds of many, and exciting the indignation of all." They repeat, over and over again in the Despatches, with copies of which you are furnished, that the only persons in Cuba who are willingly parties to this scandalous state of things are the local authorities, and the slave

merchants themselves; and that the "cupidity" of the Governor (such are their words) is the real cause of the continuance of the Slave Trade in Cuba.

"This baneful traffic," say Her Majesty's functionaries, "is forced upon the island, to the manifest peril and discontent of the proprietors, merely to enrich the Captain-General."

The bribes which the authorities of Cuba have for many years received for upholding the Slave Trade of that island have been well known, and have been pointed out to the Government of Spain, and they had been often urged to put a stop to these iniquities. The precise sum given for each slave, the officers among whom it was divided, and the proportion in which it was shared, were notorious.

The Spanish Government have not been able to deny those facts, although they have asserted that it has not been from any neglect of duty on the part of the authorities that the Slave Trade was kept up. But it has been proved, that when the Government of Her Catholic Majesty appointed a person of honour and integrity to be Governor of Cuba, and one who undertook the high functions entrusted to him with other views than those of enriching himself and his associates by a corrupt connivance at the crimes which he was appointed to repress, that trade speedily declined, and indeed had almost ceased to exist. A change, however, was made in the Government of the island, and the iniquitous traffic is again in full vigour, notoriously encouraged, and almost openly defended, by the man to whom Her Catholic Majesty's Government have confided the interests and honour of the colony, and the duty of watching over the faithful discharge of an engagement solemnly entered into by the Crown of Spain.

It is for the Spanish Government alone to consider what may be the consequences of a perseverance in such conduct on the part of its colonial authorities, so far as the welfare of the colony is concerned. Were it the sole object of Her Majesty's Government to see the liberation of the slaves in Cuba accomplished, no matter by what means, or at what cost of blood and social order, they could hardly wish a more certain course to be pursued than that which during the past year the Government of Madrid have permitted, if not sanctioned, in those officers. It is, however, the earnest prayer of Her Majesty's Government that the fearful catastrophe with which Cuba is threatened may yet be averted.

But whatever measures with this view the Spanish Government may in its prudence adopt, the flagrant violations of the Treaties with Great Britain which are almost daily perpetrated in Cuba, and the equivocations and false statements with which the remonstrances of Her Majesty's servants have been met by the representative of the Spanish Crown, give Her Majesty's Government the right to require that effectual means shall be taken to put an end to these acts, and to prove that they are not committed under the authority of the Government at Madrid.

It is the conviction of Her Majesty's Government, that the honourable observance of the Treaty of 1835 is impossible, unless the penal law prescribed by it shall be enacted and enforced, and unless General O'Donnell shall be recalled from the Government of Cuba.

You will address a note in the sense of this Despatch to the Spanish Government.

I am, &c.

(Signed) ABERDEEN.

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

Enclosures in No. 13.

1. *The Havana Commissioners to the Earl of Aberdeen*, Jan. 1, 1844.
2. " " " Feb. 20, "
3. " " " March 7, "
4. " " " March 9, "

(See Class A. Nos. 86, 92, 93, and 95.)

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|----|--|-------------|--------------|-------|
| 5. | <i>Mr. Crawford to the Earl of Aberdeen,</i> | <i>Feb.</i> | 15, | 1844. |
| 6. | " | " | <i>Feb.</i> | 17, " |
| 7. | " | " | <i>March</i> | 9, " |
| 8. | " | " | <i>March</i> | 9, " |
| 9. | " | " | <i>March</i> | 9, " |

(See Nos. 55, 56, 57, 58, and 59.)

No. 14.

(Extract.) *Mr. Bulwer to the Earl of Aberdeen.*

Madrid, April 27, 1844.

(Received May 5.)

MY LORD,

I HAVE obtained from Mr. Bravo a verbal promise that the penal law demanded by your Lordship shall almost immediately be published. I had hoped to have this promise repeated in writing in answer to the note I have addressed to him on the 12th instant, but it is not yet arrived.

Your Lordship will observe, by Mr. Bravo's answer to my first communication, that the Spanish Government object to different powers assumed by our Consul and the Mixed Commission at Cuba, but give the most solemn promises as to their own intentions to see the Slave Trade suppressed. I believe it is really their intention to suppress this traffic, which threatens, in fact, their own power in Cuba. At the same time, they are alarmed at the loss of that moral authority on which their sway depends if they seem to be acting under the compulsion or insistence of foreigners. Your Lordship, however, will best judge of their real intentions when I forward to you the reply I expect, and the papers I have asked for.

I have, &c.,

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

(Translation.)

First Enclosure in No. 14.

Senhor Gonzalez Bravo to Mr. Bulwer.

SIR,

Madrid, April 8, 1844.

I HAVE just received your note, dated the day before yesterday, in which you express the desire of receiving an answer to your notes of the 5th and 6th of February.

The important business in which I have been occupied for the last two months has indeed prevented me, as you very properly observe, from devoting a single moment to the subject referred to in your communications to which I have to-day the honour of replying.

You complain, in your above-mentioned notes of the 5th and 6th of February, of the conduct observed by the Captain-General of the island of Cuba, with regard to the members of the Mixed Commission and to the British Consul, and you demand the strict observance of the Treaty of 1835, respecting the suppression of Slave Trade.

Her Majesty's Government, being firmly determined to fulfil the Treaty of 1835, and to enforce the fulfilment thereof upon their subordinate authorities—a determination which arises from duty, and which is strengthened by expediency—will always be disposed to listen with pleasure to all the observations addressed to them for that purpose, as well by you as by the British Cabinet. Her Majesty's Government have given to the authorities of Cuba the most peremptory instructions upon this subject, and are at this moment preparing here some measures which will be the complement of the work, and the most irrefragable proof of their good faith in the fulfilment of the Treaty of 1835, equal to that which they have always observed in keeping all their engagements.

But, at the same time that Her Majesty's Government will carry their efforts beyond the limit which it has hitherto been possible to attain by listening to all representations which may arise from the text of the Treaty in question, they

will with equal firmness require to be listened to, and that those observations which they may have to address to the British Government, for the purpose of their enforcing upon their subordinates the fulfilment of that part of the Treaty which belongs to them, be attended to with the same loyalty.

It is very painful to Her Majesty's Government to receive complaints, stating that the authorities of Cuba do not do all which is in their power to suppress the Slave Trade, whilst those authorities themselves not only refute the charges, but constantly complain of the abuse which the British Consul and the Mixed Commission make of their situation in the discharge of their respective attributes.

The Spanish Government can only consider the foreign Consuls residing in the colonies as mere commercial agents, because the colonies are always ruled by especial laws, and not by common law. And it cannot be otherwise, because it would be very dangerous that a foreign commercial agent, who is always of an inferior rank, and at a long distance from his Government, should be invested with the important mission of demanding the fulfilment of Treaties, not from the Spanish Government itself, but from an authority residing so far from the residence of that Government. In spite of these principles, however, and of such irrefutable a doctrine, the British Consul at Cuba has transformed himself from a commercial agent into a diplomatic one, and into a representative, not of the commercial interests of British subjects, but of the British Government who watches upon the fulfilment of a Treaty. His representations upon this subject, which are generally unfounded, are, from an excess of his zeal, so frequent that they already become an obstacle to the administrative course of the authorities of the island. The Mixed Commission itself has acknowledged this abuse, since, in its communication to General Valdes, dated the 22nd May, 1841, respecting a representation from the Consul against the Oporto packet, which he supposed to be engaged in the Slave Trade, it stated, that the British Consul "in interfering in this question had gone beyond the limits of his attributes." These are the reasons on which the Captain-General of Cuba has founded his resolution not to admit the British Consul as a legitimate party in slave questions, which reasons I have no doubt that you will find to be just, and worthy of consideration.

The Mixed Commission also, animated by a truly laudable, although excessive zeal, carries its mission to a point which exceeds the circle of its attributes, as consigned in the Treaty, and gives rise to serious compromises with the authorities of Cuba.

The Mixed Commission, which, according to the Treaty of 1835, enjoys no other pre-eminence than that of a Court of Justice appointed for the purpose of deciding the cases of the seizures of slaves, has converted itself into a sort of investigating and denouncing Commission; and the irregularity involved in such a transformation which tramples upon all principles of jurisprudence, cannot escape you, because the rigid impartiality of a Judge cannot well co-exist with the passionate denunciation of the Investigator. The Mixed Commission, overcarried by its zeal, has sometimes gone so far in its correspondence with the first authority of the island, as to prefer charges against the subordinate Spanish agents, and even to accuse them of connivance in the Slave Trade. The consequence of this abuse is, not only an infraction of the Treaty and a violation of the general principles of international law, but also that such is the alarm which has thereby been spread amongst the landed proprietors of the island, that Her Majesty's Government cannot see it with indifference. Those proprietors fear at every moment some attack upon their property, in consequence of the pretensions of the Mixed Commission, and have little confidence in finding due protection in an authority which they consider is treated with little decorum. More than this, the impatience of the Commission to denounce facts of this kind leads it to give credit to vague rumours and exaggerated accounts, which, after having been submitted to the examination of the proper authority, are found in most cases to be false; and these repeated failures are the cause of the Mixed Commission losing its *prestige*, and of its being looked upon in the island not as an impartial body, but as an assembly of passionate individuals. As a proof of this assertion, it will be sufficient to read the copies of the correspondence which has lately taken place between the Mixed Commission and General O'Donnell, which I have the honour to enclose herewith. You will see in them the loyalty with which the Spanish authority proceeds in this affair,

and the exaggeration with which the Mixed Commission sets forth its denunciations.

Therefore, the necessity of preserving the indispensable *prestige* in the first authority of the island has compelled the Captain-General to enjoin to the Mixed Commission that in its official communications it should abstain from preferring charges or accusations against the subordinate Spanish agents; and the Government, which is in duty bound to attend to the complaints and representations of their subjects of Cuba, have been obliged to give instructions to the Minister Plenipotentiary in London to the effect of endeavouring to eradicate this evil.

The authorization which the Spanish Government granted spontaneously, and apart from the Treaty, to the Mixed Commission, in the year 1827, by which it was enabled to be considered as an active party in these matters, has produced practically such fatal consequences, that the Captain-General of the island of Cuba considers its repeal to be indispensable; and Her Majesty's Government, in fulfilment of their duty, will, perhaps, find themselves under the painful necessity of adopting such a measure which may be required by important interests.

The Spanish Government needs no other watcher to fulfil its engagements than its own honesty, and the obligations it acknowledges to be under with regard to its noble ally, Great Britain. Let the Slave Trade be persecuted by the cruizers at sea; to this Spain will not only have no objection, but will, on the contrary, see with pleasure that her efforts are seconded by the British navy. Let severe penalties be imposed upon slave dealers. Her Majesty's Government are disposed to all this, and to everything that may contribute to so laudable an object; but they also require, and are determined to demand, that the property of the inhabitants of Cuba shall be respected, and that the administration of the island should not be embarrassed or disturbed. Thus the Government will have loyally fulfilled the Treaty of 1835, and attended to their first duty as a Government by affording peace and tranquillity to the subjects of their nation.

I avail, &c.

(Signed)

LUIS GONZALEZ BRAVO.

The British Minister Plenipotentiary,
&c.

&c.

Second Enclosure in No. 14.

Mr. Bulwer to Senhor Gonzalez Bravo.

SIR,

Madrid, April 12, 1844.

I HAVE received your Excellency's letter of the 11th instant, in answer to my communications of the 5th and 6th February, relative to the Slave Trade in the island of Cuba.

Your Excellency, in this note, informs me that you are determined to suppress the Trade in question with the utmost vigour; that you have given the most positive and stringent orders to that effect; and that, moreover, the Spanish Government is now employed in framing further measures with the same object. At the same time you observe, that you cannot permit Her Majesty's Consul-General to be considered in any other light than that of a commercial agent; and that the Mixed Commission having exceeded its powers in a manner inconvenient and dangerous to the Spanish Government, it is your intention to confine its duties within the legitimate bounds assigned to it by the conditions of its existence.

It is not my intention to anticipate the answer which Her Majesty's Government may give to your communication; but I must take this opportunity to observe, that with regard to the attributes of Her Majesty's Consul-General, your Excellency is mistaken if you consider that the duties of such an agent are in all cases merely commercial. The duties of Consuls necessarily vary with the situations in which they are placed; and when a Consul, at a distance from any superior authority to whom he can refer, considers that the Treaties contracted with his Government are being violated, it is his duty to protest immediately against such conduct to the person who represents the authority of the State where he is residing; and I must add, it is the duty of that person

to furnish at once the Consul in question with a respectful answer to his complaint.

I flatter myself that your Excellency will admit this point without discussion.

With regard to the Mixed Commission, I can only say, that if that body should in anywise extend its authority beyond the limits which Treaties allow and convenience prescribes, (a fact of which I do not pretend here to judge,) the Spanish Government has no doubt the power to correct such an abuse; and Her Majesty's Government, scrupulous in seeing that its own just rights are accorded, is equally scrupulous in respecting those of others.

But I cannot but remark, that the desire on the part of the Captain-General of Cuba to restrict the communications of persons interested in suppressing the Slave Trade, though it may possibly proceed merely from the desire to support the moral authority of his Government, has, at the same time, a tendency to create the belief that he is not so hostile to the trade itself as the duties of his situation prescribe. It is therefore natural that your Excellency, in paying attention to General O'Donnell's suggestions on this subject, should be most desirous at the same time to convince Her Majesty's Government that that of Her Catholic Majesty feels, as I am confident it does, the sincere and earnest desire vigorously and effectually to put down this odious traffic in human life which has, unfortunately for all parties, been too long suffered to subsist in Cuba; and I shall, in consequence, be much obliged to your Excellency, in conformity with the friendly spirit which exists between our Governments, to furnish me with copies of the communications that have been addressed to General O'Donnell on this subject; and also to inform me whether I am clearly and distinctly to understand, that amongst the measures which your Excellency speaks of as now in the course of preparation, you allude to the promulgation of a penal law against all slave dealers, subjects of Her Catholic Majesty, to which Spain was bound by the 2nd Article of the Treaty of 1835, and to which I alluded in my note of the 6th of February, since, with respect to this point, I must frankly inform your Excellency, that Her Majesty's Government could not, in justice to the engagements made in the name and with the sanction of the British Crown—engagements of which it has to render an account to the British Parliament and nation—admit of any further delay.

I have, &c.

(Signed) HENRY LYTTON BULWER.

His Excellency Don Luis Gonzalez Bravo,
 &c. &c.

No. 15.

(Extract.)

Mr. Bulwer to the Earl of Aberdeen.

Madrid, May 15, 1844.

(Received May 24.)

MY LORD,

I HEREWITH enclose to your Lordship a copy and translation of a note which I received from the late Minister for Foreign Affairs, in answer to the note which I addressed to him on the 12th ultimo on the subject of the Slave Trade, and of which a copy was transmitted in my Despatch of the 27th ultimo.

I likewise enclose to your Lordship a copy of the note which, in compliance with your instruction of the 2nd instant, I have addressed to Mr. Mon.

Mr. Bravo goes rather out of his way to contest what I observed with respect to Consular attributes, which vary, I conceive, according to the particular circumstances and places in which such agents are placed, but do not, of course, extend as a matter of right beyond the bounds which may mutually be assigned by the Government sending and the Government receiving them. He admits, however, the main point I insisted upon, namely, the right of a British Consul at the Havana to protest against violations of the Treaties with his nation.

He also states, that it was his intention to publish a penal law, in conformity with the Treaty of 1835.

I have lately had some conversation with the present Minister of Foreign Affairs on the subject of the Slave Trade; and though the language which he used in speaking of this subject was not so strong as that made use of by Mr. Bravo, he nevertheless told me, that as the Spanish Government was bound to

Great Britain by certain Treaties for the abolition of this traffic, it was their intention to carry those Treaties into effect, whether discreetly or indiscreetly entered into.

I must observe, however, that General Narvaez rather leans to General O'Donnell; and there are other secret influences strongly operating in his favour and support.

Moreover, Cuba, like Spain, is divided into two parties; the Moderados for the most part, as I understand, connecting the preservation of the Slave Trade with the maintenance of order; the Progressists, partly from opinion, and partly from party spirit, taking the opposite side.

This makes the position of the Government, with respect to the subject in question, more embarrassed; but nevertheless, the partizans of the Slave Trade are daily losing ground here, and a feeling strongly contrary to the equivocal policy long maintained is making its way. I trust, therefore, that the law which your Lordship justly insists upon, may be proposed to the Chambers, and carried in them; but as this Government has abandoned generally the plan of governing by decrees, I doubt whether it will take upon itself to promulgate a penal statute without the legislative sanction. I will, however, do what I can in the meantime to check the conduct of the Governor-General, which seems most reprehensible, and to procure his reprimand, if I do not succeed in obtaining his dismissal.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

(Translation.)

First Enclosure in No. 15.

Don Luis Gonzalez Bravo to Mr. Bulwer.

SIR,

Madrid, April 26, 1844.

I HAVE the honour to reply to your note of the 12th instant, and I begin by declaring, that I can by no means admit, and much less without discussion, your assertion that foreign Consuls in the colonies possess other powers besides the merely commercial ones. You state with all frankness, that I am mistaken in my opinion; and I beg to observe to you, that a mistake in so obvious a matter would be inexcusable, and therefore I persist in, and repeat to you, what I stated in my communication of the 11th; and I can add moreover, that the admission of Consuls in the colonies being a gracious concession of the Government of the mother country, this concession must be subordinate to the conditions which the Government by which it is granted may think proper to impose. This doctrine ought not to appear harsh to you, because it can equally favour Spain and England. I trust that you will admit this truth; and I am induced to expect it by the explanation which you make of your doctrine, since, after establishing the principle, which I reject, that the Consuls in the colonies possess more powers than those merely commercial, you infer as a consequence, that when these agents consider that the Treaties are being violated, it is their duty to protest. Indeed I also admit this right, and have not objected to it in my communication of the 8th. Let the British Consul protest against any acts by which he considers that the Treaties are violated, and let him report to his Government thereupon; but between this simple act, which is conformable to his attributes, and his constituting himself into accuser and active party in slave questions, when a Mixed Commission exists for that purpose—between a simple protest and his assuming a truly diplomatic character, there is an immense difference, which Her Majesty's Government is anxious to see properly distinguished. I will assure you, in conclusion, that whenever a foreign agent has to address any Spanish authority he may do so under the assurance of receiving, not a respectful, but a civil and decorous reply, as is due.

With regard to the measures which are now in the course of preparation by Her Majesty's Government, I will frankly state, that the penal law is one of them. The preceding Cabinets have been of opinion that such a law ought necessarily to be passed by the Cortes, and hence the obstacles which they met with to carry

it into effect. But the Government over which I have the honour of presiding considers that law as the Regulation required for the fulfilment of the Treaty of 1835, and consequently within the sphere of its attributes.

Her Majesty's Government is assiduously occupied in preparing this measure, which, on its being promulgated, will be accompanied by the most peremptory instructions for its fulfilment, and trusts that the British Government will acknowledge their good faith.

I avail, &c.

(Signed)

LUIS GONZALEZ BRAVO.

The British Minister Plenipotentiary,
&c.

&c.

Second Enclosure in No. 15.

Mr. Bulwer to Senhor Mon.

Madrid, May 12, 1844.

SIR,

I HAVE received instructions from Her Majesty's Government to address to the Government of Her Catholic Majesty the following observations relative to the state of the Slave Trade and slavery on the island of Cuba.

Accounts which have reached Her Majesty's Government from time to time on the state of Slave Trade in Cuba, have made it their duty to address, within the last nine months, more than one urgent remonstrance to the Government of Her Catholic Majesty against the non-fulfilment of the compact by which Spain engaged to put an end to the trade in slaves carried on by Spanish subjects.

Her Majesty's Government had a right to expect from the Government of Her Catholic Majesty that ready compliance with this requisition which would become a nation jealous of its honour and good faith, and bound to Great Britain by the ties of intimate alliance. Nothing definitive, however, has yet been done to satisfy Her Majesty's Government's just demands, while there has not, in the meantime, arrived one packet from Cuba without an account of new and glaring violations of the faith of Spain on the part of the local authorities of that island, until at length (as it appears from the last Despatches from Her Majesty's Commissioners and Her Majesty's Consul-General in that island,) these violations have reached to such a height, that, towards the end of January last, 800 negroes from one vessel, consigned to Don Pedro Blanco, and 300 from another, consigned to Don Pedro Forcade, were landed near Trinidad de Cuba; on the 8th of February, 1,104 negroes were landed from the "*Segunda Palmyra*," at Bahia Honda; and on the 2nd of March, 635 negroes were landed not above three miles from the Morro Castle, at the Havana, making an importation of 2,839 negro slaves from Africa in a little more than a month.

The negroes from the last cargo, were, on the evening of their landing, brought to the city of the Havana, along the high road; "thus," remark the Commissioners, "showing a disregard of public observation such as had not been known for many years, and evincing the entire reliance which the slave traders had in the support of the local authorities;" and at the Havana, the cargo of slaves remained openly exposed for sale.

Her Majesty's functionaries in Cuba, formally announced these several violations of the Treaties to the Captain-General, in the hopes that some steps would be taken to punish and to put an end to such illegal proceedings. But none were adopted, either for the one or for the other of these objects.

Meantime, the undertakings for slave trading are actively and openly carried on. By the last advices from Her Majesty's Consul-General, four more cargoes of slaves were daily expected, and several slave vessels were being fitted out in the harbour of the Havana.

The probable consequences of this unnatural and most dangerous increase of the African population of the island, if the promoters of it are to continue their guilty practices unchecked, may best be judged from events which have already occurred.

In the last year no less than three insurrections of negroes have taken place in the island, besides several minor outbreaks; and in most cases the ring-leaders of these insurrections were found to be negroes who had recently been torn from their families in Africa.

The most cruel tortures were inflicted upon them to induce in them a confession of the origin and cause of the conspiracy. At the very stake they have declared, that it was not of any one particular feature of their treatment in Cuba, or of any one particular individual that they complained; and that it was not cruelty or ill-usage which drove them to rebellion, but the loss of that liberty of which they had been unjustly deprived, and for the recovery of which they declared themselves ready to brave any amount of suffering, and without which they would not willingly live; and in many cases even where insurgent negroes have not fallen into the hands of the authorities, they have made good this assertion by putting an end to themselves.

In other instances they have been tortured, to induce them to confess their associates. "In their agony," says the Consul, "they have promised to tell all; and when that all has been told, it has turned out, not that disclosures have been made as to particular parties engaged in the plot, but that all the black and coloured people are of the same opinion, considering themselves to be as free as the whites.

"The lash," continues the Consul, "has been resumed, and continued until death has released the victims from their sufferings." "Negroes," he says in his latest Despatch, "are cut to pieces and butchered wholesale in every direction."

The insurrections, however, are not put down. "Every day," observes Mr. Crawford, "the state of the island becomes more and more alarming." "The negroes are in a disturbed and very dissatisfied way throughout all the cultivated district, especially in the neighbourhood of Matanzas, Santa Clara, and all up to Cardenas. The proprietors find that with the severity of treatment and restraint consequent on the recent disaffection, there is great disposition to revolt, and upon some estates the negroes refuse to work altogether."

According to a private letter from a respectable planter, all is suspicion, distrust, and apprehension, throughout the island.

It was not an unnatural consequence of this state of things that the most respectable and wealthiest proprietors in the island should have joined in addressing a memorial to the Governor, in which they urged him to put in execution the Treaty of Spain with Great Britain, reminding him how constantly and how notoriously it had been broken; and to take every possible means to prevent the success of the rising rebellion of the slaves; but concluded by saying that all measures would be in vain, unless he put an end to further importations.

The Captain-General, in one instance, refused to receive the memorial, and warned those who presented it that their conduct in so doing would be marked. Instead of stifling the expression of opinion by this course, the feelings of dissatisfaction and apprehension which produced that memorial were only strengthened: another was drawn up and presented to him, which he tore to pieces before the memorialists.

In a third instance he is said to have committed himself even further, and to have written to the parties transmitting it to him a threatening letter, "of such a character," adds the informant, "as effectually to prevent their further expression of opinion." Nevertheless, the memorials have got abroad; two of them having reached Madrid have been sent as Enclosures in my Despatches to Her Majesty's Government, and others have reached England, and have been forwarded to me. And yet, when the Commissioners recently represented to the Captain-General the violations of the Treaty which were continually taking place, and supported their representations by calling his attention to the statements confirming them in these memorials, his Excellency ventured to declare to the Commissioners, that "he had neither memorial presented to, nor representations made to him, from any place in Cuba of the character they alleged; whence," said he, "I draw the conclusion that the people are satisfied with my resolution to fulfil the Treaties and punish the offenders."

The Commissioners exclaim, and no doubt justly, that "the whole community of the place is scandalized by the manner in which these affairs are carried on, raising fear and apprehension in the minds of many, and exciting the indignation of all." They repeat over and over again in the Despatches, with copies of which I am furnished, that the only persons in Cuba who are willingly parties of this scandalous state of things, are the local authorities and the slave merchants themselves; and that the "cupidity of the Governor," (such are

their words,) "is the real cause of the continuance of the Slave Trade in Cuba. "This baneful traffic," say Her Majesty's functionaries, "is forced upon the island to the manifest peril and discontent of the proprietors, merely to enrich the Captain-General."

The bribes which the authorities of Cuba have for many years received for upholding the Slave Trade of that island have been well known, and have been pointed out to the Government of Spain, and they had been often urged to put a stop to these iniquities. The precise sum given for each slave, the officers among whom it was divided, and the proportion in which it was shared, were notorious. The Spanish Government have not been able to deny those facts, although they have asserted that it has not been for any neglect of duty on the part of the authorities that the Slave Trade was kept up. But it has been proved, that when the Government of Her Catholic Majesty appointed a person of honour and integrity to be Governor of Cuba, and one who undertook the high functions entrusted to him with other views than those of enriching himself and his associates by a corrupt connivance at the crime which he was appointed to repress, that trade speedily declined, and indeed had almost ceased to exist. A change, however, was made in the Government of the island, and the iniquitous traffic is again in full vigour, notoriously encouraged, and almost openly defended, by the man to whom Her Catholic Majesty's Government have confided the interests and honour of the colony, and the duty of watching over the faithful discharge of an engagement solemnly entered into by the Crown of Spain.

It is for the Spanish Government alone to consider what may be the consequences of a perseverance in such conduct on the part of the colonial authorities, so far as the welfare of the colony is concerned. Were it the sole object of Her Majesty's Government to see the liberation of the slaves in Cuba accomplished, no matter by what means, or at what cost of blood and social order, they could hardly wish a more certain course to be pursued than that which during the past year the Government of Madrid appear to have permitted, if not sanctioned, in those officers. It is, however, the earnest prayer of Her Majesty's Government that the fearful catastrophe with which Cuba is threatened may yet be averted. But whatever measures with this view the Spanish Government may in its prudence adopt, the flagrant violations of the Treaties with Great Britain which are almost daily perpetrated in Cuba, and the equivocations and false statements with which the remonstrances of Her Majesty's servants have been met by the representative of the Spanish Crown, give Her Majesty's Government the right to require, that effectual means shall be taken to put an end to these acts, and to prove that they are not committed under the authority of the Government of Madrid.

It is the conviction of Her Majesty's Government, that the honourable observance of the Treaty of 1835 is impossible, unless the penal law prescribed by it shall be enacted and enforced, and unless General O'Donnell shall be recalled from the Government of Cuba.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Alijandro Mon,
&c.

&c.

No. 16.

(Extract.)

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, June 11, 1844.

(Received June 20.)

MY LORD,

ALARMING reports having appeared in the French and Spanish newspapers of fresh revolts in Cuba, and of the arrest and execution of numerous British subjects said to have been implicated therein, I considered it to be my duty to address a note to the Marquis de Viluma, the copy of which I have the honour to enclose.

His Excellency has verbally assured me, that the Spanish Government have

no official information of any such occurrences ; and I trust the reports will eventually turn out unfounded.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c. &c. &c.

Enclosure in No. 16.

Mr. Bulwer to the Marquis de Viluma.

SIR,

Barcelona, June 8, 1844.

I HAVE just heard of an insurrection in Cuba, and of the execution of some, and the imprisonment of vast numbers of others of my countrymen, on the ground of their being implicated in the said revolt.

I can hardly believe the case to be as described, since I conclude that I should, under such circumstances, have received some explanation as to what had taken place from Her Catholic Majesty's Government ; at all events, I now beg to request from your Excellency whatever information you can give me upon the subject.

I regret to add, that the conduct of the present Governor-General of Cuba has been such, since his residence in that island, as to inspire but little confidence in England as to the justice or propriety of his proceedings, and I therefore earnestly request you, should the facts relative to the treatment of Englishmen be such as I find stated, to look immediately and narrowly into this affair, so that the British Government may not have reason to demand reparation for any injury unduly inflicted on British subjects.

I avail, &c.

(Signed) HENRY LYTTON BULWER.

His Excellency the Marquis de Viluma,

&c. &c.

No. 17.

(Extract.)

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, June 17, 1844.

(Received June 27.)

MY LORD,

YOUR Lordship is aware that for some time past I have urged strongly on the Government the necessity of taking some decided steps as to the Slave Trade at Cuba.

I think that your Lordship will approve of the Despatch which the Marquis de Viluma has written to General O'Donnell. The copy and translation is here enclosed.

I have hopes (as your Lordship will see by my Despatch of the 12th instant) of a still stronger and decided measure being shortly adopted on this subject.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c. &c. &c.

(Translation.)

Enclosure in No. 17.

Communication addressed by the Marquis de Viluma to the Department of War and Marine, on June 15, 1844.

ON entering upon the discharge of the duties of Minister of State, with which the goodness of the Queen my Mistress has honoured me, my first step has been to call her Royal attention to the limited results which the repeated prohibitory orders respecting the Slave Trade have produced, through want of efficacy.

It is necessary to press upon you the urgent necessity of dictating new and more severe measures, which shall at once put an end to a species of commerce the abolition of which, besides being called for by humanity and Christian morality, is consigned in solemn Treaties, which the Government are bound to fulfil religiously, and with good faith.

A line of conduct contrary to this principle, without producing any advantage beyond that which results to the private interests of immoral speculators, provokes the intrigues of Abolitionist Societies, which keep in continual danger the possession of our colonies, without the friendly Powers whose influence might paralyze them exerting themselves to oppose the ostensible spirit of those associations; the result of which is, that the loyal inhabitants of the island of Cuba, with the frequent attempts at insurrection by the black population, have been driven to the extremity of petitioning that an end may be put to the importation of slaves.

Her Majesty, whose Royal feelings have been convinced by these considerations, commands me to transmit them to your Excellency, for the purpose of your immediately issuing the most positive orders to the Government of those dominions, in order to destroy radically the traffic in slaves—it being Her Royal pleasure that regulations shall be formed with urgency, establishing the punishment provisionally which ought to be inflicted on the contraveners, in the interval whilst a project of penal law on the subject is proposed to the Cortes—without prejudice to measures being adopted to attend to the diminution of labour, which in consequence of this measure might result, by means of the system of colonization by whites, which Her Majesty's Government means to encourage in those colonies.

(A true copy.)

(Signed)

VILUMA.

No. 18.

(Extract.)

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, June 23, 1844.

(Received June 30.)

MY LORD,

I HAVE not lost sight of the subject of Cuba. Deeming that the present moment was opportune for pressing it, I had a long conversation with General Narvaez two days ago upon this subject, and received his most positive assurance that measures, the intent of which should be unequivocal, should shortly declare the determination of the Government. And he added, that in addition to the Despatch of M. de Viluma, of which I enclosed your Lordship a copy in my last communication, he had written two urgent letters to General O'Donnell himself.

He then told me, that the Marquis and the President of the Council were perfectly agreed as to a new penal law to be proposed, and that it was exceedingly severe; the Council had to deliberate upon it, but that he should shortly communicate to me its provisions.

I must say, that I have every reason to believe that the Spanish Government are at this time sincere in their determination to suppress a trade which, if continued, will threaten the security of their own Government and that of the Spanish inhabitants of Cuba.

I am, &c.

(Signed)

HENRY LYTTON BULWER.

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

&c.

&c.

&c.

No. 19.

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, June 28, 1844.

(Received July 7.)

MY LORD,

I HAVE the honour herewith to transmit a copy and translation of a project of a decree to punish and put down the traffic in slaves in the Havana.

This decree, when published at that colony, will have the force of a law until it will have been presented to the Cortes. No time therefore is lost.

The instructions, moreover, accompanying it are strong; and I trust your Lordship will approve of what I have been able to effect on this subject.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

P.S.—I fear there may not be time to send the translation, but at all events I shall forward to your Lordship a copy in the original language, as I have just received it.

H. L. B.

(Translation.)

Enclosure in No. 19.

Project of a Decree to punish the crime of Dealing in Slaves.

CHAPTER I.

OF the penalties incurred by persons taken in the act of violating the Treaties of 1817 and 1835 between Her Catholic Majesty and His Britannic Majesty, by which the traffic in slaves was prohibited.

Article 1.—The Mixed Courts, to which Article VII. of the Treaty of 1835 refers, will, after having declared any vessel a legal prize, transmit to the Captain-General of the island all the proceedings relative to the case, in order that the competent tribunals may have cognizance of the crime, and punish the authors of it according to the penalties marked in this decree.

Article 2.—The Captains, supercargoes, pilots, and other officers of vessels, declared to be legal prizes by the Mixed Tribunals, by having been captured, by cruisers authorized to exercise the right of visit, with negroes on board, will be condemned to eight years' confinement in a *presidio*, provided they made no resistance; to 10 years' confinement with *retention*, should they have resisted, but not caused death or serious wounds; and to capital punishment, should their resistance occasion death. The same penalty will be incurred by the sailors of the captured vessel, in equal number to those of the capturer who should be killed; if they should amount to a greater number, then the Captain, supercargo, pilot, and other officers.

Article 3.—Should the vessels mentioned above, although declared legal prizes by the competent tribunal, not have been taken with negroes on board, but only be suspected of being engaged in the traffic of slaves, according to the tenor of Article X. of the Treaty, the Captain, supercargo, pilot, and other officers, will be liable to the penalty of from six to eight years' confinement in a *presidio*, whenever they be captured on the coast of Africa treating for a purchase of negroes. Should they be taken at sea, shaping their course to their destined port, the above-mentioned persons will be liable to from four to six years' in a *presidio*. Should the vessel be taken in the port ready for the voyage, but before setting sail, they will suffer from two to four years' banishment from the islands.

Article 4.—The sailors and other part of the crew will be condemned to from four to six years' *presidio*, if the vessel be taken with the negroes on board.

Article 5.—They are liable to the penalty of from two to four years', if comprehended in the first exception of Article 3rd; from six months' to two years', if in the 2nd; and from fifteen days' to six months' imprisonment, if in the 3rd.

Article 6.—The equippers of the vessel, the owners of the cargo, and those on whose account the expedition is undertaken, will be condemned to as many years' banishment from the islands, as years of *presidio* are inflicted on the Captain, according to the distinctions made in the preceding Articles.

If the penalty inflicted on the Captain of the vessel be that of death, or ten years' confinement with *retention*, the equippers or owners will suffer ten years' banishment from the islands.

It will be the business of the equipper, owner, or consignee, to prove that

they were not aware of the use made by the Captain and crew of the vessel ; and only in this case they will be free from responsibility.

Article 7.—The owner of a vessel, who knowingly should deliver it with the positive intention of performing a voyage to the coast of Africa, to be employed in the traffic of slaves, will be condemned in each of the several cases to the same penalty as the equipper, or supercargo, with a reduction of a third part.

Article 8.—The persons condemned will, besides the penalties marked in the above Articles, incur with confiscation of the vessel and of all the effects on board. The vessel will be broken to pieces immediately after condemnation, and the pieces sold separately, according to Article XII. of the Treaty.

CHAPTER II.

Of the penalties incurred by the persons not taken in the Act, but pursued for the crime of dealing in slaves.

Article 9.—The crime of traffic in slaves, admits of the same distinction of persons, and of the same degrees of criminality as the other crimes, namely, authors, perpetrators, coadjutors, and concealers.

Authors, are the persons who conceived the plan, directed it, executed it personally, or had it executed by others, using any means for this end.

Perpetrators, are the persons who had no other part but that of executing the plan.

Coadjutors, are *first* the persons who assist the authors or perpetrators in the execution of the plan : *secondly*, the persons who provide the arms, instruments, or other means of realizing the crime : *thirdly*, the persons who give any information that renders the crime more easy.

Concealers, the persons who conceal the effects, that constitute in this case the *corpus delicti*.

Article 10.—The ordinary tribunals of Her Majesty can, and ought to, prosecute the authors, perpetrators, coadjutors, and concealers of this crime, in right of their office, or in consequence of information lodged with all the legal requisites ; and always when there are sufficient reasons to prove that an expedition of this class has eluded the vigilance of the cruisers, and succeeded in landing.

Article 11.—With regard to the penalties incurred in this case, the Captains of vessels and officers must be considered as authors and perpetrators ; the sailors and rest of the crew, as coadjutors ; the equippers and owners, or consignees of the vessel, as authors. Of course this does not exclude that any other guilty persons, not mentioned here, but comprehended in Article 9, be included in this classification of the criminals.

Article 12.—Authors and perpetrators of this crime, will be liable to the penalty of banishment from the islands for from four to six years.

Article 13.—Coadjutors, to that of employment to the public works, or banishment, for from one to three years.

Article 14.—Concealers, will be liable to from four to 12 months' *presidio*.

Article 15.—The persons convicted and condemned will be deprived of their civil rights, as well active as passive, for double the time of their punishment.

Article 16.—The persons who relapse into crime will suffer double the penalty marked in this decree ; and should the established penalty be that of six or more years' confinement, they will be condemned to ten years' confinement ; and if the penalty marked be 10, they will be condemned to the next ; but in this case no aggravating circumstances are admitted.

Article 17.—The Generals of Cuba and Puerto Rico will exact the most severe responsibility from the local authorities of any place where a landing has been effected, suspending them the moment he doubts of their behaviour, and having them examined by the competent tribunals. Authorities in this case must be reputed coadjutors, and as such, be punished according to the provisions of this decree.

Article 18.—This duty of watching over the local authorities, and any other measures taken by the Captain-General, to impede the landing of negroes, will constitute a chapter of enquiry for the examination of their duty on returning.

Article 19.—Authorities, condemned as coadjutors according to Article 17 will not be allowed to hold any public offices.

Article 20.—Notaries, who authorize any deed of sale, or other document whatever of this sort, by which the dominion of a negro just brought from Africa is transferred, or even acknowledged, will lose their profession, and will suffer perpetual privation of it.

Article 21.—The transports that convey to the Spanish possessions voluntary African workmen are not to be comprehended in this decree.

(Signed)

GERONIMO VALDES.
JOAQUIM CARNON.
ANTONIO BENAVIDES.

No. 20.

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, June 29, 1844
(Received, July 10.)

MY LORD,

I enclose you the translation of a project of Decree for punishing the dealers in slaves, a copy of which I forwarded to your Lordship in my Despatch of the 28th instant.

I asked M. de Viluma whether he thought that the intention of the Spanish Government would be changed on this subject by his retirement; and he assured me that this would not be the case.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

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

&c.

&c.

&c.

No. 21.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, July 17, 1844.

It is with very great satisfaction that Her Majesty's Government have seen by your Despatch of the 28th ultimo, that the Spanish Government have at length issued a decree in the sense of the law required by the 2nd Article of the Treaty of 1835, imposing severe penalties upon all Spanish subjects engaged in the traffic in slaves.

Upon the assembling of the Cortes, it will be your duty to urge the Government to take the earliest opportunity of submitting this decree to the Chambers, thereby to give it the force and value of a constitutional law. In the meantime, Her Majesty's Government trust to see the provisions of this decree faithfully acted upon in the spirit in which they are conceived; but this can hardly be the case so long as the authority by which the decree must mainly be carried out is in the hands of a person who impatiently rejects all information which would enable him to bring offenders within its reach.

H. L. Bulwer, Esq.

&c.

&c.

I am, &c.

(Signed)

ABERDEEN.

No. 22.

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, July 12, 1844.
(Received July 21.)

MY LORD,

HAVING been informed that a well-known slave vessel had recently been fitted out in this port, and had sailed already on another slave expedition, and the Honourable Captain Drummond, of Her Majesty's sloop "Scout," having furnished me with the description of the said vessel, of which I have the

honour to enclose a copy, I have addressed to General Narvaez a note, which I also beg leave to transmit.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

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

First Enclosure in No. 22.

Description of a vessel supposed to be engaged in the Slave Trade, fitted out at Barcelona.

Her Majesty's sloop "Scout," July 7, 1844.

A VESSEL of 130 to 140 tons, felucca rigged, her mainmast taunt, and very much tapered, with considerable rake forward; mizen-yard exceedingly taunt; has on each side 22 small scuttles for sweeps, and three ports for guns; said also to carry two long guns, one aft, and one forward; she is copper-bottomed, and painted black.

She sailed from this on the 5th of July, with a crew of 50 men on board, supposed to be going to Algesiras to take in her guns.

She has made several successful voyages, and takes her slaves to the Brazils.

(Signed)

J. R. DRUMMOND,
Commander.

Second Enclosure in No. 22.

Mr. Bulwer to General Narvaez.

SIR,

Barcelona, July 12, 1844.

REPORTS from several quarters had lately reached me respecting a vessel which was recently fitted out in this port of Barcelona, and supposed to be intended for carrying on the unlawful traffic of slaves. These reports have now acquired all the appearance of certainty, from the description of the vessel, and the direction she has taken, as contained in the letter I have just received from Captain Drummond, commanding Her Majesty's naval forces in this port, and of which I beg to enclose a copy to your Excellency.

Your Excellency will see that the vessel alluded to is supposed to be going to Algesiras, there to take in her guns, having sailed from this on the 5th instant.

Under these circumstances, I consider it my duty to call your Excellency's attention to this fact, and to request that every possible measure may be adopted by Her Catholic Majesty's Government, in order to stop in her unlawful and inhuman career the vessel above alluded to, in compliance with existing Treaties.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Ramon Maria Narvaez,
&c. &c.

No. 23.

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, July 16, 1844.
(Received July 30.)

MY LORD,

WITH reference to my Despatch of the 12th instant, I have the honour to enclose the copy and translation of a note, and its enclosure, which I have received from General Narvaez, stating that positive orders have been given to detain and examine the vessel which recently left this port suspected of being intended for the Slave Trade.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

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

First Enclosure in No. 23.

(Translation.) *General Narvaez to Mr. Bulwer.*SIR, *Barcelona, July 15, 1844.*

So soon as I received the note which you were pleased to address to me on the 12th of this month, denouncing the departure from this port of a vessel suspected of being intended to be employed in the illicit traffic of slaves, I transmitted to the Minister of Marine a copy of the description of the said vessel which you enclosed; and from the copy of the communication in which I transmitted it, you will perceive that Her Majesty's Government have an equal desire with that of Her Britannic Majesty that the Treaties prohibiting the Slave Trade shall be duly carried into effect.

I avail, &c.

(Signed) RAMON M^A. NARVAEZ.

His Excellency the British Minister,
&c. &c.

Second Enclosure in No. 23.

(Translation.) *General Narvaez to the Minister of Marine.*MOST EXCELLENT SIR, *Barcelona, July 13, 1844.*

THE Minister of England writes to me, in a note dated yesterday, as follows:—

(Here the note is copied.)

And Her Majesty, before whom I have laid this communication, has been pleased to command me to inform you, in transmitting at the same time a translation of the description of the vessel, that being constant in her desire to persecute and punish with the greatest rigour a traffic as immoral as it is contrary to the stipulations of solemn Treaties, it is Her pleasure that you issue the most positive orders for the detention and examination of the above-mentioned vessel, and that you will be pleased to acquaint this Department with the result of the investigation practised.

God preserve your Excellency many years!

(Signed) RAMON M^A. NARVAEZ.

His Excellency the Minister of Marine,
&c. &c.

No. 24.

*The Earl of Aberdeen to Mr. Bulwer.*SIR, *Foreign Office, August 8, 1844.*

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

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

You will accompany the papers with accurate translations; and you will reimburse yourself for any expenses that may be attendant upon the execution

CLASS B.

of this instruction, by charging the same in your account of the extraordinary disbursements of your Mission.

I am, &c.
(Signed) ABERDEEN.

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

No. 25.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, August 8, 1844.

WITH reference to my previous Despatches to you respecting the state of the island of Cuba as to Slave Trade and slavery, I herewith transmit to you for your information, a copy of a Despatch which I have received from Her Majesty's Commissioners at the Havana, containing their report upon this subject for the month of May last.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 25.

The Havana Commissioners to the Earl of Aberdeen, June 8, 1844.
(See Class A. No. 105.)

No. 26.

The Earl of Aberdeen to the Chevalier Tacon.

(Circular.)

Foreign Office, August 8, 1844.

THE Earl of Aberdeen presents his compliments to the Chevalier de Tacon, and has the honour to transmit herewith a copy of the instructions recently issued for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade.

MEMORANDUM.—This Circular was also sent, under the same date, to the Russian, Prussian, Portuguese, Brazilian, Neapolitan, Danish, Swedish, Dutch, United States, Mexican, Argentine, and Venezuelan Ministers; to the French and Hanseatic Chargés d'Affaires; and to the Tuscan Consul-General; and, on the 2nd August, to the Austrian Minister.

No. 27.

Mr. Bulwer to the Earl of Aberdeen.

Barcelona, August 6, 1844.
(Received August 14.)

MY LORD,

I HAVE the honour to enclose the copy and translation of a memorial addressed to Her Catholic Majesty by several hundred persons at Havana, praying for the continuation of General O'Donnell in the command of the island of Cuba.

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

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

(Translation.)

Enclosure in No. 27.

Memorial to Her Catholic Majesty.

MADAM,

Havana, May 3, 1844.

THE undersigned landowners, merchants, and citizens of this town, struck with horror on considering the frightful abyss in which their fortunes and lives have been very near perishing, have the honour to approach your Majesty's throne, not for the purpose of exciting your Majesty's justice against the conspirators, because this is reserved for the inflexible action of the laws, but with the object of showing to your Majesty their sincere gratitude for your Majesty's wise election in appointing to be at the head of the Government in this island the upright, firm, and cautious General Don Leopoldo O'Donnell, to whom, after Divine Providence, these faithful inhabitants are indebted for not having fallen victims to the horrible conspiracy which has just been detected.

The enemies of the tranquillity and prosperity of this island are numerous, and of different shades and colours; and it will not be astonishing that some persons harboured within your Majesty's own Court may take avail of their position in order to give a better direction to their machinations, whereby they aim at the total ruin of this island, and begin their work by introducing discord between Her Majesty's Government and the Captain-General thereof.

But the distinguishing qualities of General O'Donnell are fortunately well known; and the undersigned place so much confidence in his energetic and wise measures, that they live as if they were threatened by no danger whatsoever, because they are convinced that the gallant and loyal soldier who, in a hundred battles, fought in defence of your Majesty's rights will know, as long as he holds the command, how to maintain this precious gem united to your Majesty's Royal Crown.

The undersigned, therefore humbly request that your Majesty will be pleased to grant them the boon of maintaining the above-mentioned Don Leopoldo O'Donnell in his post of Captain-General of this island, because your Majesty's best service and the safety of its inhabitants are equally interested in it.

(Here follow the Signatures.)

No. 28.

Mr. Bulwer to the Earl of Aberdeen.

(Extract.)

*Barcelona, August 6, 1844.**(Received August 14.)*

THE state of affairs in Cuba is indeed the only great difficulty with this Government that I foresee; the recent private accounts, however, state that General O'Donnell's conduct as to the Slave Trade is much altered, and that many who on that account were his enemies are now disposed to consider that his removal would be dangerous.

A testimonial recently sent home as to his services shows that he has partizans, some being men of honour and consideration; it shows also, however, and at the same time, that some such testimonial was judged absolutely necessary by his friends.

(Signed)

HENRY LYTTON BULWER.

No. 29.

(Circular.)

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, August 15, 1844.

I HEREWITH transmit to you two copies of the instructions recently issued for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade.

You will communicate a copy of these instructions to the Government of

Spain, for their information, and retain the remaining copy in the archives of Her Majesty's Mission at Madrid.

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

I am, &c.
(Signed) ABERDEEN.

MEMORANDUM.—This Circular was also sent, under the same date, to Her Majesty's Ministers in the United States and Mexico, and to Her Majesty's Chargés d'Affaires in Chili and Venezuela, and Her Majesty's Consuls in Bolivia, Hayti, Texas, and Zanzibar. It was also sent, under date of August 6, to Her Majesty's Ambassadors at Paris and Vienna, to Her Majesty's Ministers at St. Petersburg, Naples, Turin, Stockholm, Frankfort, Copenhagen, and Florence, and to Her Majesty's Chargés d'Affaires at Berlin, the Hague, and Hamburg; and, under date of the 7th August, to Her Majesty's Ministers at Lisbon, Rio de Janeiro, and Buenos Ayres, and to Her Majesty's Chargé d'Affaires at Monte Video.

No. 30.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, August 22, 1844.

REPRESENTATIONS have reached Her Majesty's Government, from persons connected with legal trade in the bights of Benin and Biafra, that it would be desirable that a person resident in that quarter of Africa should be appointed agent on the part of Her Majesty's Government, for the purpose of regulating the legal trade between British merchants and the ports of Benin, Brass, New and Old Calabar, Bonny, Bimbia, and Cameroons, and Captain Becroft, Governor for Spain in the island of Fernando Po, has been named as a proper person to fill that situation.

Her Majesty's Government have taken the subject into their consideration, and are disposed to make a provisional appointment of that nature in favour of Captain Becroft, in case the Spanish Government shall see no objection thereto. Previously, therefore, to taking any further step in the matter, I wish you to ascertain, and communicate to me, the views of the Spanish Government upon it.

I furnish you, for your information, with copies of the papers which have given rise to the consideration of this subject; and you can communicate to the Spanish Government the substance of them, so far as they bear upon the point in question.

I am, &c.
(Signed) ABERDEEN.

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

First Enclosure in No. 30.

Sir John Barrow to Viscount Canning.

MY LORD,

Admiralty, June 12, 1844.

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 from Colonel E. Nicolls, R.M., dated the 5th instant, recommending that Mr. John Becroft should receive an appointment from Her Majesty's Government as a resident agent at Fernando Po.

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

The Viscount Canning,
&c. &c.

Sub-Enclosure 1 in First Enclosure in No. 30.

Colonel Edward Nicolls to Sir John Barrow.

SIR,

Shooter's Hill, June 5, 1844.

HEREWITH I have the honour of enclosing, for the information of my Lords of the Admiralty, extracts of letters received from Captain John Becroft, now Governor of Fernando Po, and a Captain in the Spanish navy.

On these extracts I beg leave to make the following comments.

My Lords will see that Captain Becroft has lost no part of that zeal which distinguished him when serving in Fernando Po as Sub-Superintendent, with me,—the slave vessel taken by the “Rapid” being, I believe, the fifth slaver he has been the means of capturing.

It will also be observed how well the Chiefs of Old Calabar, once the most notorious slaving port on the coast, are observing the Treaty made with the British Government for the suppression of that trade, how much legitimate commerce is flourishing, and how necessary it is that there should be some stationary recognised authority in the bights of Benin and Biafra, to check the disgraceful proceedings that have so long existed for want of such an authority. In the disputes which are continually recurring, both between the natives and our merchant vessels, and between the masters and crews of those ships, many acts of the most disgraceful violence are constantly taking place, often ending in murder, and always most injurious to the maintenance of peaceful commerce. In these disputes the conduct of British subjects, which is generally of the worst description, brings our national character into disgrace, and adds every day to the obstacles which exist to substituting a legitimate commerce for the Slave Trade, the only means of utterly destroying it.

I would therefore earnestly recommend that Captain Becroft should be appointed Consul for the ports of Benin, Brass, New and Old Calabar, Bonny, Bimbia, and Cameroons, in all which places he is well known, highly respected, and possesses influence such as no man on the coast has ever obtained.

I would also beg to suggest, that as the British Government has most rightly forced the native chiefs to leave off slaving, it is in justice bound to further and protect all legal trade, not only on their account as a means of civilizing them, but for the advantage of this country. At present, the revenue received from palm oil alone is 25,000*l.*, per annum; and were the improvements I have so frequently suggested to the Colonial Office adopted, the increase would be unlimited. Cotton also is grown in Africa of the best quality; and if a market were opened for it in this country, the cultivation of it would be extended and improved indefinitely, the natives having grown it before we knew of its existence. We should then have a trade in free-labour cotton, for which we should pay with our manufactured goods *untaxed*, instead of receiving slave-grown cotton from the United States, which we pay for under the disadvantage of a heavy tariff.

To ensure this, however, the natives must have the protection, *at least*, of a recognised authority, to which they may appeal against the injustice and violence they too often suffer from British subjects. I have always found the natives kind and tractable when fairly treated; and I do believe, if guided by such a man as Captain Becroft, civilization and commerce would increase fourfold. I do not imagine the situation he holds from Spain would be an obstacle to his being a British Consul, as he receives no salary from the Spanish Government; at all events, he would prefer the service of his own country, in which he could be more useful than he has already been to our squadron.

I think it right to suggest to my Lords the justice as well as good policy of giving a small annual pension to the widow of the pilot who was killed; he not only conducted Her Majesty’s boats over a dangerous bar, but fell in the act of jumping over the bulwark, in bravely boarding the slaver. I would also venture to observe, that a present of about 100*l.* laid out in well-selected goods, should be given to William, the Chief of Bimbia, for his good conduct and cleverness in detaining the slaver until the arrival of the “Rapid,” by which he ran the risk of having his town destroyed and his people killed.

I have, &c.

(Signed) EDWARD NICOLLS,
Colonel of the Royal Marines.

Sub-Enclosure 2 in First Enclosure in No. 30.

Extract of letters received from Captain Becroft, at present the Spanish Governor of Fernando Po, by Colonel Nicolls and M^cGregor Laird, Esq., dated the 20th February, 1844.

I ARRIVED here on the 28th December, 1843, having left Liverpool in the "Henry" on the 27th October. I went over to Old Calabar to introduce the Master of the "Henry" to the Chiefs. A few days after our arrival, a clipper schooner, under Spanish colours, arrived and wanted slaves, but the King and Chiefs told him they had made a Treaty with Queen Victoria, and he would get no slaves; that they would sell no more. The slaver left next day; and I gained information that he had gone to Bimbia, about 150 miles from Calabar, and 40 from Fernando Po. On my arrival at Clarence, I found the slaver had the impudence to send a boat to Clarence for yams, but he got no supplies therein; he, however, went to the east side of the islands, and succeeded in getting some. Had I been there, I should have detained him. I was informed by a canoe man that he had made two or three trips there. You thus see the want of a small steamer. William, the Chief of Bimbia, and his gentlemen, got all the slaver's rum and tobacco, under the pretence of getting him slaves. They kept humbugging the slaver for three weeks, and in the interval sent over John King in a cargo canoe, for me to send over a vessel of war. Fortunately, a day or two after Her Majesty's brig "Rapid" arrived; he got a pilot from this, proceeded over, and anchored in five fathoms water, off Bimbia; at seven, A.M., detached four boats, and took the slaver, after an exchange of volleys of musketry; but I am sorry to write, the pilot, poor fellow, was shot dead in getting over the bulwark in the act of boarding; he was the solitary one shot. The prize is a splendid craft, goes $11\frac{1}{2}$ knots; she was armed with an 18-pounder on a pivot, and well supplied with small arms. So my first month's Governorship has produced the capture of a slaver. He intended to commence destroying King William's town the next day, which he would soon have accomplished, had not the "Rapid" arrived. I have received a letter from the Admiralty, stating their intentions to send to my care 500 tons of coals, and that I must tell them what will be the yearly expense of landing, stowing, &c. I have not time to answer them by this conveyance; but I have calculated that 10s. per ton for stowage and receiving them, and should I have to send them to the steamer, 15s. per ton, which I do not consider too much, as I must build stores, and have an account of issues, &c.

Mr. Clarke, the missionary, arrived a few days since from Jamaica, with 43 emigrants. I shall write you fully all particulars by next conveyance. It is highly necessary that there should be a Consul, for they have been fighting at Bonny, the town and ships firing into each other. The Captains seem to have had the worst of it. King Pepple managed to get them on shore, put them in irons, confined them in a hut, and told them, if they did not send orders on board their ships to land their guns, he would set fire to their hut, and roast them alive in it. They accordingly landed their guns. The Bonny men fired several shots through the "Lady Paget," and obliged her to drop from abreast of the town. There has been also a serious mutiny on board the "Sir John Campbell," at Old Calabar; so you will see the necessity of some authority being stationed in this quarter.

I hope the Admiralty have been pleased to take my claims into their favourable consideration: I have worked long and hard for many years in this climate.

 Second Enclosure in No. 30.

Viscount Canning to the Secretary to the Board of Trade.

SIR,

Foreign Office, June 19, 1844.

I AM directed by the Earl of Aberdeen to transmit you the accompanying copy of a letter and of its Enclosures received at this Office from the Admiralty, respecting the appointment by Her Majesty's Government of a resident British

agent at Fernando Po, and I am to request that you will lay these papers before the Lords of the Committee of Privy Council for Trade, and that you will move their Lordships to take this subject into their consideration, and acquaint Lord Aberdeen with their opinion thereupon.

I am, &c.
(Signed) CANNING.

J. Macgregor, Esq.
&c. &c.

Third Enclosure in No. 30.

The Secretary to the Board of Trade to Viscount Canning.

*Office of Committee of Privy Council for Trade,
Whitehall, August 7, 1844.*

MY LORD,

WITH reference to your Lordship's letter of the 19th June last, with its Enclosures, respecting the appointment of a British resident agent at Fernando Po, I am directed by the Lords of the Committee of Privy Council for Trade to acquaint your Lordship, for the information of the Earl of Aberdeen, that my Lords are of opinion that as British trade is now carried on to some extent with the inhabitants of the western coast of Africa, and as there appears every reason to believe that trade is capable of being greatly extended, it is upon the whole desirable that a resident agent should be appointed, for the purpose of regulating the trade which now exists, and endeavouring to increase the markets for British produce which already are opened in those seas.

My Lords would suggest that any such appointment should, at all events in the first instance, be of a provisional character.

I have, &c.
(Signed) J. MACGREGOR.

The Viscount Canning,
&c. &c.

No. 31.

The Earl of Aberdeen to the Chevalier Tacon.

(Circular.)

Foreign Office, August 27, 1844.

THE Earl of Aberdeen has the honour to transmit herewith to the Chevalier de Tacon, for the information of his Government, the accompanying copy of a series of Papers, marked A. B. C. and D., relating to the Slave Trade, which have been presented, by Her Majesty's command, to the two Houses of Parliament during the present session.

I am, &c.
(Signed) ABERDEEN.

The Chevalier de Tacon,
&c. &c.

MEMORANDUM.—This Circular was also sent to the Turkish Ambassador; to the Austrian, Russian, Prussian, Swedish, Danish, Bavarian, Dutch, Belgian, Portuguese, Sardinian, Neapolitan, Saxon, Hanoverian, United States, Texian, Argentine, Venezuelan, Granadian, Mexican, and Brazilian Ministers; to the French and Hanseatic Chargés d'Affaires; and to the Tuscan Consul-General.

No. 32.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, August 28, 1844.

I HEREWITH transmit to you copies of Despatches recently received from Her Majesty's Commissioners at Havana, and Her Majesty's Consul-General for the island of Cuba, enclosing a correspondence of those officers with the Captain-General of Cuba, relating to the observance of the Treaty between Great Britain and Spain for the abolition of the Slave Trade of Spain, and containing accounts of the proceedings of his Excellency with reference thereto.

whereas, the influence exercised by Captain Becroft over the natives of the places in which he would be resident would tend very much to the prevention of the quarrels which are frequently occurring between these people and the crews of British ships resorting there for the purposes of trade, and would thereby contribute greatly to the promotion of legal commerce.

I have, &c.

(Signed) A. PAGET,

In the absence of Mr. Bulwer.

His Excellency General Narvaez,
&c. &c.

No. 34.

Mr. Paget to the Earl of Aberdeen.

Madrid, September 21, 1844.

(Received September 30.)

MY LORD,

I HAVE the honour to enclose to your Lordship a copy of the application which I have made to the Spanish Government, in compliance with your Lordship's Despatch to Mr. Bulwer, Slave Trade, of the 8th ultimo, for copies of all laws and administrative acts, both general and local, which have emanated from the Legislatures and Sovereign Authorities of foreign States, both previously and subsequently to the contraction of Treaty engagements, for the purpose of regulating, restraining, or preventing the traffic in slaves; and I also transmit to your Lordship the circular which I have addressed to Her Majesty's Consuls in Spain, directing them to forward to this Legation copies of any documents which they may be able to obtain with reference to this subject.

I have, &c.

(Signed) A. PAGET,

In the absence of Mr. Bulwer.

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

First Enclosure in No. 34.

Mr. Paget to General Narvaez.

M. LE MINISTRE,

Madrid, September 13, 1844.

HER Majesty's Government being very desirous to obtain a complete collection of all the laws and administrative acts, both general and local, which have emanated from the Legislatures and Sovereign Authorities of foreign States, both previously and subsequently to the contraction of Treaty engagements, for the purpose of regulating, restraining, or preventing the traffic in slaves, I have been directed by Her Majesty's Government to request that the Government of Her Catholic Majesty will have the goodness to furnish me with an authentic copy of all laws and acts of the above-named description, whether of a temporary or permanent character, which may at any time have been issued by Her Catholic Majesty's Government, or by its municipal and colonial authorities.

I have, &c.

(Signed) A. PAGET,

In the absence of Mr. Bulwer.

His Excellency General Narvaez,
&c. &c.

Second Enclosure in No. 34.

(Circular.)

Mr. Paget to Her Majesty's Consuls.

SIR,

Madrid, September 14, 1844.

HER Majesty's Government being desirous of obtaining a complete collection of all the laws and administrative acts, both general and local, which have emanated from the Legislatures and Sovereign Authorities of foreign States, both previously and subsequently to the contraction of Treaty engagements, for

CLASS B.

the purpose of regulating, restraining, or preventing the traffic in slaves, I am directed by Mr. Bulwer to request that you will use your best endeavours to procure and forward to this Legation, with the least possible delay, authentic copies of any documents or laws which may have been issued within the district of your Consulate, and which may appear to bear upon this subject.

I have, &c.
(Signed) A. PAGET.

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

No. 35.

Mr. Paget to the Earl of Aberdeen.

Madrid, September 28, 1844.
(Received October 6.)

MY LORD,

IN a conversation which I had two days ago with Mr. Martinez de la Rosa, I mentioned to his Excellency the continued failure of the Spanish Government to fulfil its engagements with Her Majesty's Government respecting the Slave Trade.

Mr. Martinez de la Rosa told me, that this was a subject in which he took the liveliest interest, and on which he saw two distinct questions; the first of which was the fulfilment of Treaty engagements, and the second, the means to be taken afterwards for the abolition of the traffic.

With reference to the first of these, he should give the matter his earliest attention, and that when he had been able to settle that, he should then devise the means for carrying into effect the measures which he had taken.

I replied, that I agreed with him so far as thinking that the first thing to be done was to fulfil all the Articles of the Treaty; and that I trusted by what he said, that I might infer that he meant to publish the penal law which was stipulated for in the 2nd Article of the Treaty of 1835. It was now, I continued, nine years since that Treaty had been signed, and yet, in spite of the representations of Her Majesty's Government, the law in question had not been published.

His Excellency told me I was right in supposing that he alluded to the publication of a penal law; but he would not do more than repeat, that the matter should receive his earliest attention, and that he would communicate on the subject with Mr. Bulwer, when he returned to Madrid.

I then said to Mr. Martinez de la Rosa, that however anxious Her Catholic Majesty's Government at home might be for the abolition of the Slave Trade, it seemed almost impossible to look forward to any satisfactory result as long as the administration of the island of Cuba remained in the hands of a Governor who, (from the various notes which had been addressed to Her Catholic Majesty's Government by Her Majesty's Minister in Madrid,) he would perceive, not only does not try to throw any impediment in its way, but on the contrary, gives it his support.

I then recapitulated to his Excellency several of the charges preferred by Her Majesty's functionaries in Havana against General O'Donnell, and I added, that I trusted that he would soon return a satisfactory answer to the note which had been addressed by Mr. Bulwer to Her Catholic Majesty's Government, in compliance with your Lordship's instructions, requesting the recall of General O'Donnell.

I could not obtain, however, from Mr. Martinez de la Rosa any decisive answer with respect to this point.

I have, &c.
(Signed) A. PAGET,
In the absence of Mr. Bulwer.

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

I have now to call your attention to my Despatch, marked Slave Trade, of the 17th July last, in which I instructed you, upon the assembling of the Cortes to urge the Spanish Government to take the earliest opportunity of submitting to them the project of decree above-mentioned, enclosed in your separate Despatch of the 28th June, with the view of giving to it the force and value of constitutional law.

If prior to the receipt of this Despatch you shall not have acted upon that instruction, and if the Spanish Government shall not have submitted to the Cortes a project of law fulfilling the engagement contracted by Spain by the 2nd Article of the Treaty of 1835, you will, on its receipt, lose no time in strongly urging the Spanish Government to submit such a project of law to the Cortes, and to use their utmost endeavour and influence to obtain the sanction of the Legislature to the measure.

The only consideration by which you will be induced to pause before taking this step will be, if you should have good reason to apprehend that such a law would be rejected by the Cortes, and that such rejection would interfere with the future execution of its provisions under the orders of the Crown in the manner in which they are, or rather ought to be, now executed.

If no such objection should occur to you, you will, as I have already said, urge the matter upon the Spanish Government without delay. And in this case you will observe, that whereas the decree above alluded to would appear only intended to be enforced in the island of Cuba, and to apply to cases of slave trading which shall have been brought before the Mixed Courts of Justice established by the Treaty of 1835, the 2nd Article of that Treaty demands that the penal law therein stipulated shall be promulgated throughout the whole dominions of Her Catholic Majesty, and shall be enforced against all Spanish subjects who shall, under any pretext whatsoever, take any part whatever in the traffic in slaves; and you will state the expectation of Her Majesty's Government that the projected law will have that scope and effect.

You will not fail to report to me the steps taken by the Spanish Government in this affair; and you will use your utmost endeavours to induce them to vindicate the honour of their Sovereign, pledged on this subject to Great Britain nearly 10 years ago, and which still remains unredeemed.

I transmit to you for your information on this subject, the accompanying copy of a Despatch from Her Majesty's Commissary Judge at the Havana.

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

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 37.

Mr. Kennedy to the Earl of Aberdeen, August 30, 1844.

(See Class A. No. 116.)

No. 38.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, October 19, 1844.

(Received October 27.)

MY LORD,

I HAVE already called the attention of M. Martinez de la Rosa to the situation of the island of Cuba, and the necessity of proposing to the Cortes the promised law relating to the suppression of slave trading in that colony. I learnt from himself, and hear from other sources, that the measure in question is resolved upon, and will pass; but I learn likewise that General O'Donnell has not yet put the decree lately sent to him into execution; and that he is bitter in his abuse of the Marquis de Viluma, from whom the order to do so proceeded.

Your Lordship may rely upon my paying a proper attention to the conduct of the Spanish Government in this business, and to seeing that the Treaties

with Great Britain relating to it, and by which this country is bound, are properly carried into effect.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

No. 39.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, November 12, 1844.

I TRANSMIT herewith to you copies of two communications which I have recently received from the Havana, the one from Her Majesty's Commissary Judge, the other from Her Majesty's Consul-General, respecting the proceedings of the Captain-General of Cuba upon Slave Trade.

You will perceive that the Despatch from Her Majesty's Consul-General shows some, though only a partial, amendment in the conduct of the Captain-General upon this subject.

I am, &c.

(Signed) ABERDEEN.

H. L. Bulwer, Esq.

&c. &c.

Enclosures in No. 39.

1. *The Havana Commissioners to the Earl of Aberdeen, October 7, 1844.*
(See Class A. No. 118.)
2. *Mr. Crawford to the Earl of Aberdeen, October 10, ,,*
(See No. 80.)

No. 40.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, November 23, 1844.

(Received December 1.)

MY LORD,

IN obedience to your Lordship's Despatch of the 22nd ultimo, marked Slave Trade, respecting the continued importation of slaves in Cuba, I have addressed a note to Mr. Martinez de la Rosa, the copy of which I have the honour to enclose.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

&c.

&c.

&c.

Enclosure in No. 40.

Mr. Bulwer to Senhor Martinez de la Rosa.

SIR,

Madrid, November 18, 1844.

I HAVE again received orders from my Government to bring under your Excellency's notice the continued and flagrant violations which are taking place in Cuba of the Treaty of 1835 against the inhuman traffic in slaves; and though it is painful to me to be obliged to address Her Catholic Majesty's Government so frequently on this subject, yet in fulfilment of my instructions, and seeing that the present Captain-General of that island refuses to receive any denunciations of the infractions of the above-mentioned Treaty from Her Majesty's Consul-General there, or from the Mixed Commission, it becomes my imperative duty to bring, in the most serious manner, the following facts under your Excellency's consideration.

It appears, by official communications from those British agents, that in the beginning of August last the schooner "*Relampago*" landed at Mariel a cargo of upwards of 400 slaves.

That on the 14th of the same month 600 negroes were landed from the "*Palmyra Segunda*," at the Chorrera, a creek which is only one league from the Havana, is commanded by Fort Principe, and within half a mile of the Captain-General's country house, and also of the barracoons to which the negroes were taken! This vessel was permitted to depart without entering the port of Havana, and it was given out that she was going to Brazil.

On the night of the 5th September (only six days after the Captain-General had acknowledged the receipt of the Royal Order of the 19th June last, and promised implicit obedience thereto!) the brig "*Matilde*" landed at the same place a cargo of about 300 Congo negroes, for Don Pedro Forcade. This vessel was to have brought 600, but having heard of one of the British steamers cruising near where she was on the coast of Africa, she set sail in the night. The "*Matilde*" had been dispatched, ostensibly for Rio Janeiro, on the 16th March preceding.

Your Excellency's predecessor, Mr. Gonzalez Bravo, informed me on the 8th of April last, "that Her Catholic Majesty's Government were determined to fulfil, and cause to be fulfilled by their authorities, the Treaty of 1835, a resolution arising from their duty, and strengthened by public expediency; and that they had given the most positive instructions, and were at that very moment preparing certain labours, which would be the conclusion of the work, and afford the most undeniable proof of their good faith in the fulfilment of the Treaty of 1835, the same as they had constantly observed in all their Conventions."

I received similar assurances from Mr. Gonzalez Bravo's successor, as your Excellency is well aware; and your Excellency has lately, in the most amicable manner, repeated to me the firm resolves of Her Catholic Majesty's Government.

Up to this time, however, it is evident, whatever the cause, that the good faith of Spain, engaged with sincerity at Madrid, is constantly violated at the Havana.

Your Excellency will best know how to prevent this calamity for the future; but it is a most serious one, hostile to the interests of the colony, of the Monarchy, and gravely compromising the friendly relations which so happily, on other points, subsist between our two Governments.

I avail, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Martinez de la Rosa,

&c.

&c.

No. 41.

(Extract.)

Mr. Bulwer to the Earl of Aberdeen.

Madrid, November 23, 1844.

(Received December 1.)

MY LORD,

I HAVE the honour to enclose to your Lordship, a copy and translation of a note from Mr. Martinez de la Rosa, in answer to my note of the 18th instant.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

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

&c.

&c.

&c.

Enclosure in No. 41.

Senhor Martinez de la Rosa to Mr. Bulwer.

SIR,

Madrid, November 21, 1844.

I HAVE the honour to reply to your Excellency's two notes dated the 18th instant, relative to the question of the negroes of the island of Cuba.

I can assure you, that I have seen with great pain the facts which you put forth respecting the disembarkation of negroes from Africa; because if they are true they would be a scandalous infraction of the orders of Her Majesty's Government.

Under this same date, the authorities of the island of Cuba are commanded to institute the proper enquiries for ascertaining these facts, making them feel the great displeasure of Her Majesty, if it should prove true that her Royal commands had not been respected and obeyed with all punctuality, and in which case all the rigour of the law would fall on the offenders, whatever may be the class or category to which they may belong.

In the meantime, before the desired information on this affair is received, Her Majesty's Government does its duty in reiterating to you its promises to fulfil the Treaty of 1835, not only as regards its literal meaning, but also in spirit, doing whatever may be its part to abolish the traffic of negroes in the island of Cuba.

I avail, &c.

(Signed) FRANCISCO MARTINEZ DE LA ROSA.

The British Minister Plenipotentiary,
&c. &c.

No. 42.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, November 24, 1844.

(Received December 4.)

MY LORD,

WITH reference to my Despatch of the 12th instant, marked Slave Trade, I have the honour to enclose the copy of a note which I addressed to Mr. Martinez de la Rosa, in answer to his Excellency's communication of the 7th instant, respecting the conduct of General O'Donnell in Cuba, and the publication of the penal law.

I have, &c.

(Signed) HENRY LYTTON BULWER.

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

Enclosure in No. 42.

Mr. Bulwer to Senhor Martinez de la Rosa.

SIR,

Madrid, November 18, 1844.

IN answer to your Excellency's note of the 7th instant, I am anxious to assure you it gives me, as representative of Great Britain, great satisfaction to see the earnest desire which you testify to fill immediately those engagements by which the Spanish Crown is bound to Great Britain, and which have for their humane and Christian object the abolition of a traffic in our fellow-creatures. Your honourable character, as well as the distinguished part which you formerly took with respect to the Treaty which it is now necessary to fulfil, make me fully sensible to the sincerity of the promises which I have communicated to Her Majesty's Government.

But you are aware how many promises of a like kind have previously been made upon the subject of the Slave Trade in Cuba, and never executed, and consequently of the natural impatience which will exist in England to see realized those of your Excellency.

Let me press upon you then, in the strongest manner, the necessity of bringing forward and carrying through this measure without delay; each day this becomes more imperative for the safety of the colony itself, as well as for the satisfaction of that honour so dear to your nation, and which has been so long pledged upon this subject.

The recent advices indeed which I have had, and which I forward to you in a separate communication, are of a nature to make me believe that all the

instructions which Her Catholic Majesty's Government have hitherto given for the suppression of the Slave Trade have been wholly ineffectual; nor can I disguise from your Excellency, that the information thus received (and of the accuracy of which there can be no doubt) has produced a most unfavourable impression in my country; it being naturally supposed, that if there is any negligence or culpability on the part of the Colonial Government in the Havana, the original defect must be in that of Spain itself, which tolerates the abuses, that in spite of the many remonstrances made by myself and predecessors, seem to be lately far more odious and flagrant than at any previous period.

I have, &c.

(Signed)

HENRY LYTTON BULWER.

His Excellency Don Martinez de la Rosa,
&c. &c.

SPAIN. (*Consular*)—*Havana.*

No. 43.

Mr. Crawford to the Earl of Aberdeen.

Havana, December 11, 1843.

(Received January 9, 1844.)

MY LORD,

I RESPECTFULLY crave your Lordship's reference to my Despatch of the 7th ultimo, and its Enclosure.

I have now the honour of transmitting copy of a note, which I addressed to the Captain-General on the 9th ultimo, to which I have not received reply or acknowledgment.

His Excellency, it would seem, is following out the intention he expressed in his last communication, and not acknowledging in Her Majesty's Consul-General any right of addressing him upon the continuous infractions of the Treaties between Great Britain and Spain for the abolition of Slave Trade, notwithstanding the positive instructions conveyed by Lord Palmerston to my predecessor, of date 31st August, 1841, and your Lordship's Despatch of the 1st February last, which were officially communicated to the late Captain-General Valdes.

I have also the honour of transmitting to your Lordship a copy of my letter of 9th November, to Her Majesty's Commissioners, relative to the same slave introduction.

Her Majesty's Commissioners in their denouncement altered the information, stating to the Captain-General the disembarkation to the eastward, attended to by me, as having been effected at Camarioca, and they at the same time denounced another introduction which has been effected at Cabanas, about the same date.

It is a matter of no consequence whether the informations lodged were correct as to the precise point of landing to the eastward; the truth lay between the Commissioners and my information, as the negroes were put on the beach about a mile east of the mouth of the Canimar, that is, between that river and Camarioca.

The negroes, or part of them, landed from a Spanish barque fitted out at Barcelona, were brought into this city in volantes, to the number of 120 or 130, guarded by white men on foot from Cabanas, where they were landed, and this too at so early an hour as seven o'clock in the evening, consequently they were seen by multitudes of people, one of whom was my informant.

The barque remained there above a week afterwards, but no steps were taken to detain her by these authorities; and she there fitted out and sailed again for the coast of Africa.

The Portuguese schooner, after she had run her cargo as described, proceeded to fit out anew in some port of the United States of America, as I have learnt from a person who had it from the slave agent residing at Matanzas.

Her Majesty's Commissioners, in that happy spirit of unanimity which exists in our combinations for the furtherance of Her Majesty's service, and the suppression of this detestable traffic, have shown me their correspondence with the Captain-General relative to these two cases, the result being most satisfactory; and I do not hesitate to state to your Lordship, that had there been the least inclination to detect the guilty, or apprehend the bozal negroes, it was quite easy for the Captain-General to have done so.

The effect which this protection to the traffic has produced is but too manifest. The outfits for the coast of Africa have never been more numerous. Some half-dozen large American vessels have been taken up, and are loading for the

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factories ; and I learn that the supplies being so carried from hence to procure the victims, the craft for their conveyance to the coasts of this island are already constructed and fitted at Barcelona, in the mother country, several of which have already made successful voyages, and one brigantine with a large cargo is hourly looked for in this neighbourhood.

Fitting out, or rather loading and nearly ready for sea, no doubt to take in and complete their slaving equipments at some other point already arranged, there is at present in this harbour the brigs "*Andehuza*," and "*Tres de Febrero*," but they will most probably have other names when at sea.

In short, my Lord, I fear that there is little doubt but that our new rulers here have come to make money ; and it is well known that the protection of slaving speculations is the most lucrative of the many sources which are open to the authorities whose avarice outweighs their honourable principles ; for which practices they find ready coadjutors in their subordinates to cover such acts ; and all our ability is rendered useless by the combination which exists, and by the practised farce of official, and apparently willing measures, ordered, but never intended to be acted upon. We are always mortified by having to submit to be told that our informations are without foundation, offensive to the character of the Spanish functionaries, and such like absurdities, when it is as notorious as noonday, that every denouncement has been true, and that there are many cases which are known to the authorities which we never hear of, and consequently cannot take notice of.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

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

First Enclosure in No. 43.

Mr. Crawford to the Captain-General.

Havana, November 9, 1843.

I HAVE transmitted to Her Majesty's Government your Excellency's reply to my note of the 28th ultimo, relative to certain vessels under the flag of Spain, reported to have fitted out in this island, for the purpose of carrying on the Slave Trade, in contravention of the existing Treaties between our respective nations for the abolition of that nefarious traffic.

In your reply, now alluded to, your Excellency informs me, that it is incumbent upon Her Britannic Majesty's Commissioners to make such communications to your Excellency ; and I am given to understand that you replied to that note specially, as a mark of your Excellency's consideration towards me personally, which is extremely gratifying to me. But, notwithstanding that your Excellency has expressed your opinion as to its not being within the sphere of my duties to place such infringements of the Treaties under your notice, holding as I do the positive instructions of Her Majesty's Government to that effect, which I was careful to state to your Excellency in my note of the 28th ultimo, I must consider it my duty to act under such instructions until the pleasure of my Government is known upon the objection which has been raised by your Excellency.

I therefore beg leave respectfully to acquaint your Excellency, that on the afternoon of the 6th instant a topsail schooner (name unknown) under Portuguese colours, was hovering in the bay of Matanzas, and is reported to have landed 260 negroes in the Canimar river.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

His Excellency the Captain-General,
&c.

&c.

Second Enclosure in No. 43.

Mr. Crawford to Her Majesty's Commissioners.

Havana, November 9, 1843.

SIRS,

INTELLIGENCE has just reached me which may be relied upon, that between three and four in the afternoon of the 6th instant a schooner, with

foretop and top-gallant sail, under Portuguese colours, was for some time hovering in the bay of Matanzas, and is reported to have landed 260 slaves in the Canimar river.

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

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

No. 44.

(Extract.) *Mr. Crawford to the Earl of Aberdeen.*

*Havana, December 11, 1843.
(Received January 9, 1844.)*

MY LORD,

THE recent importations, and those formerly reported, being effected evidently under protection of the authorities, or at any rate in such a way as to lead to the conviction that Slave Trade openly carried on, is not checked but connived at, has given a character to the dealers in human flesh which is new in the history of the traffic; a Company has been formed for the purchase of such importations, and the sale in parcels of the miserable wretches, victims of their avarice.

The last cargoes were purchased by this Company at Matanzas, for 15½ doubloons each, payable one-fourth in cash, and the remainder in equal payments at 6, 12, and 18 months' credit; and they sold at 24 doubloons or thereabouts, in partial lots, more than enough to pay the cash and first instalment.

Such formal arrangements for carrying on the traffic has, however, had the effect of alarming some of the proprietors; and I understand that a strong memorial has been written to the Captain-General, which is in progress of being signed at Matanzas, praying his Excellency to adopt and enforce the most active measures for its suppression and abolition, by declaring it piracy.

I hope to obtain a copy of this very interesting document, which I shall have great satisfaction in laying before your Lordship.

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

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

No. 45.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, January 27, 1844.

I HAVE received your Despatches, Slave Trade, of the 11th ultimo. I have the satisfaction to state to you, that I entirely approve of your conduct in continuing to address to the Captain-General of Cuba letters informing him of alleged infractions of the Treaty between Great Britain and Spain upon Slave Trade, and calling his serious attention to them.

I herewith transmit to you, for your information, a copy of an instruction which I have addressed upon this subject to Her Majesty's Envoy at Madrid. I also transmit to you a copy of an instruction which I addressed to Mr. Bulwer on the 31st ultimo, upon the state of Slave Trade and slavery in Cuba.

I am, &c.
(Signed) ABERDEEN.

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

Enclosures in No. 45.

1. *The Earl of Aberdeen to Mr. Bulwer, January 18, 1844.*
(See No. 2.)
2. " " " " "
December 31, 1843.
(See Class B. 1843. No. 18. Page 17.)

No. 46.

Mr. Crawford to the Earl of Aberdeen.

Havana, December 21, 1843.
(Received February 16, 1844.)

MY LORD,

IN my Despatch of the 11th instant, it was my painful duty to state to your Lordship circumstances which have occurred, inducing the conclusion that Slave Trade, under certain protection of the Spanish authorities, or at any rate an understanding that there will be no real measures carried out by them for the detection and punishment of the guilty parties who engage therein, had taken a great impulse.

So in my subsequent Despatch of the same date, I had the honour of detailing to your Lordship some of the recent arrangements for the purpose of buying and selling the negroes arrived and expected, which, with the fact that a number of American ships freighted with cargo had been dispatched, and were about to be sent to the factories on the coast of Africa, besides several notorious slaving vessels fitted out and fitting here and elsewhere in this island, by those whose trade has long been established in that detestable traffic, proves a combination and organization for an increase in the trade, under the fostering protection of our new rulers, which is quite alarming.

On the 15th instant I had again to address his Excellency the Captain-General relative to two slavers whose victims were landed at Trinidad, on the south side, and having made a simultaneous communication to Her Majesty's Commissioners, I found that although that information had not previously reached them, they had complained to the Captain-General of two other cases which I myself had not then heard of.

His Excellency has neither acknowledged or replied to my communication above referred to.

I regret now to be obliged to report to your Lordship, that the memorial which was in progress of being signed at Matanzas has been abandoned, and it is perfectly well known that this desirable measure has been strangled in its birth by the high influence used to deter the well-intentioned originators from its completion. There have several fast-sailing ships, brigs and schooners, been sent away within these few days in ballast, cleared for Monte Video and Buenos Ayres, known, however, to be bound for the coast of Africa. One of them is said to have completed her water at a small port to leeward of this harbour; and I have learnt that the leaguers for such outfits are taken to Mariel and other places by coasting steamers, there to be filled, and to which places the slavers go, to take them on board and complete their equipments.

Your Lordship will readily conceive, that these extensive combinations are not to be carried on with such close secrecy as to be hidden from the public knowledge; yet there is a certain sort of "freemasonry" concealment pervading the population, which would baffle any attempt on our parts to prove legally the statements we find it our duty constantly to transmit, but which may most confidently be relied upon by your Lordship and Her Majesty's Government.

It is asserted, that the well-known quota of head money to be paid upon expected importations has been settled, and a party authorized to receive the same; it is even said, that the usual gratification has been paid to such party upon the number of negroes we have complained of as having lately been landed, and that this arrangement is sanctioned, if not participated in, by him whose duty it is to detect and punish, instead of protecting such miscreants. This, I lament to say, seems to be probable, if we judge by the acts of those in power; but proof of such assertions could not be adduced, however notorious

the fact may be. General Garcia Ona, who came to this island a Colonel, with nothing but his pay, now owns at least one sugar estate, and upwards of 300 slaves. It cost the interested in the cargo of the "*Segunda Palmyra*," landed at Puerto Escondido, near Matanzas, in September last, upwards of 46,000 dollars as hush-money, which will explain to your Lordship how such authorities are enriched. I shall only add, in proof of the opinion which has gone abroad as to future slaving operations, that one or two Baltimore clipper schooners have arrived here in ballast, and will no doubt soon be followed by other craft destined for that trade, to put down which, and for the better observance of the Treaties, it seems necessary more than ever to adopt some energetic measures.

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

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

Enclosure in No. 46.

Mr. Crawford to the Captain-General.

Havana, December 15, 1843.

I REGRET to be under the necessity of placing within the knowledge of your Excellency two more cases which have occurred in the current month at Trinidad de Cuba, where the "*Escorpion*" has landed 560 negroes, and another vessel, the "*Forcade*," or "*Maria Forcade*," 89 negroes from the coast of Africa, in contravention of the Treaties existing between our respective nations for the abolition of this nefarious traffic.

In obedience to the positive instructions which I have received from Her Majesty's Government, thus calling your Excellency's attention to the great increase which has been observable of late in this illicit traffic, I feel confident that the most rigorous measures will be adopted by your Excellency to arrest its progress and bring the guilty parties to punishment.

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

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

No. 47.

Mr. Crawford to the Earl of Aberdeen.

Havana, December 22, 1843.
(Received February 16, 1844.)

MY LORD,

I HAVE the honour of transmitting to your Lordship copy of a correspondence which has passed with Her Majesty's Commissioners, to which I beg leave to request the favour of your Lordship's attention, especially to that part of the Captain-General's letter to them which alludes to my communicating with his Excellency upon occasions of infractions of the Treaties, in due obedience to the instructions of your Lordship and Her Majesty's Government.

The Captain-General states, that he has not replied to my letter of the 15th instant, "being satisfied that my attributions, purely commercial, do not give me the faculty of mixing in such a business, as he had previously stated directly to me; and that his belief was strengthened therein by a communication from them (the Commissioners) addressed to his predecessor in the month of May, 1841;" and his Excellency proceeds to point out the inconvenience of the double communications he receives upon these matters; concluding with the observation, that "to them (the Commissioners) alone it corresponds to interfere, according to the Treaty of 1835." The Commissioners, in their reply to his Excellency, have explained the nature of their letter to General Valdes,

the Captain-General, in May 1841, when, so far as my information goes, there existed a species of competition between them and Mr. Turnbull.

I believe the circumstances were submitted to Her Majesty's Government at the time, and I presume that the result was, Lord Palmerston's positive instruction to the then Consul, dated the 31st of July that year.

I have consulted the Treaty of 1835, and have sought in vain for the exclusive right of interference which the Captain-General is pleased to recognise in Her Majesty's Commissioners, whose representation here I conceive to be limited to their judicial and other duties, as by the Treaty prescribed. I therefore most respectfully submit to your Lordship, that the more regular course, in future, would be for the Commissary Judge and Arbitrator to report to me such infractions as may occur, in order that I may carry out to the letter the instructions of the 31st of July, 1841, to my predecessor, and your Lordship's orders of the 1st of February last, as the representative of Her Majesty generally in this island; by which means, also, the Captain-General would be saved the obvious inconvenience of the double communications he complains of, and abstain from treating, as he does at present, my communications with the great disrespect of leaving them unanswered and unacknowledged, to which indignity, I feel confident, your Lordship will not permit me to be subjected any longer than is indispensably necessary to regulate this important matter by such determinate instructions as your Lordship shall deem best calculated for the furtherance of Her Majesty's service, to the Commissioners and myself, as well as that the necessary orders be influenced from Spain for the observance of the Captain-General here.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

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

First Enclosure in No. 47.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, December 15, 1843.

IT has reached my knowledge that early in this month a Spanish vessel, called the "*Escorpion*," landed 560, and another, also Spanish, called the "*Maria Forcade*," landed 89 negroes, from the coast of Africa, at Trinidad de Cuba in this island.

Within a few days several vessels have been dispatched from this port (cleared for Buenos Ayres and Monte Video), notoriously intended for Slave Trade, and fitted by slave traders. The "*Venezuela*," the "*Manuelita*," the "*Trez de Febrero*," are three of them; but it is said others are in preparation, the names of which I have not yet learnt; besides this, several American ships and vessels have been chartered, loaded, and dispatched, with merchandize suitable for the traffic, to various points on the coast of Africa, giving evidence of an activity which has for some time been unknown here, in carrying on this illicit trade. I regret to be obliged to add, that as regards the outfits I fear the guilty parties cannot be reached by our intervention under the Treaties, and I need scarcely say, that, with one or two exceptions, the sailings of those vessels are not reported in the newspapers.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

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

Second Enclosure in No. 47.

Her Majesty's Commissioners to Mr. Crawford.

SIR,

Havana, December 16, 1843.

WE have received your letter of yesterday's date, respecting the arrival of two slave vessels at Trinidad de Cuba, and the sailing of several others from this port.

We this day will communicate the same to the Captain-General, observing, however, that with regard to the latter part of the letter, we have already made the report to Her Majesty's Government.

At the same time we inform the Captain-General of the arrival of two other vessels, within the last few days, at Cabanas and Bahia Honda, one of them being the "*Jacinto*."

We are, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

J. T. Crawford, Esq.

&c.

&c.

Third Enclosure in No. 47.

Her Majesty's Commissioners to Mr. Crawford.

SIR,

Havana, December 20, 1843.

WE herewith enclose you a copy of a letter we have received from the Captain-General, on the subject of your letter to us of the 15th instant, and also a copy of our answer thereunto, as soon as they can be transcribed.

You will observe the Captain-General informs us of your having already written a letter to him on the same subject, which circumstance you had not communicated to us. We would therefore suggest the advisability in future, of your informing us of the communications you make, in order that we may be the better able to judge of the correspondence necessary for us to engage in.

We are, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

J. T. Crawford, Esq.

&c.

&c.

Fourth Enclosure in No. 47.

The Captain-General to Her Majesty's Commissioners.

(Translation.)

Havana, December 18, 1843.

I HAVE expedited the necessary orders, to investigate with celerity and diligence, and to enquire into the truth of the arrival and disembarkation of bozal negroes from two vessels at Trinidad de Cuba, which you mention in your letter of the 15th; and of the result I will give you due notice.

I had already taken these steps, in consequence of an official letter which I received upon the same subject from Her Britannic Majesty's Consul, but did not answer him upon the subject, being convinced that his attributions are purely commercial, and has no authority to mix himself in such affairs; and this, I have already on a former occasion manifested to the said Consul, and my belief is so much more strengthened, inasmuch as your Honours acknowledged the same, in a communication addressed to my predecessor in the month of May, 1841.

Official agents, and acknowledged from the same nation, cannot exist with power of communicating legally with the Government authority for the like prescribed purpose; besides not having been customary, being improper, and of no sort of use, it has the effect of doubling the communications.

According to the Treaty of 1835, it belongs to you alone, in your capacity of Commissioners, to take cognizance of these affairs; notwithstanding this, it has not occasioned the delay of measures, in order that if the disembarkation be a fact, the offenders may be pursued and punished according to the Treaties in force, which I shall cause to be observed punctually and religiously. In proof of this, and although I have not the slightest idea that they are preparing on the coasts of this island vessels to be employed in the reprobated traffic of slaves, I reiterated my orders, that effectually, and with zeal, they shall watch to prevent it, extending

likewise my enquiries into the truth of the sailing of other vessels, which, according to your Honours' showing, have already departed for the like purpose.

All of which I say to your Honours, in answer to your referred to letters.

God preserve your Honours many years!

(Signed)

LEOPOLDO O'DONNELL.

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

Fifth Enclosure in No. 47.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, December 19, 1843.

WE have received your letter of yesterday's date, in answer to ours of the 15th instant, in which we enclosed a copy of one from Her Britannic Majesty's Consul-General, respecting the arrival of two slave vessels at Trinidad de Cuba, and the dispatching of other vessels from this place for the purposes of Slave Trade.

In this letter before us your Excellency states, that you had already had a letter on the same subject from the Consul-General, which you had not noticed, as not considering him entitled to intervene in such matters; but that notwithstanding, you had ordered the proper measures to be taken, for enquiring into the denunciations, and also to prevent vessels sailing hence intended for Slave Trade.

For your Excellency's assurances in this respect, we beg to return our due acknowledgments, hoping they will be faithfully carried into effect. With regard to the Consul's letter, or his authority to address you on these matters, we have to observe—

1st. That we were not aware of his having so addressed your Excellency, or we should not have thought it necessary to transmit his letter.

2nd. That in so addressing your Excellency, he is under instructions distinct from, and independent of any we possess.

In our letter of May 1841, to which your Excellency refers, our observation applied not to Mr. Turnbull's interference as Consul, but as Superintendent—there having been suffered no breach of the Treaty at that time, but, on the contrary, a seizure of some newly-introduced negroes made by the authorities of the island, which negroes Mr. Turnbull demanded to be given up to him, to be sent to a British colony.

In this demand we did not consider him warranted, and we so expressed ourselves then to your predecessor in the command; but we at the same time added, that if his Excellency had any desire not so to increase the negro population of this island, as we believe was the fact, we were prepared to take charge of them, to be dealt with as other captured Africans who came under the jurisdiction of the Mixed Court.

We beg to add, that as your Excellency in the letter before us does not refer to the recent disembarkations of negroes we had denounced in the same letter of the 15th instant, at Cabanas and Bahia Honda, one of them being from the vessel known as the "*Jacinto*," we trust your Excellency will not overlook these glaring infractions of the law and Treaty.

We have, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

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

Sixth Enclosure in No. 47.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, December 21, 1843.

I HAVE to acknowledge the receipt, this morning, of your letter and Enclosures of yesterday's date, in which you are pleased to notice my having omitted to acquaint you that I had made a communication to the Captain-General relative to the the slavers at Trinidad de Cuba, subject of my letter to you of the 15th instant.

In his Excellency's reply to your letter to him upon the same subject, he has thought fit to acknowledge that he had received my letter respecting said slavers, but to me he has neither replied nor owned its receipt.

I have to thank you for the very proper answer you have given to the Captain-General upon the point he has been pleased to raise, as to the communications I find it necessary to address to his Excellency by the repeated express instructions of Her Majesty's Government, his opposition to which, and his treatment of them with the disrespect of not even acknowledging their receipt, I have submitted to the Earl of Aberdeen.

My omitting to acquaint you that I had written to General O'Donnell on the 15th instant, was purely an oversight. I shall not fail upon every occasion to inform you, when I find it necessary to make such communications to His Excellency; but whilst he persists in the course he has adopted, I submit the necessity of your addressing him at the same time, in order that an answer may be obtained for the satisfaction of the Government; and I shall hope that when any case of infraction of the Treaties shall reach your knowledge, you will in like manner communicate with me, lest it may have escaped my vigilance.

I remain, &c.

(Signed) JOSEPH T. CRAWFORD,
Her Britannic Majesty's Commissioners, *Consul-General in Cuba.*
 &c. &c.

Seventh Enclosure in No. 47.

Her Majesty's Commissioners to Mr. Crawford.

SIR,

Havana, December 22, 1843.

WE have received your letter of yesterday's date, acknowledging ours of the 20th, and stating, that the fact of your not having informed us of the communication you had made to the Captain-General respecting the arrivals of two slave vessels at Trinidad de Cuba, and the departure of other vessels, was an oversight, which you would attend to in future.

We think your so doing may better enable us to judge what course to adopt in the communications to be made; and in all cases it is our wish to act as may appear best, according to the circumstances occurring.

We are, &c.

(Signed) J. KENNEDY.
 CAMPBELL J. DALRYMPLE.
 J. T. Crawford, Esq.
 &c. &c.

No. 48.

Mr. Crawford to the Earl of Aberdeen.

Havana, December 30, 1843.

(Received February 16.)

MY LORD,

I PRAY your Lordship's reference to my Despatch of the 19th February, and that of the 5th June last, relative to Daniel Kelsall.

I have now the honour of transmitting copy and translation of a note, dated the 18th instant, from General O'Donnell; also, copy of my reply thereto, wherein I have pointed out to his Excellency the great mistake into which the Assessor-General has fallen as to the date of this poor man's manumission; and as the arguments made use of are favourable to the claim, had he not made this mistake, I am in great hopes that I shall succeed in obtaining justice to this much-injured man, the more so, as I have a number of cases precisely similar, which I propose to bring forward as soon as I have this one fully redressed.

I have, &c.

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

First Enclosure in No. 48.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, December 18, 1843.

IN the proceedings going on in the Government of the province of Cuba, in consequence of the claim made by you for the liberation of the negro Daniel Kelsall, the Third Assessor-General has given me his opinion of date 6th instant:—

“ Most Excellent Sir,

“ If it was respecting a British subject who, free in his own country, we were treating, as having been stolen and brought to this island, and reduced to unjust slavery, or even of a slave belonging to an Englishman of whom his master had been despoiled,—in either of these cases, the intervention of Her Britannic Majesty’s Consul would be admissible. But the case offered upon these proceedings is very different, and, in my opinion, it corresponds to another party, the defence of the negro Daniel Kelsall, proceeding in this matter as proceedings are carried on in common cases of the like nature in the tribunals by our laws authorized to decide therein.

“ It appears by these proceedings, that the aforesaid Daniel Kelsall was born a slave; and, as such, was under the dominion of Donna Maria Isabel, of the same name, in the Bahamas, until the year 1822, who, induced by the favours granted by the Royal Schedules of Colonization, came to this island, bringing with her Daniel, and other slaves, to be employed in agricultural labour, since which time the said Daniel has remained in this country, always a slave of Donna Henriqueta Eysing, daughter of Donna Maria Isabel, and for some years back, with Don Juan Paterson, in pledge, as security, for a debt of Don José Eysing. And although it appears that after these acts, on the 14th of March, 1842, he was manumitted by the said Maria Isabel Kelsall, as shown by the translation at folio 2, and this act gives a right to the manumitted to claim his liberty, it cannot be deduced therefrom that the claim should be made by Her Britannic Majesty’s Consul.

“ This right has not only been acquired by the slave whilst in a Spanish country, but his mistress also being Spanish, (for the Royal Schedules of Colonization require the naturalization of all foreigners who, taking advantage thereof, came to this island), and the fact of the deed of manumission being made in Bahamas most surely does not give to Her Britannic Majesty’s Consul any authority to intermeddle in the matter, however laudable his zeal and philanthropy, just as it would be in any other person displaying the same.

“ In conformity, therefore, with what I have shown, my opinion is, that these proceedings be copied, to be sent with an official order to the Lieutenant-Governor of the city of Holguin, for him to charge the Syndic of that Ayuntamiento with the defence of Daniel Kelsall, raising the question of his freedom, hearing, as is just, the parties entitled to offer opposition thereto, recommending the greatest brevity in the cause, and giving an account to your Excellency of the process every 15 days. Should your Excellency approve of this opinion, it may be communicated,” &c.

And having conformed to said consultation, I insert it to you for your information.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

Her Britannic Majesty’s Consul-General,

&c.

&c.

Second Enclosure in No. 48.

Mr. Crawford to the Captain-General.

I HAVE the honour to acknowledge the receipt of your Excellency’s note of the 18th instant, respecting Daniel Kelsall, a free negro, a subject of

Her Britannic Majesty, a native of Nassau, who was abducted from the Bahama islands, and is held here in slavery.

I have considered with attention the opinion of the Third Assessor-General, to which your Excellency has been pleased to adhere, and to confirm. I should not have offered any observation thereon, had it not been for an error into which that legal authority has fallen, and which, I most respectfully submit to your Excellency, destroys the reasoning upon which his sentence is founded.

The Assessor-General has taken the date of Daniel Kelsall's manumission to be "14th March, 1842," whereas it appears by the records of the Bahamas, that he was freed by his mistress, Maria Elizabeth Kelsall, on the 14th March, 1822; consequently, he was free when he arrived in this island, and cannot, as a free British subject, be held in bondage by any person, nor under any circumstances whatever. Had the circumstances been as the Assessor-General states them, I should not have ventured interference in this matter; but your Excellency will at once perceive that I have an undoubted right to insist upon this man's liberation.

I transmit herewith a copy of his manumission, bearing the date (1822) referred to; and the error being pointed out to the Assessor-General will, I feel convinced, produce a satisfactory decision of this long-pending question.

I have, &c.

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

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

No. 49.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, February 29, 1844.

I HAVE received your Despatch of the 22nd December last, enclosing copies of correspondence with Her Majesty Commissioners respecting your communications with the Captain-General, and containing suggestions from yourself thereupon.

In reply, I have to refer you to the memorandum which was enclosed in Viscount Palmerston's Despatch to Her Majesty's Consul, and to Her Majesty's Commissioners, on the 9th of August, 1841, respecting their respective duties: and I have to desire that you will observe the line of conduct pointed out in that memorandum, and enjoined in the Despatch which accompanied it.

You will bear in mind, that it is the imperative duty of yourself and of Her Majesty's Commissioners to act in cordial communication and concert in all matters connected with the suppression of the Slave Trade.

The representations to the Captain-General on the violations of the Treaty may be made either by the Consul or the Commissioners, according as the information upon which the representation is founded may reach one party before the other, or, as for any other reason, shall be deemed most expedient at that time. But representations should not be made to the Captain-General by both the Consul and the Commissioners dealing with the same case. The Consul and the Commissioners should communicate to each other copies of the letters which, in pursuance of this instruction, they may address to the Captain-General; and it is their duty to assist each other in obtaining all possible information upon any matter which may be reported to either party affecting the execution of the Treaty.

I am, &c.

(Signed) ABERDEEN.

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

No. 50.

(Extract.) *Mr. Crawford to the Earl of Aberdeen.**Havana, January 17, 1844.*
(Received March 8.)

MY LORD,

SINCE, in my Despatch of the 27th December last, I had the honour of reporting to your Lordship the disturbed state of the island in the neighbourhood of Matanzas, I have learnt that the combination of the negroes was most extensive, and has occasioned universal alarm amongst the proprietors.

In this state of alarm, many of the wealthiest and most influential Spaniards and creoles drew up a very strong memorial against the introduction of more negroes from Africa, but I am sorry to say, they dared not venture to present it to the Captain-General. To such a pitch, however, has the sensation increased, that the apprehensions of His Excellency have been aroused, and he is said to have named a Commission to report upon the state of the island, and especially as to the traffic in slaves. I shall endeavour to find out the progress of this measure; in the meantime, I think that something of the kind is going on, as I observe the outfitting of several slave vessels has all at once been suspended.

I have, &c.

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

No. 51.

*Mr. Crawford to the Earl of Aberdeen.**Havana, February 7, 1844.*
(Received March 8.)

MY LORD,

IN acknowledging the receipt of your Lordship's Despatch, of the 14th December, and its Enclosures, with reference to your Lordship's Despatch, Slave Trade, of the 1st of February last year, I am confident, that the statement given by the Spanish Government in explanation of the transaction in question is precisely what went from hence to Madrid; because in a matter where the Attorney-General, who had cognizance, received 300 ounces of gold for its satisfactory arrangement, it is very unlikely that any other than such a report as that exhibited should reach Captain-General Valdes, for transmission to the Supreme Government of Spain.

I have, &c.

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

No. 52.

*Mr. Crawford to the Earl of Aberdeen.**Havana, February 7, 1844.*
(Received March 8.)

MY LORD,

IN my Despatch of the 30th December last, I had the honour of reporting to your Lordship the progress of my claim for the liberation of Daniel Kelsall from slavery, and I expressed a hope that my efforts would ultimately be successful.

I have now the satisfaction of informing your Lordship, that Daniel Kelsall is ordered to be delivered to me at Holguin, according to the official communications, which, in copies and translations, I have the honour of transmitting herewith.

I propose having Kelsall brought here, in order to obtain from him all the

information possible as to his fellow-sufferers of the freed negroes abducted from the Bahamas who are retained in slavery here, so that, upon his return to Nassau his evidence may be taken, and their freedom secured by that means.

I have, &c.

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

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

&c.

&c.

&c.

First Enclosure in No. 52.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, January 31, 1844.

IN the process formed in consequence of the documental communication which you addressed to this Government, of date 11th January last year, claiming the liberty of the negro Daniel Kelsall, the Third Attorney-General has given to me, under date 25th of the this now ended month, the following opinion:—

“Most Excellent Sir,

“With the exposition by the interpreter, Mr. Luis Payne, in his information of the 9th current, has changed the aspect, and the case is very different that is shown in this process. The principle upon which my opinion of the 6th December last was founded is done away with, seeing that the negro Daniel Kelsall has not acquired his liberty whilst he was in this island, but in the year 1822, but it appears before Mrs. Isabel Kelsall emigrated from the Bahamas, who was the person who gave him his freedom, and afterwards carried him to Gibara, with other slaves her property, consequently I see no risk in that your Excellency should accede to the wishes of Her Britannic Majesty’s Consul, communicating officially to the Governor of the city of Holguin that he may make dispositions for the delivery of the negro Daniel Kelsall to any one the said Consul shall designate, and to whom for that purpose this decision may be intimated, if it is approved by your Excellency, returning to him the original documents.”

And having conformed to this expressed decision, I insert it to you, enclosing the original papers for the purpose indicated, with the understanding that I this day address what is necessary to the Governor of Holguin for the delivery of the said negro Kelsall to the person your Honour may designate.

God preserve your Honour many years!

(Signed) LEOPOLDO O’DONNELL.

Her Britannic Majesty’s Consul-General,

&c.

&c.

Second Enclosure in No. 52.

Mr. Crawford to the Captain-General.

Havana, February 1, 1844.

I HAVE the honour of acknowledging the receipt of your Excellency’s note of yesterday’s date, communicating the just decision which has been come to respecting Daniel Kelsall.

It will afford me very great satisfaction to acquaint Her Majesty’s Government of the upright justice which has been shown by your Excellency in this matter, which I consider a new proof of the good feeling and harmonious relations subsisting between our respective nations.

Your Excellency must be aware that there is no agent of my Government at Holguin, nor have I any person at that place to whom I could delegate the charge of Kelsall; but as soon as I find the means of taking him away, I shall do myself the honour of applying to your Excellency for the necessary order.

I have, &c.

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

His Excellency the Captain-General,

&c.

&c.

No. 53.

*Mr. Crawford to the Earl of Aberdeen.**Havana, February 8, 1844.**(Received March 8.)*

MY LORD,

IN my Despatch of the 27th December last, I adverted to the great alarm which was created by the insurrections amongst the slaves, and the anxiety on the part of the proprietors to memorialize the Captain-General or the local Governors, with a view to point out to the Government of Spain the perilous situation of this island, and consequent imperious necessity of steps of the most stringent nature being adopted and enforced to put an end to the importation of negroes from the coast of Africa without further delay.

In my Despatch of the 17th January this year, I mentioned to your Lordship that the Captain-General had appointed a Commission upon the state of the island; I have now the honour of placing before your Lordship copies of some most interesting documents connected with this important subject, and recent events here and elsewhere in Cuba.

I have with much difficulty obtained a copy of a memorial which was ready to be presented to General Garcia Ona, signed by 93 proprietors and influential parties of that jurisdiction, on the 29th of November last.

A copy was handed to General Ona, accompanied by a letter, of which I have also been favoured with a transcript, herewith enclosed for your Lordship's information, as to the very great caution which it was deemed necessary to observe; and the result proved that the parties were not at all mistaken, as the memorial was suppressed in the manner reported to your Lordship on the 21st December, of last year, and those known to have taken any active part in its formation, as well as others who are known to profess similar opinions, have been cautioned, some of them by the Captain-General himself in no very measured terms, as to the course which would be observed towards them should they persist in the propagation of such principles.

The Commission named in this city to report to his Excellency the Captain-General consists of Don Joaquim Gomes, a notorious slaver of former days, the Marquis de Esteva y Delicias, who is the Spanish Judge in the Mixed Court, and whose large income is drawn from his gangs of working slaves let out to hire: both these are of course most decided advocates for continuing the traffic. Then we have the Count Fernandina, M. O'Farril, and M. Aranza, whose opinions are against the importation of more negroes from Africa.

In the working of this Commission, which is formed, as I understand, by an order from Madrid, which has been issued in consequence of the very urgent and repeated demands made by Great Britain to pass the penal laws stipulated for in the 2nd Article of the Treaty of 1835, the influence of the Captain-General is used to put down the opinions entertained by the three last-named members. Count Fernandina has been warned that he must not attempt to recommend the entire suppression of the traffic. He has been told that it is the policy of the Supreme Government of Spain to wink at the infringements of the Treaty with Great Britain; that it is not the interest, or for the welfare, of the island of Cuba, that the penal laws should be enacted or enforced. This influence has been used over the other two colleagues of the Count; with the two first-named, of course, it was not necessary. But his Excellency has not stopped there; he has gone to threats, in committing his opinion that any person, however high his rank or title, adventuring the expression of opinions against the continuance of the traffic, displays principles tending to the independence of this island, because, in his opinion and in the opinion of the Government of Spain, it is necessary that negroes should continue to be brought from Africa; thus adopting the policy of General Tacon and other Captains-General as to that means of keeping a check upon the creole population, and securing their loyalty, as well as that of the Spaniards, by keeping alive their avaricious feelings in that species of inhuman proprietorship and profitable commerce.

I would strongly impress upon your Lordship the fact, that no sound nor honourable action can be expected to be produced in Spain, resulting from the report of a Commission so constituted, and obtained in the manner which I have just described.

But, my Lord, it is with much concern I have to state, that the conduct of the Spanish Government does not appear to have been that of good faith for a

long time past. I had hoped by this mail to have been able to lay before your Lordship the copy of the late Regent's instructions to General Valdes ; it is promised to me, but I have not yet got it.

I am assured, however, that it is in all respects what I have long suspected, a hint, (and coming from such high authority, it amounted to almost an instruction,) for the late Captain-General to dissimulate as much as possible with the British authorities, and postpone his plans for annihilating the traffic, which he had submitted for his Highness's approval.

What adds to the boldness of such manifest bad faith on the part of Spain as regards her obligations under the Treaty is, that the well-known propriety of character of General Valdes, and a proper feeling of disappointment at having his benevolent intentions all frustrated by the letter referred to, having prompted him to keep such an affair secret, the present Governor-General, O'Donnell, has shown up this letter in the Commission, to support his anxious desire that the report should be in conformity to the principles it embodied.

Upon the other hand, I am enabled herewith to transmit to your Lordship a copy of a memorial, which was prepared to be presented to the Captain-General, and would have been signed by some 500 proprietors, and influential inhabitants, who consider their future fate most deeply involved in its prayer. This having been proposed to his Excellency, and the subject broached to him by a very high authority, has been suppressed ; and we may fairly say, that the Captain-General and the proprietors of the island of Cuba are at issue upon this most important question, whilst there are not wanting of those who state it as their opinion that it is the blood-money to which the chief clings, in upholding a policy which is so near to turn the pride of the Antilles into another San Domingo.

In addition to all this, it is in my power to assure your Lordship, that the enactment of the penal laws has been recommended by the Real Audiencia Prætorial of the island, in this manner, eight years' hard labour (*presidio*) for the first offence, and 12 years' for the second, upon conviction of actual slave trading, with four years' hard labour in the chain-gangs to all persons convicted of fitting out any vessel prepared for Slave Trade, but not having negroes actually on board at the time of capture.

The Board of Public Works (Junta de Fomento) has also given a most decided opinion for putting an end to the importations of negroes from Africa.

Still I very much fear, that so long as the sentiments of the Captain-General, and the Government of Spain supporting him therein, are such as I have described, Slave Trade and slave traders will find protection, and continue to be carried on, unless some very strong means be adopted to enforce the observance of the Spanish obligations under the Treaty.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

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

&c.

&c.

&c.

First Enclosure in No. 53.

(Translation.)

Memorial to the Captain-General.

Most Excellent President, Governor, Captain-General of this Island,

THE undersigned merchants, proprietors and owners of estates of the district comprehended in the military jurisdiction of Matanzas, impelled by a sacred duty, come this day to call your Excellency's attention towards an object of the greatest importance to the country which Her Majesty the Queen our Lady, whom God preserve, has been pleased to entrust to your solicitous care.

It is, Excellency, the importation of African negroes. This ominous contraband traffic, which has been carried on with impunity, in spite of humanity, of justice, of the most solemn Treaties of our nation, and of the distinct Royal Orders of our beneficent Monarchs, has increased on the territory of this island a population of colour, the amount of which, as appears from official statistical data, to the extraordinary total of 660,000, whereof 498,000 are slaves. The white population not being able to go on augmenting at the same rate, nor, as experience has demonstrated, possibly to cope with such fearful numbers, what else could be the result of this inequality than the state of conflict in which we

find ourselves placed at this day? Indeed, your Excellency, it needs must be told your Excellency, the isle of Cuba is in a most false, most precarious situation. It requires little penetration to discover what may be the end of the consequences resulting from the preponderance of this coloured population, consisting of slaves and emancipists. Would to God that Hayti did not present so very near an example that horrifies, but which ought not to pass unheeded, lest Cuba become a second edition of a similar work. The race of slaves has a marked tendency to insurrection. Scintillations of it were the partial movements which have occurred this very year at Bemba, and lately at the sugar works of Triumvirato, in this jurisdiction. It is for your Excellency's paternal Government to listen to the general outcry against a smuggling traffic which, if it continue, will from day to day compromise more the political existence of this meritorious Antille, by enlarging the numbers of this race and strengthening its powers.

The triumph of the adjacent Hayti, the emancipation in Jamaica, and the emissaries proceeding not only from those islands, but from persons and societies of whose existence our wise Government is well aware, germinate in this soil of Cuba, notwithstanding the assiduous vigilance and the indefatigable zeal of our authorities, and become as many additional causes which, in the aggregate, afford continual food to that dangerous tendency. Another new class of emissaries, yet more to be dreaded as they constitute a part of the dotations of estates, will be that which is to come into our bosom through the future importations of Africans. A mission of Englishmen is making the tour of that savage continent, carrying at its head one of the most determined abolitionists; and the undoubted fruit of these efforts is, that they will endeavour to succeed here by the same means which have told in Africa. This, and nothing else, will account for the fact, that in the late expeditions there was found a large number of blacks acquainted with the language of powerful Albion. It is now time that we should no longer witness among us this contraband trade, the disgrace of our civilization, the horrid gulf where all our hopes of security and well-being are swallowed up, the hydra which scares away the capitalists who would come hither to settle on our soil, or which expels from it those who have acquired a fortune here, for the purpose of laying it out where they may enjoy it without terror and dread. This exalted glory is reserved for your Excellency. You will, your Excellency, lay the solid foundation for the happiness and tranquillity of Cuba, and will ensure for ever to the Crown of Castile its most precious jewel, if you persecute with firmness the clandestine traffic in slaves till you have succeeded in its total and real extermination.

But at the same, time the fields of the island, and particularly those of the territory in the jurisdiction of Matanzas, occupying many more than 60,000 slaves, demand at the hands of your Excellency's paternal solicitude some measure of protection and security, which may not only serve as an outwork to ward off the atrocious designs of the slaves, but keep them at all hours under the strictest surveillance, and take away the necessity of attacking them, so that when an insurrection has taken place, the protection may be certain and safe. If the delinquents be exterminated, the extermination takes away a very material part of our properties. The movements of Bemba and Triumvirato were suppressed in the outset; still, however, the death of 300 negroes has abridged in a great measure the estates of meritorious proprietors; and, what is more, the blood of those innocent victims, immolated by the barbarity of those desperate savages, cries from the grave, imploring that the repetition of such horrid and sanguinary scenes may hereafter be prevented. But, your Excellency, no measure will be completely efficacious while, by means of the contraband traffic, the servile race is strengthened, and has fresh incitements afforded it. Supposing even the total number of the slaves now extant in the island should not suffice to insure it success in a struggle which at any rate would prove uncertain and fatal for us, who will be able to determine the number that shall be sufficient, particularly when it is impossible at the same time to bring about an augmentation of the white population?

Memorialists, in addressing a zealous and enlightened Governor, have deemed it incumbent on them to speak the plain language of truth in their statement of facts and motives, many of which they have purposely forborne to touch upon, seeing that they are extremely numerous, inasmuch as they bear on a question which involves nothing less than the life and the material interests of

Her Majesty's faithful subjects, who trust to Her Majesty's immediate protection of them ; but they are certain that all these facts will present themselves already to your Excellency's enlightened mind. They would have considered also the matter under an economical point of view, if the political existence of the country (which political economy considers as paramount, and under the most favourable aspect) did not present itself as the principal, and indisputably as very superior to all. They therefore respectfully entreat your Excellency that, receiving kindly what is stated in this representation as the painful and just complaint of the population of Cuba, you will please, in accordance with the exact observance of the supreme dispositions in force on the subject, to enact what measures your Excellency, in your high discretion, may judge proper for exterminating the clandestine traffic of Africans, and, at the same time, provide for the security of the unprotected fields of the island.

[Here follow 93 signatures.]

Second Enclosure in No. 53.

(Translation.)

Senhor Gener to the Captain-General.

Matanzas, December 8, 1843.

MOST EXCELLENT SENHOR CAPTAIN-GENERAL,

I PLACE into the hands of your Excellency a true copy of a representation addressed to your protecting authority by the merchants, landowners, and proprietors of this city, whose names are at the foot of that copy. The sound purport of the representation was suggested by the present circumstances of the country, or rather by what recently occurred at the Triumvirato sugar works ; these, and the no less disastrous events at Bemba and Macurijes, have filled the white population with just and natural alarm. The object of this exposition to your Excellency, was to call your Excellency's attention to this state of trouble and uneasiness in which we live. We therein set forth to your Excellency the first and principal cause of these disquietudes to be the clandestine importation of African blacks into the island, effected to the scandal of all men of worth, and in spite of the vigilance of our authorities, by a handful of men in whose hearts there is not any sense of justice, and who set at nought both the commands of the Almighty and the laws of men.

In conclusion, your Excellency is implored to employ all resources, and all the efficacy of your power, in providing the remedy imperiously called for by our painful situation. A few moments before the original was to be carried up to your Excellency, it was seized by the Senhor Governor of this city. The memorialists, on thus seeing themselves deprived of the consolation held out by the hope of witnessing the removal of the public uneasiness, the moment your Excellency, on learning our danger, would deign to look compassionately on this loyal colony, which is placed in such an anxious crisis, applied to the writer of this, an inhabitant of this city, who, desirous of evincing his loyalty and love to this country, where he first beheld the light, hopes, in addressing this letter to your Excellency, that you will make allowance for his honest intention, and pardon the liberty he has taken.

God preserve your Excellency many years !

(Signed)

BENIGNO GENER.

(Translation.)

Third Enclosure in No. 53.

Suppressed Memorial to the Captain-General.

MOST EXCELLENT SIR,

THE undersigned, convinced of the sincere desires which animate your Excellency for the welfare and happiness of this faithful island of Cuba, come with the proper respect to state to you the fears wherewith they are impressed by the present situation of the country, which is gravely compromised in its tranquillity and well-being by the frequent insurrections that occur in our fields. It is not easy to determine precisely the number of our slaves, and the disproportion existing between both races ; but it is not hazardous to say, that the difference of numbers between them is large, and that it increases every day, owing to the scanty emigration of Europeans into this island, or, what is

CLASS B.

of greater moment, because the Slave Trade has never totally ceased. This alone would occasion grave conflicts for the time to come; but if thereto be added the class of population contained in the islands which surround us, the ideas which animate their Governments, the sympathies naturally existing among men that have been in the same situation and sustain the same cause, the danger will be more serious and grave, since, with such precedents, it is very difficult to preserve submission, the principal foundation of all social order. There is among us already a sufficient number of labourers for the cultivation of our fields; we do not want, for our agricultural work and prosperity, any fresh emigrations of Africans, seeing that they might immensely compromise us. We therefore solicit your Excellency to adopt such measures as your zeal and prudence may suggest to you, with the view to put a stop to the continuance of this horrible traffic, so fertile in evils, whose termination it is impossible to foresee. For the present, at least, we are sufficiently provided with hands for tilling the ground; and, as to the time to come, we are unable to discern why we should not fare as well as the French colonies, and the southern States of United America, where the number of slaves has increased considerably by natural production; not to take into view that thereby is substituted a more obedient, more faithful, and more civilized population for that which now, in this island, inspires us with such serious fears. Besides, there have been recently made considerable improvements in the manufacture of sugar, which supersede a large number of hands; and thence arises not only the economy just mentioned, but those advances in science call rather for the employment of intelligence and the ability of white operatives, than for corporeal strength and stamina, so that the latter may very properly be reserved for the cultivation of our fields, where alone they are needed. And supposing even, your Excellency, that our agriculture should fall into decay, the inhabitants of the isle of Cuba would be content to put up with this drawback in order to preserve their social life, their fortunes, and their existence as a people, now seriously threatened; nor will they have to look forward with misgivings, even if means should be adopted which by possibility might exert an unfavourable influence on their wealth. This alone proves how satisfied we are of our total ruin unless a stop be put to the Slave Trade, and unless energetic provision be made for the security of our fields. The inhabitants of the isle of Cuba are persuaded that your Excellency will not turn a deaf ear to their entreaties, that you will take into consideration the justice and exactness of what has been stated above, and that by proceeding as you may think proper, the minds of men may be relieved of the inquietude which now afflicts them. This favour we hope for from the well-known goodness of your Excellency.

God preserve your Excellency many years!

(No date—no signatures.)

No. 54.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, March 18, 1844.

I HAVE received your Despatch, Slave Trade, of the 7th ultimo, and I approve of the endeavours which you made to procure the liberation of Daniel Kelsall, and of your intention to obtain evidence for securing the liberty of such other freed negroes as may have been abducted from the Bahamas, and are retained in slavery in Cuba.

I am, &c.

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

(Signed) ABERDEEN.

No. 55.

Mr. Crawford to the Earl of Aberdeen.

MY LORD,

Havana, February 15, 1844.

(Received April 8.)

I HASTEN to lay before your Lordship a Despatch from the late Government of Spain under the Regent, dated 2nd June last, addressed to the Captain-General Valdes, and now made use of by Captain General O'Donnell, as em-

bodied in the copy of an official communication made on the 9th ultimo to the members who are to compose the Commission ordered for the purpose of reporting upon the expediency of passing, and the mode of carrying into operation, the penal laws which Spain is bound to pass, according to the Treaty of 1835, for the suppression of Slave Trade.

I have not been able to obtain a copy of the letter alluded to in my Despatch of the 8th instant, from the Regent's Minister to General Valdez, but there is no doubt that such a communication was received, and that it obliged him to restrict his orders for the suppression of the traffic.

Enough, however, may be deduced from the wording of the instructions now ordered to be carried out, to suspect that the Commission which has been formed by General O'Donnell will not be allowed to report impartially, nor conscientiously, but according to the view so clearly inculcated, as being what the Government of Spain and His Excellency the President of the Commission think best for the interests of this island; forgetful in a great measure of the obligation which binds Spain to pass and enforce the execution of the penal law, as a means of putting down the African Slave Trade, according to the existing Treaty with Great Britain.

There is much reason to fear besides, that all this is done merely to temporise, and that whatever may be the nature of the report which is framed here, some months will pass before it is submitted to Her Catholic Majesty, the traffic being all the while carried on with increased activity. Meantime, the state of this island becomes more alarming every day. The negroes are in a disturbed and very dissatisfied way throughout all the cultivated districts, especially in the neighbourhood of Matanzas, Santa Clara, Guines, and all up to Cardenas. The proprietors find that with the severity of treatment and restraint consequent of the recent disaffection, there is greater disposition for revolt, and upon some estates the negroes refuse to work altogether.

The military executions and enquiry are therefore going on; the most horrible tortures are inflicted to make the poor creatures confess; many are said to have been flogged to death: in their agony they have promised to tell all, and when that all has been told it has turned out, not that disclosures have been made as to particular parties engaged in the plot, but that all the black and coloured people are of the same opinion, considering themselves entitled to be as free as the whites their masters. The lash has then been resumed, and continued until death has released the victims from their sufferings, and such unheard of barbarity.

The time has surely arrived for insisting upon the stipulations of the Treaty, when I add to your Lordship, that in the midst of all this horror the trade is flourishing under the arrangements which, it is publicly said, may be made in the highest quarter to insure exemption from interference or annoyance of the authorities near the proposed point of debarkation. Eleven hundred were recently landed at or near Trinidad de Cuba, and the like number on the 8th instant at Bahia Honda, making 2,200 (which we know of) in this month.

The importance and urgency of this state of things induces me to avail of the opportunity of a fast sailing vessel going to the United States, in the hope that this Despatch may reach your Lordship by the mail steamer which leaves Boston on the 1st proximo.

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

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

(Translation.)

Enclosure in No. 55.

The Captain-General of Cuba to Don Joaquim Gomez.

MOST EXCELLENT SIR,

Havana, January 9, 1844.

HIS EXCELLENCY the Principal Secretary of State, in a Royal Order of the 2nd of June last, addressed my predecessor the following:—

“Most Excellent Sir,

“In the 2nd Article of the Treaty concluded on the 28th of June, 1835, between His Majesty and His Britannic Majesty for the abolition of the traffic in slaves, it is stipulated, that two months after the exchange of the

ratifications there should be promulgated in all the Spanish dominions a penal law, imposing severe punishment upon all the subjects of Her Majesty who, under any pretext whatever, took part in any way or manner in the said traffic. Circumstances to which it is not necessary to advert, have hindered Her Majesty's Government from carrying on this measure, although its fulfilment has been demanded by the Government of Her Britannic Majesty on several occasions, and lately in a note addressed by Her Minister at this Court, dated the 21st of March last.

“His Highness the Regent of the kingdom being fully acquainted thereof, and desirous of conciliating the performance of the obligation contracted, with the precautions required for the prosperity of our provinces beyond sea, was pleased to name a Commission to manifest with urgency their opinion upon the business indicated. As the Treaty of 1835 is an emanation of the Convention of 1817, and both stipulations have for their exclusive object to abolish the traffic in slaves, whose hands contribute efficaciously and powerfully to sustain the agriculture, the riches, and the prosperity of that island, his Highness has resolved, in accordance with the advice of the Commission alluded to, that your Excellency shall report upon the following points:—

“1. Supposing the obligation come under by the Treaty of the 24th of August, 1835, to promulgate the penal law solicited by Her Britannic Majesty as a means of abolishing the traffic in negroes, your Excellency will point out the basis of such law in combination with the great interests of the island, which would be affected or suffer by the penal system which is to be adopted.

“2. Your Excellency will also report as to what Courts, whether ordinary or special, would be most convenient for applying these punishments, without losing sight of the great interests of the island.

“3. As to the responsibility and punishments of the cruizers, and capturers, and judges who injure arbitrarily our merchants' commerce upon unfounded suspicion, or who for their private ends damage or injure our lawful trade—as the interest of Great Britain is opposed in her pretensions to interests of our islands.

“Your Excellency will proceed with great exactitude and slowly in this grave matter, with a view to form such a process (*espediente*) as will draw forth the whole accumulation of light to illustrate this question, and avoid the errors which might be incurred for want of illustrations in so transcendent a matter. The process (*espediente*) which has been formed is wanting at present of the necessary data to form the project of the law; and it is necessary for your Excellency to report, and previously forming a board or meeting (*junta*), well informed, of the proprietors and of natives of the island or of the Peninsula, long residents, in order that in union with other authorities or corporations who ought also to report, your Excellency may conclude the report indicated, which should be accompanied by those given by the proprietors, authorities, corporations, and other eligible persons whom your Excellency may think it convenient to consult. The reports which are indicated are to be given by persons learned in the aversed interests, as well as in trade, navigation, and agriculture, as in the moral and political state of the island, whose interest it is most necessary to respect, so as not to risk its tranquillity and preservation.

“By His Highness's order I say this to your Excellency, for its corresponding purposes.”

Which I communicate to your Excellency for your information, it being understood, that I name your Excellency a member of the (*junta*) board which under my presidency is to carry on and look into this grave affair, which embraces the vital interests of the country, and upon which the corporations and authorities which it may be proper to unite with the said (*junta*) board shall join their report; acquainting your Excellency in anticipation, to the end, that being aware of the object you may be prepared to examine the delicate affair with that mature reflection and firmness which is requisite for the well-being, prosperity, increase, and preservation of this island, the primary object of Her Majesty, to whom, with such ample and well-founded information, it remains the final decision.

God preserve your Excellency many years!

(Signed)

LEOPOLDO O'DONNELL.

His Excellency Don Joaquim Gomez,

&c.

&c.

No. 56.

*Mr. Crawford to the Earl of Aberdeen.**Havana, February 17, 1844.**(Received April 8.)*

MY LORD,

I BEG leave to transmit herewith copy of a letter which I deemed it my duty to address to the Captain-General of this island, remonstrating with his Excellency upon the recent glaring infractions of the Treaty, by the importation of 1,100 negroes at or near to Trinidad de Cuba, and 1,104 at Bahia Honda on the 11th instant, which, as usual, remains unanswered by General O'Donnell.

I have, &c.

(Signed)

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

&c.

&c.

&c.

Enclosure in No. 56.

*Mr. Crawford to the Captain-General.**Havana, February 11, 1844.*

It is again my unpleasant duty to report several infractions of the Treaty subsisting between our respective nations for the suppression and abolition of Slave Trade.

Two cargoes, one, consisting of 800 negroes, the property, as I understand, of Don Pedro Blanco, the other, consisting of 300, belonging to, or under the direction of, Don Pedro Forcade, have very recently been landed at or near Trinidad de Cuba; and on the 8th instant the "*Palmyra*" (or "*Segunda Palmyra*") landed 1,104 at Bahia Honda, of which cargo 500 are reported to be the property of Don Julian Zulueta, and the remaining 604 belonging to others (*accionistas*) adventurers upon the voyage.

It is necessary to notice to your Excellency, that this is the third voyage of the "*Palmyra*" to the coast of Africa, engaged in Slave Trade, in little more than 12 months.

In representing to your Excellency the alarming increase of the importations of these miserable victims, I should not be fulfilling the positive instructions of Her Britannic Majesty's Government under which I am acting, did I not remonstrate strongly against such repeated and almost continuous infractions of the Treaty, leading to the conclusion that the parties interested in this inhuman traffic must count upon some well-arranged connivance, otherwise they could not evade the punishment which would befall them were the orders of your Excellency's Government vigorously enforced.

I have, &c.

(Signed)

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

&c.

&c.

No. 57.

*Mr. Crawford to the Earl of Aberdeen.**Havana, March 9, 1844.**(Received April 8.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch and Enclosure, Slave Trade, of 31st December, 1843.

I am very much pleased that my report upon Slave Trade and slavery in this island and Puerto Rico has been satisfactory to your Lordship.

I trust that the instructions given to Her Majesty's Envoy at Madrid will induce the Government of Spain to give such orders to General O'Donnell as may oblige him to adopt some measures to check or put an end to the open and scandalous infractions of the existing Treaties for the suppression of the traffic in slaves.

I have, &c.

(Signed)

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

&c.

&c.

&c.

No. 58.

*Mr. Crawford to the Earl of Aberdeen.**Havana, March 9, 1844.*
(*Received April 8.*)

MY LORD,

I AM honoured by your Lordship's Despatch of the 27th January, and its Enclosure. It is most gratifying to receive from your Lordship the high approval of my conduct in continuing to address the Captain-General upon every occasion of alleged infractions of the Treaties between Great Britain and Spain upon Slave Trade. Most sincerely do I wish that it were in my power to state to your Lordship that such very disagreeable communications to his Excellency had ceased to be necessary; but I lament to say, that the reverse is the case, and that we know of 2,839 miserable wretches having been landed from Spanish vessels in this island from the coast of Africa since the beginning of last month; and how many that we do not know of, I will not pretend to say.

Rumour states, that four cargoes are on the way to arrive soon; and several outfits are going on in this harbour of so suspicious a character, that little or no doubt can be entertained as to their destination.

I have, &c.

(Signed)

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

No. 59.

(Extract.)

*Mr. Crawford to the Earl of Aberdeen.**Havana, March 9, 1844.*
(*Received April 8.*)

MY LORD,

I DID myself the honour of addressing to your Lordship information which I deemed of such importance as to warrant my sending it forward in my Despatches of the 15th and 17th ultimo, under cover to Mr. Consul Grattan, at Boston, in the hope that it might be in time to overtake the steamer from that port of the 1st instant, and the sooner reach your Lordship's hands.

I have now the honour of transmitting duplicates of those Despatches and Enclosures, and also a copy of another letter to the Captain-General dated the 4th instant, in which it was again my disagreeable duty to point out another most flagrant infraction of the existing Treaties for the suppression of Slave Trade, practised within two or three miles of this Morro Castle, to the westward, at a place called the Chorrero, where, on the 2nd instant, 635 negroes were landed, and are now on sale in this city

Neither to my letters of the 11th ultimo, nor to this last, has his Excellency deigned to reply.

I have, &c.

(Signed)

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

Enclosure in No. 59.

*Mr. Crawford to the Captain-General.**Havana, March 4, 1844.*

IT is again my disagreeable duty to address your Excellency, in consequence of another importation of negroes from Africa, which took place on Saturday last, the 2nd instant, at or near the Chorrero, in this immediate neighbourhood. I have not been able to ascertain the name of the vessel, that of the Master, nor the guilty parties principals in this detestable enterprize, but six hundred and odd more victims have been added to the number in a similarly illegal and clandestine manner brought into this island in violation of the

existing Treaties between our respective countries, to which I again, in obedience to the positive and repeated instructions of Her Majesty's Government, beg leave to draw your Excellency's attention.

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

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

No. 60.

Mr. Crawford to the Earl of Aberdeen.

Havana, March 9, 1844.
(Received April 8.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular, Slave Trade, of 31st December, 1843, with two copies of the Act of the 6 & 7 Vict. cap. 98, passed in the last session of Parliament, entitled "An Act for the more effectual suppression of the Slave Trade."

I shall faithfully obey your Lordship's orders in carrying the provisions of the Act into effect. A copy shall be placed in a conspicuous place of my office. I shall intimate it to Her Majesty's subjects; and I shall annex a copy of your Lordship's Despatch, and of the Act 6 & 7 Vict. cap. 98, as Enclosures 22 B. and 22 C., to the 26th section of my General Instructions.

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

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

No. 61.

Mr. Crawford to the Earl of Aberdeen.

Havana, April 10, 1844.
(Received May 8.)

MY LORD,

ANOTHER infraction of the Treaties existing between Great Britain and Spain for the suppression of Slave Trade and the abolition of slavery, having occurred upon the 8th instant, I addressed his Excellency the Captain-General upon the subject, and took occasion to advert to his Excellency's having refused to notice my communications upon similar infractions, having reference to my letter to him of the 9th of November last, and your Lordship's approbation of my conduct, as conveyed to the Spanish Government in the instructions sent to Her Majesty's Envoy at Madrid, of date the 31st December and 18th of January last.

I now beg to enclose to your Lordship my said letter, accompanied by copy and translation of General O'Donnell's note to me of same date, returning my communication for the reasons he expresses.

Her Majesty's Commissioners about the same time wrote to His Excellency about the appearance of a slaver at Matanzas, which was not allowed to land her negroes by the Acting Governor, Don Fulgencio Salas, and also denouncing some outfits for the coast of Africa intended for slave trading. Their letter has also been returned, and a caution given to them to desist from similar communications to his Excellency in future.

Her Majesty's authorities are consequently completely set at defiance; Slave Trade suppression is left to the management of General O'Donnell, and, no doubt, will be carried on very extensively.

I await your Lordship's instructions for my guidance in future.

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

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

First Enclosure in No. 61.

*Mr. Crawford to the Captain-General.**Havana, April 8, 1844.*

To my letters addressed to your Excellency since the month of November last, upon the various and repeated infractions of the Treaties subsisting between our respective nations for the suppression of the Slave Trade and the abolition of slavery, I have not been honoured with any replies, nor have they even been acknowledged as having been received by your Excellency.

On the 9th of November, last year, I informed your Excellency that I had submitted your reply to my communication of the 28th October (declining further correspondence with me as to similar infractions of the Treaties) to Her Majesty's Government.

In consequence thereof, Her Majesty's Government, on the 31st December and 18th January last, instructed Her Majesty's Envoy near Her Catholic Majesty to require explanation upon this most important subject, copies of which instructions have been sent to me.

Her Majesty's Government, fully approving of my conduct in laying before your Excellency all such information as may reach me relative to slave trading, and my remonstrating with your Excellency upon such most flagrant and repeated infractions as have occurred, encourages me to persist in the course I have been pursuing, notwithstanding that my communications remain unnoticed; but against which determination on the part of your Excellency Her Majesty's Government has strongly expressed dissent in the instructions alluded to, which have been sent to Madrid.

Under these circumstances, it is again my disagreeable duty to state, that a cargo consisting of a considerable number, said to be 300 negroes, from Africa, have within a few days been landed near to this place, reported to belong to a certain Mr. Sangronis and others, an occurrence which cannot have escaped the vigilance of your Excellency's officers; and I shall be happy to learn that the parties engaged in this infamous transaction have been punished as they deserve.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,

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

&c.

&c.

Second Enclosure in No. 61.

(Translation.)

*The Captain-General to Mr. Crawford.**Havana, April 8, 1844.*

I HAVE received your Honour's communication of this day, and, notwithstanding what you therein state, as in the instructions which I have received from my Government, besides having approved of my conduct, I am positively directed by the Order of Her Majesty the Queen not to recognise in the Consuls of friendly and allied nations existing in these colonies any other character than purely and simply that of commercial agents, and as such, without any power to meddle with any questions not absolutely relative to mercantile affairs,—I am under the necessity of returning to your Honour your communication of to-day now referred to, in compliance with the before-mentioned Royal Order.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

Her Britannic Majesty's Consul-General,

&c.

&c.

No. 62.

(Extract.)

*Mr. Crawford to the Earl of Aberdeen.**Havana, March 15, 1844.*

MY LORD,

(Received May 16.)

HER Majesty's Commissioners yesterday afternoon received a note from the Captain-General, to the effect, that he had received instructions from his

Government not to admit in future, either their communications relative to clandestine Slave Trade or the liberation of emancipated negroes whose periods of privation have expired, nor the communications of Her Britannic Majesty's Consul-General as to infractions of the Treaties for suppression of Slave Trade, acquainting them, that in consequence of such instructions he had not noticed or replied to their letters upon several matters of much interest addressed to his Excellency since the 4th instant, and requesting them to desist from addressing him upon such subjects in future, the Government of Spain considering that their duties being those, and those only, expressed in the Treaties, they are not entitled to assume farther interference; nor does the Government of Spain recognise any right in the British Consul to address the Captain-General upon infractions of the Treaties of 1817 and 1835, it being the Captain-General's exclusive prerogative to carry out, and the Spanish Government direct him to watch the fulfilment of the stipulations of said Treaties, not permitting our interference. His Excellency has not made any such communication to me, considering, perhaps, that his not having replied to any of my notes renders it unnecessary.

That such orders to the Captain-General should have emanated from the Spanish Government about the very time that your Lordship's instructions were being dictated to Her Majesty's Envoy at Madrid, is very curious. We shall see what comes to General O'Donnell by the Spanish packet of last month, now daily expected.

The course of bad faith continuously evinced by Spain is, I fear, not likely to be altered, unless some strong guarantees are exacted, and a Captain-General and subordinates placed in this island whose principles as to slavery are known, and can be relied upon.

The anxiety which I feel in consequence of the present state of these matters will, I trust, be sufficient to excuse for my again transmitting my Despatches through the United States.

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

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

No. 63.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, June 1, 1844.

WITH reference to your several Despatches of this year's series, respecting the conduct of the local authorities of the island of Cuba, with reference to the Treaties between Great Britain and Spain for the suppression of Slave Trade,—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 that subject.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 63.

The Earl of Aberdeen to Mr. Bulwer, May 2, 1844.
(See No. 13.)

No. 64.

Mr. Crawford to the Earl of Aberdeen.

Havana, May 8, 1844.
(Received June 5.)

MY LORD,

I HAVE the honour of acknowledging the receipt of your Lordship's Despatch of the 29th February last, Slave Trade, in reply to my Despatch of CLASS B.

22nd December, 1843, and I shall observe the most implicit obedience to the instructions of your Lordship.

It affords me great satisfaction to be able to state to your Lordship, that the most cordial co-operation has been maintained by me in all communications, and at all times, upon the public service, as well as in private life; and the mode now prescribed, of not doubling official notifications to the Captain-General, will perhaps make their reception less annoying to His Excellency, when he has received instructions upon the subject; his last communication to Her Majesty's Commissioners and myself, returning our letters, having stated that he was most positively prohibited from receiving anything from either of us of such a nature.

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

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

No. 65.

Mr. Crawford to the Earl of Aberdeen.

Havana, May 8, 1844.
(Received June 5.)

MY LORD,

IN acknowledging to your Lordship the receipt of this series, dated the 18th of March, I have the great satisfaction of reporting to your Lordship, that Daniel Kelsall is free, now on board Her Majesty's ship "Romney" in this harbour, and will return to Nassau the day after to-morrow, by the "Teviot" steamer.

I shall transmit to His Excellency the Governor of the Bahamas a short note, duplicate of the memorandum which I have now the honour of enclosing herewith to your Lordship, relative to the other people abducted from those islands, and retained in slavery here, in order to facilitate the informations upon which I propose to found my demand for their retribution, as soon as I receive them from Sir Francis Cockburn.

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

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

Enclosure in No. 65.

Memorandum.

"Romney," Havana, May 5, 1844.

DANIEL Kelsall, distressed British subject, lately redeemed from slavery, states;—that he has four brothers which came from Nassau at the time he did, viz. Henry, who was sold to Dr. Biddle, secondly sold to a Spaniard at Bahamas; saw him between two and three years ago; Nat, Coffee, and Billy Kelsall, living on the estate of Candelaria, the property of Mrs. Eyson; as also the following—

Dido, an Englishwoman from Nassau.

Eve, ditto.

Harriet, daughter of Eve, and has a large family.

Betsey, ditto ditto.

John, an Englishman.

Also Newton Kelsall, who was sold to Don Juan Roques, a Spanish doctor living at Holguin; saw him four days before he was taken up.

He also mentions Joseph and Samuel Driggs (Englishmen), having many negroes from Nassau working as slaves upon their estate at Candelaria.

He further states, that while at Santiago de Cuba, in gaol, the whole of his money and clothes were taken from him, and not returned,

He speaks very highly of his late master, Wood, upon the estate of Patrone de la Caridad, for kindness of treatment towards the whole of his negroes.

(Signed) ROBERT M'CLURE.

No. 66.

*Mr. Crawford to the Earl of Aberdeen.**Havana, May 9, 1844.**(Received June 5.)*

MY LORD,

It is again my disagreeable duty to report infractions of the Treaties. In last month a cargo of 250, belonging to Riera, of this city, was landed near to the Baños de San Diego, and a few days afterwards the "*Andaluza*" put on shore a large cargo, consisting of six hundred and odd, at Bahia Honda, the property of Don Pedro Blanco; and there are at this moment about 800 bozal negroes for sale in the barracoons near to this city.

Many more are expected soon; and we hear of no sort of interruption to the traffic on the part of the Spanish authorities, from the highest to the lowest; whilst our denunciations are treated with contempt, and the disrespect of being returned unnoticed.

I have, &c.

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

&c. &c. &c.

No. 67.

*Mr. Crawford to the Earl of Aberdeen.**Havana, May 9, 1844.**(Received June 5.)*

MY LORD,

I BEG leave to lay before your Lordship copy of a note which I addressed to the Captain-General, and his Excellency's reply, relative to an invitation made by Governor Light, of British Guiana, in aid of Mr. Laing, a proprietor of Berbice, who chartered a small vessel, in expectation that there might be some labourers who could be transported to that colony.

Your Lordship will observe, that the Captain-General's letter rather leads to an inference that he had reported to his own Government in favour of the proposal to which he alludes, as having been made to him on the 6th of March last by Her Majesty's Commissioners. The "*Bezin K. Reece*" did not obtain any passengers, and has departed for Nassau and Baltimore.

I have, &c.

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

&c. &c. &c.

First Enclosure in No. 67.

*Mr. Crawford to the Captain-General.**Havana, May 1, 1844.*

HAVING just received a letter from his Excellency the Governor of British Guiana, dated 1st April last, informing me that he had encouraged the sending of a small vessel from Demerara, for the purpose of embarking from hence any emancipados destined for that colony which your Excellency might wish, I have the honour of acquainting your Excellency, that a small brig has arrived from Demerara this morning, and will afford a passage from hence to such of the above-named class as your Excellency may determine, if there be any, not however exceeding 50 or 60.

I have, &c.

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

&c. &c.

(Translation.)

Second Enclosure in No. 67.

*The Captain-General to the Consul-General.**Havana, May 2, 1844.*

THE British Commissioners of the Mixed Court of Justice, on the 6th March last, made me a proposition analogous to yours, to transport free of cost to the English colonies emancipated people of colour; but as there is nothing upon this particular in the Treaties, nor have I any instruction whatever, I laid the matter before my Government, and await the answer. Consequently, it is impossible to answer you affirmatively upon this subject until I have that reply; which I say to you in answer to your communication of yesterday.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

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

No. 68.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, June 15, 1844.

I HEREWITH transmit to you a copy of a Despatch, and of its Enclosure, from Her Majesty's Commissioners at Jamaica, respecting certain persons who are said to have resided some years at Sierra Leone, and to be now held in slavery on the estate of a Mr. Flood, Cienfuegos, in Cuba; and I have to desire that you will institute a strict enquiry into the circumstances stated in the enclosed papers, and that you will report to me the result thereof, for the information of Her Majesty's Government.

I am, &c.

(Signed)

ABERDEEN.

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

Enclosure in No. 68.

The Jamaica Commissioners to the Earl of Aberdeen, May 8, 1844.

(See Class A. No. 244.)

No. 69.

*Mr. Crawford to the Earl of Aberdeen.**Havana, June 8, 1844.**(Received July 6.)*

MY LORD,

SINCE I had the honour of addressing your Lordship, Her Majesty's Commissioners have again tried to open communication with the Captain-General, and, agreeable to your Lordship's instruction, not to trouble his Excellency with double notifications upon the same subject, I have been contributing to the Commissioners such information as came to my knowledge, in reply to their notices of the state of their official intercourse with the Captain-General.

I beg leave to enclose herewith a copy of the correspondence, enclosures, and translations which have passed, by which your Lordship will perceive that General O'Donnell has again returned Her Majesty's Commissioners' letter, consequently there is a stop put to our official intercourse upon the subject of infractions of the Treaties for the suppression of the Slave Trade and abolition of slavery, and the traffic continues to be carried on just as if there were no obligations on the part of Spain to operate for its prevention.

The last cargo which I have heard of, was a schooner called the "*Stella*," under Portuguese papers and colours, which landed 340 at Camarioca, of whom three or four died a day or two afterwards; 200 have been sold at the average price of 10 ounces, and the rest are on sale at Matanzas. The schooner was

fitted out in the United States, made to answer the dimensions of a Portuguese vessel whose papers were purchased here for 12 ounces, and the colours were changed on leaving the coast, when the slaves were on board. After landing at Camarioca, the schooner proceeded, on the 10th ultimo, to Bahia Honda, where she fitted out, and has no doubt gone for another cargo, in all probability using American colours and papers for the outward voyage.

It must be evident, that being, as we are, completely set at defiance, and the Treaties a dead letter, the trade will be carried on without any interruption as long as the present Captain General remains, or is permitted to treat the British authorities as he has done, by returning their communications.

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

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

First Enclosure in No. 69.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, May 8, 1844.

THE Spanish correo having arrived yesterday with the Madrid mail to the end of March, we beg respectfully to ask whether your Excellency has received any new instructions on the subject of our correspondences, in order that we may resume those relations with this Government which have been interrupted by your refusing to receive our communications.

We are very anxious to resume those relations, inasmuch as four, if not more, cargoes of negroes have been recently landed on these coasts, and the negroes carried in open day through this city, and in the harbour; giving strength to the reports current of these infractions of the Treaty being committed under the permission of the Government.

We have, &c.
(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

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

Second Enclosure in No. 69.

Mr. Crawford to Her Majesty's Commissioners.

Havana, May 8, 1844.

THE Consul-General has to acknowledge to Her Majesty's Commissioners the receipt of a cover, conveying a copy of their communication of this date to the Captain-General, the result of which he is of course most curious to know, and hopes it will be received before the departure of the "Teviot" steamer.

Third Enclosure in No. 69.

The Captain-General to Her Majesty's Commissioners.

(Translation.)

Havana, May 9, 1844.

I DID not receive by the last post which arrived from the Peninsula new instructions, nor do I expect any, there being no occasion for them, inasmuch as those which I follow, and which I have from my Government, are exactly in conformity to the spirit and letter of the actual Treaties, both nations prohibiting the trade in negroes, which Treaties I shall always cause to be faithfully executed. On this supposition your Honours may rest assured, that it is impossible to effect the transit of bozal negroes through the interior of this island. What has actually taken place is the passing of negroes (slaves) from some estates to benefit others, at the request of the owners, and with the permission of the local

authority, which has been given rise to by the bad state of the coffee plantations, owing to the excessive drought. All which I say to your Honours in answer to your letter of yesterday upon this subject.

I am, &c.

(Signed) LEOPOLDO O'DONNELL.

Her Britannic Majesty's Commissioners,
&c.

&c.

Fourth Enclosure in No. 69.

Mr. Crawford to Her Majesty's Commissioners.

Havana, May 13, 1844.

THE Consul-General has to acknowledge to Her Majesty's Commissioners the receipt of a cover, transmitting copy of a letter from the Captain-General, dated the 9th instant, in reply to their note of the previous day's date.

Surely his Excellency cannot for one moment suppose that Her Majesty's functionaries are to be blinded by such assertions as he puts forward about the transit of bozal negroes being impossible in the interior of the island; or the explanation as to those who are passing under the (assumed) character of slaves belonging to coffee estates, because of the long continuance of the drought!

Her Majesty's officers are too well informed to believe any such absurd statements, knowing from whence all the miserable victims who so openly have been moved about of late came from, and where they were landed, the last being a schooner's cargo belonging to Don Pedro Blanco, a few days ago at Cabanas.

Fifth Enclosure in No. 69.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, May 13, 1844.

YOUR letter of the 9th instant we received on the 10th, too late to be forwarded by the steamer, on that day leaving this place, to Her Britannic Majesty's Government, together with our letter of the 8th.

Your Excellency observes, that it is impossible should be effected the transit of bozal negroes through the interior of the island, and that what has taken place has been the removal of slaves from various estates to others, at the request of the owners, and by permission of the local authority.

But we beg to repeat to your Excellency, that, on further enquiry, we are assured by those who saw them, that the negroes who were carried through this city and along the harbour, as we reported, were really newly-introduced Africans.

On such a matter no one can be mistaken, not only from the general appearance of the negroes, but also from the scared faces, which is a sure criterion whereby to judge of those negroes who have been illegally introduced.

We believe, also, that the negroes now referred to were part of the cargo of the ship "*Andeluzá*," which arrived about the 24th of last month, on account of Don Pedro Blanco, and landed about 750 negroes, in the neighbourhood of Guanimar. This vessel sailed hence, ostensibly for Buenos Ayres, about the 12th December last, as we at the time reported to your Excellency, though without avail. We trust, however, that your Excellency will now take more effective measures to prevent its sailing again for such nefarious purposes.

We have, &c.

(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

His Excellency the Captain-General,
&c.

&c.

Sixth Enclosure in No. 69.

Mr. Crawford to Her Majesty's Commissioners.

SIRS,

Havana, May 14, 1844.

I HAVE to acknowledge the receipt of a cover, enclosing copy of your further communication to the Captain-General of yesterday's date.

And in furtherance of the great object we have in view, I think it important to acquaint you of certain particulars which may not have reached your knowledge, respecting some of the late cargoes of negroes which have been landed in violation of the Treaties.

The cargo landed near Colona, or Punta de Cartas, belonging to Mr. Riera and others, was from a felucca or latine-rigged vessel, under Spanish colours, apparently 80 or 100 tons, the number 311; of these rather more than 100 werebrought from thence to this port by the coasting steamer "*Sirena*," but they came already provided with passes, showing that there is connivance of the authorities!

The schooner which landed a cargo at Cabañas, belonging to Don Pedro Blanco, on the 8th instant, was laying in that harbour in the south-west creek on the 10th, where she was seen by my informant: this being another lot since the "*Andeluzas*," belonging to the same parties. And there must be other expeditions expected from Africa, as some of the most notorious characters engaged in the traffic are gone to certain points on the coast of this island, where we shall doubtless very soon hear of a landing or landings being effected.

I remain, &c.

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

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

Seventh Enclosure in No. 69.

Her Majesty's Commissioners to Mr. Crawford.

SIR,

Havana, May 15, 1844.

WE have received your letter of yesterday's date, giving some information respecting an arrival of negroes last month at Colona, and of another on the 8th at Cabañas.

Of the former we have already reported the particulars to Her Majesty's Government, and of the other we were also aware, as Her Majesty's Commissary Judge informed you on the evening of the 13th instant.

We now enclose you another copy of a communication from the Captain-General, returning our letter of the 13th, containing a denunciation of the "*Andeluzas*," together with our answer of this date, from which you will see, that our relations with this Government are to continue interrupted.

We have also to observe, that your supposition of other expeditions from Africa being expected are well-founded, inasmuch as we are aware of Don Julian Zulueta being on the look out for the return of the "*Palmyra Segunda*," and Don Pedro Forcade for the "*Manuelita*."

We are, &c.

(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

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

Eighth Enclosure in No. 69.

The Captain-General to Her Majesty's Commissioners.

(Translation.)

Havana, May 14, 1844.

IN compliance with the actual instructions which I have from the Government of Her Majesty the Queen my Mistress, not to acknowledge in you other attributions or powers than those appertaining to you as Commissioners of the Mixed Tribunal of Justice, and which are expressed in the Treaties of 1817 and 1835 between Her Catholic Majesty and Her Britannic Majesty, it is impossible for me to enter into correspondence with you concerning the matters of which you treat in your communication of yesterday, and which I received

to day. I am therefore under the painful necessity of returning it to you for the reasons indicated, which I had already made known to you.

God preserve your Honours many years!

(Signed) LEOPOLDO O'DONNELL.

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

Ninth Enclosure in No. 69.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, May 15, 1844.

WE have received your letter of yesterday's date, returning us ours of the preceding, and repeating that you do so in obedience to instructions from the Government of Her Catholic Majesty, formerly referred to.

On our part, we think we should fail in our duty if we did not again strongly protest and remonstrate against the course of conduct pursued. We beg to repeat to your Excellency, that with our Commissions we are endowed with all the powers requisite for duly carrying out with this Government the objects of this Treaty for the suppression of Slave Trade, among which most prominent are those for the denunciation of all offenders against it.

If your Excellency has received any such instructions as you inform us, they must have been given upon a very imperfect consideration of the question, and upon conclusions too hastily adopted.

We therefore confidently expect that your Excellency will soon receive other instructions, upon fuller representations. Meanwhile, we regret to find our amicable relations with this Government thus to continue interrupted.

We have, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

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

No. 70.

Mr. Crawford to the Earl of Aberdeen.

Havana, June 29, 1844.

(Received August 6.)

MY LORD,

DANIEL Kelsall, who was redeemed from slavery, in which he had been held for upwards of 20 years, having been sent back to the Bahamas, upon his examination furnished information, which having been transmitted by his Excellency the Governor, enabled me to demand the liberation of the persons described in the correspondence which I have the honour of transmitting herewith; by which your Lordship will perceive, that there is every probability of our obtaining the restoration to freedom, and the native land of their parents, even the children born whilst they have been held in bondage here.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,

Consul-General in Cuba.

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

First Enclosure in No. 70.

Mr. Crawford to the Captain-General.

Havana, June 4, 1844.

I HAVE received a Despatch from his Excellency Major-General Sir Francis Cockburn, Governor of the Bahamas, dated the 25th ultimo, claiming the liberation from slavery of certain persons who, having been manumitted on

the 14th day of March, 1822, in that colony, were illegally carried off therefrom and brought to this island, where they are retained as slaves.

I have the honour of transmitting to your Excellency the free papers of the individuals alluded to, and I have to request that orders may be given to deliver at my disposition the following ;—

Nat Kelsall and his son, who was born since the father has been here in slavery, the son being about 10 years old.

Coffee Kelsall, and Eve his wife, with their family, consisting of 12 or 13 children ; Coffee is known here, and passes by the name of Rafael ; his wife is a Bahama woman, from the island of Exuma.

Newton Kelsall, Billy Kelsall, who passes by the name of Julian, and John Kelsall ; all of whom are on the estate called Candalaria, near Holguin, with a certain Mrs. Eysing, who is the daughter of Mrs. Kelsall, by whom these people were brought away from New Providence, excepting Newton, who is in the possession of Dr. Buque, residing at Holguin, and was lately working on a plantation called Chapara ; he passes by the name of Miguel.

I have, &c.

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

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

Second Enclosure in No. 70.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, June 19, 1844.

HAVING passed to the Third Attorney-General the communication, with the documents, which you addressed to me, of date the 4th instant, informing that you had received a Despatch from his Excellency the Governor of the Bahamas, respecting the liberation from slavery in which they are retained in this island the individuals therein expressed, they having been manumitted in that colony, he has advised me as follows :—

“ Most Illustrious Sir,

“ With a copy of the claim of Her Britannic Majesty’s Consul, and documents proving the same, you ought to address officially his Excellency the Commandante-General of the Eastern Department of this island, in order that, founded upon said documents, he shall form the necessary process for ascertaining where the claimed negroes are, their identity, and also what the actual proprietors have to state in favour of their rights ; and, as soon as this is concluded, to remit the process to your Excellency ; the negroes referred to remaining in deposit, to be dealt with according to justice. It will be proper to intimate to his Excellency the Commandante-General of the Eastern Department, that your Excellency would be pleased by his causing the greatest dispatch to be used in the executing of this order. And if your Excellency is pleased to conform to this my opinion, you can insert it as an answer to Her Britannic Majesty’s Consul ; your Excellency, notwithstanding, resolving what you think most proper.”

And having conformed to the expressed opinion, I now insert it to your Honour, in reply to your said communication.

God preserve your Honour many years !

(Signed) LEOPOLDO O’DONNELL.

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

No. 71.

Mr Crawford to the Earl of Aberdeen.

Havana, June 29, 1844.
(Received August 6.)

MY LORD,

I HAVE the honour of transmitting herewith to your Lordship, copy of the correspondence which has passed, since the departure of the last packet,
CLASS B.

between Her Majesty's Commissioners and the Captain-General, as transmitted by the Commissioners to me, accompanied by translations made in this office of the Captain-General's letters.

I think that the course intended to be pursued with regard to the emancipados which is developed in these answers of his Excellency, and his whole conduct, evinces a disinclination nearly allied to a refusal to comply with the stipulations by which Spain is bound in the Treaties for the suppression of slave trading and abolition of slavery, in thus objecting to proceed with the progressive manumission of those emancipados whose probations have expired, under the hypocritical pretence of their being unfit, because of their want of moral and religious instruction, for the enjoyment of the blessings of freedom!

But what is the real state of this pretended compassionate regard for the religious instruction and moral intelligence of these poor people?

My Lord, some transactions which have lately taken place at the Government Secretary's office may lead to a development of his Excellency's motives, and the *stimulus* which is producing that anxiety for the welfare of the emancipados which ever since his arrival has been expressed by General O'Donnell in his letters to Her Majesty's Commissioners. I am informed by good authority that the expiry of the periods for which that class of Africans were assigned having been ordered to be vigilantly looked to, many cases were reported to his Excellency, and amongst the rest that of nine, who were in the service of a friend of my informant. The holder of those nine emancipados was notified of the expiration, and next day presented himself at the Secretary's office; he requested a new assignment, but he was told that they were already re-assigned. Feeling much annoyed at the idea of losing their services he said, that had he known he would have willingly paid a "bonus" over and above the rate per head (nine doubloons for men, and five for women) now understood as the price for a five years' re-assignment. The Secretary said, that perhaps the matter might still be arranged, and recommended a memorial to the Captain-General, which having been done, his Excellency acceded, and 20 doubloons bonus was paid upon the re-assignment of the nine emancipados in question.

With respect to the 150 referred to in the application of Her Majesty's Commissioners, the circumstances, if possible, are more disreputable.

A railroad was projected and begun from this city to a place called Guines and to Batabano, a port on the south side of the island, by the Junta de Fomento.

The Junta applied to the Government in Madrid, and obtained a Royal Order for the assignment of 150 emancipados, which General O'Donnell tells Her Majesty's Commissioners were assigned in the time of General Valdes, to work on the above-mentioned road. Not long after the work was commenced, the Junta sold the road to a Joint Stock Company which was formed in this city, and to it were transferred the 150 Africans obtained under the Royal Order referred to.

Their probation having expired, they ought most assuredly to have had their free papers, and have been manumitted; but the truth is, that General O'Donnell put a case before the three Attorneys-General of the Government, and having had concurrent opinions to the effect that he, as Captain-General, has the disposal of these "moveables" (the poor emancipados), notwithstanding the existence of the Royal Order alluded to, he demanded them from the Company, or the payment of 18,000 dollars for their re-assignment, and the railroad company appealed the question to the Audiencia Prætorial, where it is said to have been finally decided that they must either pay the 18,000 dollars or give up the emancipados to the Captain-General, but reserving to the Company the right of repetition or indemnification against the Junta de Fomento.

Under the present Captain-General's disregard of all good faith, and being set at defiance, as we are, in the execution of our duties as Her Majesty's functionaries, there is no hope for the African; our Treaties with Spain for the suppression of the traffic in slaves and the abolition of slavery are as a dead letter; whilst his Excellency has, upon more than one occasion, in public places, expressed his determination never to permit of any interference, but that he will act as he thinks best for the interests of this island and of Spain, according to the policy of the Spanish Government, the obligations of the Treaties

notwithstanding, a state of things which cannot be consented in; and, therefore, I indulge the hope that we shall soon know from your Lordship that the Captain-General has been instructed not only to adopt a less discourteous and disrespectful course towards Her Majesty's officers than he has done ever since he took possession of the Government, but that he shall receive and attend to our communications, carrying out the stipulations of the existing Treaties; and with respect to the emancipados, that no re-assignment shall be available to interrupt the regular manumission of all whose periods of probation have expired; and that, if his Excellency considers the freeing of so many would be dangerous, he shall be directed to deliver them, with their papers, to Her Majesty's Commissioners for transmission to our colonies.

I have, &c.

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

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

First Enclosure in No. 71.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, June 10, 1844.

THE correo having arrived here the 8th instant, with the Madrid correspondence to the end of April, we beg respectfully to be informed whether you have received any new instructions from the Government of Her Catholic Majesty to direct the resumption of those relations with Her Britannic Majesty's Commissioners at this place which have been interrupted by your refusing to receive their communications.

We feel very anxious on this account, not only for the maintenance of our claims, but also because we think your Excellency ought to be made acquainted with those continued infractions of the Treaty which it is our duty to report to Her Britannic Majesty's Government. We beg also to know whether your Excellency is prepared with any new dispositions on behalf of the negroes known by the term emancipados.

We have, &c.

(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

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

Second Enclosure in No. 71.

The Captain-General to Her Majesty's Commissioners.

(Translation.)

Havana, June 11, 1844.

By the mail which arrived here on the 8th instant from the Peninsula, I have not received any communication from my Government that has relation to the new instructions to which your letter of yesterday refers; as I have previously said to your Honours, neither do I expect any; informing you that those which I have last received embrace the stipulations of the existing Treaties between Her Catholic Majesty and Her Britannic Majesty for the abolition of the traffic in slaves, but at the same time do not admit the denunciations of your Honours, nor any pretension whatever which is not expressly laid down in the same Treaties, I consider that these instructions are regulated, and in conformity to the spirit and letter of the same Treaties, there is no occasion or ground for altering them.

Neither have I yet received an answer to the question I addressed to my Government respecting the proposition made by your Honours to take charge of, and transport to other territories, those emancipados who may in future

obtain their liberty, the result of which, in due time, I will transmit to your Honours without delay.

God preserve your Honours many years!

(Signed)

LEOPOLDO O'DONNELL.

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

Third Enclosure in No. 71.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, June 14, 1844.

WE have heard with much regret that a proposition has been made to re-assign to the proprietors of the Guines railroad for a term of years a number of the negroes, exceeding 150, who, having been captured by British cruizers, and declared entitled to their freedom by the Mixed Court of Justice, are now held by them in a state of actual slavery, under the name of emancipados. We consider it therefore a duty to present this protest to your Excellency against any such re-assignment of that class of persons, as being an act of injustice in itself, and as a breach of the engagement entered into by your honourable predecessor, General Valdes, to give them all their liberty within five years from the time of the engagement.

We feel assured that Her Britannic Majesty's Government will not submit to any additional burdens being imposed on this class of persons, nor acknowledge the validity of any further conditions of the nature formerly effected. We therefore again earnestly request your Excellency will at once do justice to this unfortunate class of persons, and not render it necessary for Her Britannic Majesty's Government to take any further measures for that purpose.

We have, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

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

Fourth Enclosure in No. 71.

The Captain-General to Her Majesty's Commissioners.

(Translation.)

Havana, June 15, 1844.

THERE has not been allotted to the undertaking of the railroad of Guines any emancipados since I took charge of the command of this island; those which the association already have are those which were conceded to them by my predecessor, General Valdes, and they will continue in the same way until they complete their moral and religious education, and be able to enjoy their liberty, of which experience is now showing the use they know to make of it. When this time comes, and according to the orders I receive from my august Sovereign, their letters of freedom shall be expedited, permitting them to remain on the island, or obliging them to remove therefrom, according to the instructions which I may receive upon that point.

Which I say to your Honours, in reply to your writing of yesterday upon this subject.

God preserve your Honours many years!

(Signed)

LEOPOLDO O'DONNELL.

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

Fifth Enclosure in No. 71.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, June 17, 1844.

WE have this morning received your letter of the 15th instant, in answer to ours of the 14th, respecting the emancipados now held by the proprietors of

the Guines railroad, the which we will take the earliest opportunity of submitting to Her Britannic Majesty's Government.

We have, &c.

(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

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

Sixth Enclosure in No. 71.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, July 2, 1844.

THE correo No. 1, having entered this port yesterday, with the Madrid correspondence to the end of May last, we beg respectfully to be informed officially, whether we are to report to Her Britannic Majesty's Government that your Excellency has received no instructions different from those on which your Excellency has been conducting this Government.

In asking this favour, we trust your Excellency will not consider us actuated by any other desire than that of fulfilling our duty with the utmost precision, regretting, as we do, to have to inform our Government that the Slave Trade is now carried on as openly as it was ever known in this island, and to report, as a proof, that there are now four slave vessels at Cabanas or its neighbourhood, that have lately discharged cargoes of slaves.

We have, &c.

(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

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

Seventh Enclosure in No. 71.

The Captain-General to Her Majesty's Commissioners.

(Translation.)

Havana, July 3, 1844.

IN the mail which arrived here the day before yesterday from the Peninsula I have not received any communications from my Government relative to the matters to which your letter of to-day refers, and consequently those I have formerly transmitted to you, and which I make mention to your Honours on the 14th March ultimo, still exist in force. For this reason I am not permitted to receive officially the denunciation made by your Honours of the arrival of four slave vessels about the shores of the port of Cabanas. But notwithstanding, and without entering into discussions upon this subject, for which you are not authorized by the spirit and letter of the existing Treaties, I can assure your Honours, that the disembarkations you mention are absolutely and in every respect false, as your Honours, when better informed, will be convinced.

God preserve your Honours many years!

(Signed)

LEOPOLDO O'DONNELL.

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

Eighth Enclosure in No. 71.

Her Majesty's Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, July 5, 1844.

WE have received your letter of the 3rd instant, in answer to ours of the 2nd, informing us that no further instructions of the character we referred to had been received by the correo which arrived on the 1st instant, also that the accounts we repeated of disembarkations at Cabanas or its neighbourhood are absolutely and in every respect false.

In reply, we beg to say that we will take the earliest opportunity of communicating this note to Her Britannic Majesty's Government, regretting however, at the same time, to have to state, that we believe the report to be true, knowing that some of the negroes are now in the barracoon Noria, in the immediate vicinity of the house which your Excellency is occupying for the summer season.

We have, &c.
(Signed) J. KENNEDY.
CAMPBELL J. DALRYMPLE.

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

No. 72.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, September 10, 1844.

I HAVE received your Despatch, Slave Trade, of the 29th June last, on the subject of a correspondence which you had had with the Captain-General of Cuba, respecting certain free British subjects said by Daniel Kelsall, a native of the Bahamas, recently released from slavery in Cuba, to be now held in slavery in that island.

I have also received from the Colonial Department a copy of the letter addressed to you on the 26th of May last, by the Governor of the Bahamas, upon this subject. The above-mentioned papers having been, by my direction, referred to Her Majesty's Advocate-General, that officer has reported, that Her Majesty's Government would be justified in requiring the Spanish Government to enquire, or at least to permit an enquiry to be made, into the truth of Daniel Kelsall's statement, and to liberate the persons in question upon their identity being established.

I perceive with satisfaction, from the letter addressed to you by the Captain-General on the 19th June last, copy and translation of which were enclosed in your above-mentioned Despatch, that an enquiry was about to be instituted into the statement of Daniel Kelsall. I have now to instruct you to watch carefully over any proceedings taken in this case; to use your utmost endeavours to cause impartial justice to be administered; and to report to me the result of the enquiry, for the information of Her Majesty's Government.

I am, &c.
(Signed) ABERDEEN.

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

No. 73.

Mr. Crawford to the Earl of Aberdeen.

Havana, August 7, 1844.

(Received September 17.)

MY LORD,

ON the 15th ultimo I had the honour to receive your Lordship's Despatch, Slave Trade, of the 1st of June, enclosing a copy of your Lordship's Despatch to Her Majesty's Envoy at Madrid, dated 2nd of May, which I hope will produce the desired effect.

The recall of General O'Donnell is rumoured here, and the name even of his successor has been mentioned. Nothing, however, can be known upon this subject of a positive nature until after the arrival of the mail from Spain, which is now due. I am very sure, however, that from General O'Donnell Her Majesty's functionaries will never experience any courtesy in his government of this island, notwithstanding the most scrupulous observance of respectful expressions in all their communications to his Excellency.

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

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

No. 74.

*Mr. Crawford to the Earl of Aberdeen.**Havana, August 7, 1844.*
(Received September 17.)

MY LORD,

I HAVE the honour of acknowledging the receipt of your Lordship's Despatch, Slave Trade, of the 15th of June, and its Enclosures, relative to some boys who are said to have resided some years at Sierra Leone, and to be now held in slavery on the estate of Mr. Flood, near to Cienfuegos in this island.

The information communicated by Her Majesty's Commissioners is so vague that it will be a difficult matter to obtain particulars. I really do not see how the boys referred to, if they are on the estate of Mr. Flood, are to be identified, for we do not even know their names; nevertheless, I shall do the best I can; and I shall not fail to report the result for the information of Her Majesty's Government.

I have, &c.

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

No. 75.

*Mr. Crawford to the Earl of Aberdeen.**Havana, August 17, 1844.*
(Received September 17.)

MY LORD,

ANOTHER most flagrant infraction of the Treaties having taken place on the 14th instant, close to this port, where a cargo of bozals, consisting of 600, or, according to some accounts, 680 victims, were landed from the "*Palmyra*," the property of Don Julian Zulueta of this city, I addressed the Captain-General yesterday at one o'clock upon the subject, and at half-past two my letter was returned by His Excellency, who states, that I am neither authorized by the existing Treaties nor my Consular capacity to make such communications.

As the Spanish mail-boat of the 4th of July, from Cadiz, arrived a week ago, I hoped that His Excellency would have had instructions to receive and attend to my communications. Your Lordship will see, however, that if he has received such orders, they are not only wholly disregarded, but that he denies, or refuses to recognise, in my position here as Her Majesty's Consul-General, any right to complain of infractions of the Treaties subsisting between our respective nations—a principle which requires to be settled, and his ideas set right by orders from the Government of Spain.

By a schooner of war, very recent dates arrived the day before yesterday from Cadiz. General O'Donnell's whole conduct is said to be highly approved; and considering that the resignation of the Marquis de Viluma is also rumoured, I thought it proper to request to know from His Excellency whether he has received the instructions from Barcelona of 15th June, authorizing him to establish provisionally the penal laws required by the Treaties with Great Britain for the suppression of the traffic in slaves. Meantime, I avail myself of an opportunity through the United States, to apprise your Lordship of this repetition of the Captain-General's refusal to receive or act upon my denouncements of slave trading, the more so, as he now assumes that I am in no way authorized for that purpose.

I have the honour of transmitting to your Lordship copies of the letters referred to of yesterday's date, which I trust will have your Lordship's approbation.

I have communicated the whole to Her Majesty's Chief Commissioner, who agrees with me that Her Majesty's functionaries are now set completely at defiance, and we shall await with the greatest anxiety your Lordship's further instructions.

I have, &c.

(Signed) JOSEPH T. CRAWFORD,

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

First Enclosure in No. 75.

*Mr. Crawford to the Captain-General.**Havana, August 16, 1844.*

It is with extreme regret that I find it my duty, in obedience to the positive and repeated instructions of Her Majesty's Government, to complain to your Excellency of another most flagrant violation of the Treaty existing between our respective nations for the suppression of Slave Trade and the abolition of slavery.

The night before last, the "*Palmyra*" is said to have landed more than 600 negroes from the coast of Africa, near to this port, at the Chorrera, reported principally to belong to Mr. Zulueta of this city.

Whether the vessel be the "*Palmyra*" or some other, is of little consequence to my purpose; the fact of a cargo of bozal negroes having been landed on the coast, very near to this harbour, is undoubted, and cannot have escaped the vigilance of your Excellency's officers. Therefore, knowing as I do that full authority is vested in your Excellency to adopt and enforce provisionally, in this island, penal laws, which are stipulated in the Treaties, I indulge the hope, that as they cannot avoid detection, an exemplary punishment will be inflicted upon the guilty parties, in this and in every future instance.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,

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

&c.

&c.

Second Enclosure in No. 75.

(Translation.)

*The Captain-General to Mr. Crawford.**Havana, August 16, 1844.*

I AM sorry to find myself obliged to return your original communication of this day. It having relation to the denouncement of a disembarkation of bozal negroes, for which neither the existing Treaties nor your faculties as Consul authorize you, I cannot take it into consideration, as I have already stated to you.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

Her Britannic Majesty's Consul-General,

&c.

&c.

Third Enclosure in No. 75.

*Mr. Crawford to the Captain-General.**Havana, August 16, 1844.*

YOUR Excellency having returned to me, and refused to receive or attend to the complaints which I have so repeatedly informed your Excellency I am specially instructed by Her Majesty's Government to make, upon occasions like the present most flagrant infraction of the existing Treaties,—and allusion having been made by me, in my note of this morning, to your Excellency's being fully authorized, provisionally, to promulgate and enforce in this island penal laws such as are stipulated for in the Treaty between our respective countries for the suppression of Slave Trade and the abolition of slavery,—I have to request that your Excellency will be pleased to acquaint me, for the information of Her Majesty's Government, whether you have received an instruction, addressed by his Excellency the Marquis de Viluma to the Department of War and Marine, on the 15th of June last, from Barcelona, which conveys to your Excellency ample authority for "destroying radically the traffic in slaves; it being the Royal pleasure that regulations shall be formed with urgency, establishing the punishment provisionally which ought to be inflicted on the contraveners, in the interval whilst a project of penal law on the subject is proposed to the Cortes."

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,

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

&c.

&c.

No. 76.

*Mr. Crawford to the Earl of Aberdeen.**Havana, August 19, 1844.
(Received September 17.)*

MY LORD,

I HAVE the honour of transmitting herewith duplicate of my Despatch of the 17th instant, and its Enclosure.

I also transmit to your Lordship copy and translation of the Captain-General's reply to my second communication to him of the 16th, by which your Lordship will perceive that his Excellency decidedly denies any faculty in my person, as Her Majesty's Consul-General, to address him relative to infractions of the Treaties. With General O'Donnell it would be useless to pursue correspondence with any hope of convincing him of the false position he has assumed as to what are my duties. Most probably his advisers tell him that, according to a Royal Order, dated 7th February, 1757, his Spanish Majesty Carlos III., Consuls are to be considered by all Governors as "mere agents and protectors of the people of their nation, and to ask that justice may be done to them;" and he finds it a very convenient mode thus to dispose of matters which he could not in any way satisfactorily answer.

He will doubtless go on now in the most open defiance of all propriety; and the best idea which can be formed of the future, is the fact of three vessels being now fitting for slave voyages in this port. The "*Palmyra*" having made four successful trips within 16 months, will soon again be off upon a new expedition.

It is worthy, however, to report to your Lordship, that, on the 17th instant, the day after the date of my letters to his Excellency, he called the slave traders, and intimated to them that he could not allow any more to be landed.

I understand that they have since waited upon him to know if the prohibition is to extend to expeditions already out, which matter will probably be arranged satisfactorily to his Excellency and his friends of the traffic.

I must confess that I have not the least confidence in any act of General O'Donnell's which will affect his desire to enrich himself by any means; and there is nothing so easy as the taking a doubloon or ounce of gold for permitting a set of unprincipled men to pursue their traffic in blood.

Your Lordship will no doubt see that some instruction is much wanted, so that Her Majesty's functionaries, in the execution of the duties prescribed to them, are not treated with the disrespect practised and continued towards them by General O'Donnell.

I have, &c.

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

Enclosure in No. 76.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, August 17, 1844.

I AM truly sorry that your Honour persists in addressing communications to me relative to objects having relation to the traffic in negroes. As such affairs do not belong to those which correspond to your duties as Consul, it is not in my power to enter into correspondence with you upon the subject, but only upon those having reference to your known attributions in commercial matters, or complaints which occur upon such matters.

God preserve your Honour many years!

(Signed) LEOPOLDO O'DONNELL.

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

No. 77.

*Mr. Crawford to the Earl of Aberdeen.**Havana, September 8, 1844.**(Received October 7.)*

MY LORD,

IN my Despatches of the 17th and 19th ultimo, *via* the United States, I did myself the honour of reporting to your Lordship the circumstances attending my denouncement to the Captain-General of the landing of 600 negroes on the 14th, his Excellency having returned my communication.

I then stated my total want of confidence in General O'Donnell's acts for the suppression of slave trading, and my apprehensions have not been unwarranted. Arrangements have been entered into with those engaged in this sinful and most detestable traffic for the admission of all "who are out," which means all the cargoes which are expected to be on the way. In consequence, the vessel subject of my Despatches just alluded to, (the celebrated "*Palmyra*") was hastened away, and is gone, as well as several other vessels, "for a last trip," under his Excellency's understood safe-conduct for landing upon their return, thus multiplying the number of those "who are out," and securing a larger harvest for the protector's profit. It is even said that the "gratuity," or blood-money, has been or is to be increased from a doubloon of 17 dollars to a doubloon and a half.

The truth of these arrangements has, however, been tested by another arrival from the coast with 293 Congos, two days ago.

Not deterred by the repeated refusals of the Captain-General to admit my denunciations of the infractions of our Treaties, I lost no time in writing to him respecting this vessel, the Spanish brig "*Matilda*," belonging to Don Pedro Forcade, and my letter has again been returned. I therefore consider it best to transmit the original to your Lordship, as well as the original note from General O'Donnell, with which it was accompanied when sent back, and its translation.

I have duly acquainted Her Majesty's Commissary Judge, Mr. Kennedy, of these proceedings, the other Commissioner, Mr. Dalrymple, being absent on leave. But it will be evident to your Lordship that Her Majesty's officers are thoroughly set at defiance, and that the Treaties are violated openly, and in such a manner as leaves little or no doubt that they are effected under the sanction and the protection of the representative of the Majesty of Spain, who is amassing a large fortune as the price of his connivance and infidelity.

It is very probable that by the Spanish mail-boat for Spain, which left this on the 1st instant, some of the results of the various Commissions, or juntas, which have been appointed in consequence of the Captain-General's circular of the 9th January last, alluded to in my Despatch of this series, dated the 15th of February last, are gone to Spain; but I understand they are all more or less clogged with pretended conditions to be exacted from Great Britain, in case the penal laws are formally enacted, whilst the severity of the laws proposed is so modified as to divest them of their terrors in a very great measure.

The only important point which appears they have come at, is their unanimity as to the necessity for putting an end to the traffic. No doubt attempts will be made to protract the measures necessary to be adopted by the Spanish Government, and to delay the passing of the law in the Cortes, as well as to limit the punishment as much as possible.

With much trouble I have obtained a copy of the opinions of Don Rafael Quesada y Arango, a member of the Superior Junta, which I hasten to transmit herewith, regretting that I received it so late as that it has not been in my power to have it translated. I nevertheless have thought it better to place it before your Lordship, as it will serve to show the extraordinary ideas of these people, who appear to forget entirely their obligations under the Treaties, and propose stipulating for conditions which must be wholly inadmissible. Yet still I fear they will be laid hold of in Spain to procure delay and raise opposition, unless indeed the Government of Her Catholic Majesty is strong enough to carry through a stringent project of law, founded upon the principle which seems to be admitted generally, that the traffic in slaves ought to be put an end to as detrimental and dangerous to this island's prosperity and existence.

I have, &c.

(Signed) JOSEPH T. CRAWFORD,

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

&c.

&c.

&c.

First Enclosure in No. 77.

*Mr. Crawford to the Captain-General.**Havana, September 7, 1844.*

I LOST no time in communicating to Her Majesty's Government the very unsatisfactory result of the remonstrance which I did myself the honour of addressing to your Excellency on the 16th ultimo, relative to a most glaring infraction of the Treaty subsisting between our respective nations for the suppression of Slave Trade and the abolition of slavery.

Unpleasant as it is to me to press such most important affairs upon your Excellency, and the opinions expressed by your Excellency as to what are or are not my duties here as Her Majesty's Consul-General, my instructions from Her Majesty's Government are nevertheless most positive upon the particular subject of infractions of the Treaties above alluded to, and I am ordered to make known that such is my imperative duty near the Captain-General of this island.

Until therefore I receive other instructions, I must persevere in my efforts to place all infractions of those Treaties under the notice of your Excellency; and deeply do I regret so soon again to find myself under the painful necessity of acquainting you, that either the night before last or yesterday morning the Spanish brig "*Matilda*" landed at the Chorrera 293 bozal negroes from the coast of Africa, which are said to have been put into the barracoons near to that place, where they probably still are.

Your Excellency having now the power to punish the infractors, I hope the guilty will not be suffered to escape, confident as I am that this can only be done by connivance of some of the subaltern authorities, which will not be permitted by your Excellency.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,

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

Second Enclosure in No. 77.

*The Captain-General to Mr. Crawford.**Havana, September 8, 1844.*

I FIND myself under the painful necessity of returning to your Honour, in original, your communication of yesterday, relative to the denouncing of a landing of bozal negroes, because agreeably to the letter and the spirit of the existing Treaties and to the instructions from the Queen it is impossible for me to recognise in your Honour any faculty to meddle in this matter.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

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

&c.

(Translation.)

Third Enclosure in No. 77.

*Opinion of Don Rafael de Quesada y Arango.**Havana, August 12, 1844.*

MR. PRESIDENT, and Members of the Council,

HAVING, in the sitting of the 12th of last July, been appointed to propose, in conjunction with the estimable Don Joaquin Gomez, both of us belonging to the body of your Excellencies, the bases of the penal law to be established against the Slave Trade, in conformity with the tenor of the Royal Order of June 2, 1843, communicated to his Excellency the Captain-General, President of this Junta, by the office of the First Secretary of State, we proceeded to state our ideas, which, though mainly concurring, only differ as to the mode; and they having been mooted in the conference of the 2nd instant by their Excellencies the other Members of the Council, it appeared expedient to have them both presented in writing, on account of the different opinions they contain. I, therefore, tender the present under my own signature.

2ndly. Her Majesty's Government having expressly directed that it should be stated whether the law could affect the interests of this country; and the votes recorded in the minute on this delicate question being unanimous in affirming that, so far from prejudicing the country, the law would prove favourable to it, I have considered, and do consider, that it behoved us, the informants of your Excellencies, maturely to weigh the most essential of our statements, and to explain the grounds of those opinions, together with the inconveniences which might result from the non-adoption of them. Hence, previous to laying down the bases on which I presume the decree in question ought to rest, I shall call your Excellencies' attention to the most important particulars which accrue from the statement, and which ought, therefore, principally constitute the grand effort of Her Majesty's Government, for the purpose of endeavouring to preserve, with the least detriment possible, this island, which is so envied by all nations, and is for this very reason the object of such multiplied intrigues.

3rdly. The most prominent opinion in the minute is, that all informants are entirely satisfied of this, that if the traffic was heretofore an imperious necessity for this country it must now be considered not only as unnecessary, but also as exceedingly dangerous.

4thly. Thus the respectable heads of officers and superior corporations, together with the inhabitants of note who have given their votes, clamour unanimously, and some with signal ardour, that this illicit traffic should cease entirely, including the illustrious Regent of Puerto Principe, although his Royal tribunal participates a little in the other voices that have been heard on the question—voices which constitute almost the absolute expression of the public will, seeing that they comprehend the voice of this capital through its Town Council, that of its most enlightened men, through the Economical Society, that of its progress, through the Royal Board of Encouragement, that of its commerce, through its Royal Tribunal, that of its justice, through its Prætorial Audiencia, and, finally, that of its greatest authority, through their Excellencies the Superintendent-General of the Royal Revenue and the Civil Governor, who have also delivered their respectable opinions.

5thly. This result is most honourable to the authorities and the inhabitants of this island, since, while their Kings were under engagements by means of the Treaties concluded with Great Britain on the 23rd September, 1817, and the 28th July, 1833, to prohibit the external Slave Trade in all their dominions, all the chief settlers and proprietors of this island vie with each other in their propensity towards it. Nor could any thing else be anticipated from their noble sentiments and circumspection, as it is a fact solemnly proved; and when your Excellencies and your informants have no other mission than that of affirming it legally and strictly, with the least detriment possible to the country, as the Royal Order prudently enjoins; but proving the Castilian good faith respecting Treaties, a faith which has been proverbial all over the world, and which can lose nothing of its strength for all that some have transgressed those Conventions; for against these deviations the unanimous vote of the country has pronounced itself, and the Courts of Justice are bound inexorably to proceed against them, in conformity with the penalties that may be established.

Now as to the case under consideration, so far from being able to affect the present territorial wealth, the law will, on the contrary, consolidate it as far as its influence can reach, as is set forth in the above-mentioned statements, for reasons to be explained presently.

6thly. The negroes were the agents of the high prosperity which this colony attained. While left to their own judgment and sensations they hailed with simple but strong demonstrations the moment at which they quitted the regions of danger, of insecurity, of wars, and of continual assassinations, to which they were exposed, when they were slaves of other black slaves in Africa, in order, it is true, to pass into a fresh slavery, subject, however, to mild and benignant laws and treatment, whose true philanthropy no one has ever denied the Spaniards, holding consequently their houses in safety, and having fixed residences, as also abundant, regular, and savoury provisions, with security for their small, and often large, properties, as well as the enjoyment and comfort of their wives and children, no less than that of freedom which many of them obtained. Ought they not to have been satisfied, and to have endeavoured to identify themselves with their masters, with the view of obtaining greater favours? Ought they not, in a word, to have considered

themselves happy in this new position, which was really social and satisfactory for their sphere, particularly when compared with the hazardous and ferocious one to which they theretofore had been obliged to submit?

7thly. I verily believe that the blacks were infinitely gainers in coming under the Spanish rule; and also that the most positive benefit which could be conferred upon them, instead of stirring them up, and causing them to be slain, would have been to assure to them, if possible, that transition to rules which might have been rendered somewhat more mild if necessary; but this would be entirely beyond the present purpose.

8thly. The most convincing and conclusive proof, however, of the really good situation which these people enjoyed, and of the great content in which they lived, with very few exceptions, such as will be found in all stations, is the well-established fact, that in order to move and agitate them in the present day it was found necessary to employ nothing short of the incitement of the most false and most base suggestions, made by men fatally expert in the practice of destroying their fellow-creatures.

9thly. Upwards of 40 years have elapsed since the revolution of St. Domingo, that immense holocaust, the natural product of laws enacted by men ignorant of the country they compromised, and having no interest in it; and ever since that period the white race has there gone to wreck and ruin. It will also be about 20 years since the fanatical or speculative attempts at emancipation in Jamaica ruined its white proprietors, and made them quit the island. Now, notwithstanding the extreme scandal which gave rise to those grand memorials of human aberrations, and notwithstanding they resounded among our mountains, and that the shrieks of those twofold victims might almost literally be heard here, nay, notwithstanding that their blood may be said to have sprinkled our coasts, all this would not have had sufficient power to shake our black population, their habit of fidelity and devotion to their masters, and of the attachment to the safety of their families, and the cultivation of their small patches of land, which may be said to have continued without interruption up to the present moment. But now sprang up the Treaties above referred to, of 1817 and 1835, accorded, as well as the declarations of France and England, to 1,600 leagues of localities, where they were to produce their effects, especially the subversive example of an infinite number of recently-imported negroes, being employed under the denomination of apprentices along with the serfs on the same estates, and going forth from them with the seductive character of freed men, notwithstanding that the rudeness of the others was unable to discern the difference, or, even if they had discerned it, to benefit thereby; and ever since that period the general desire of enjoying the boon of liberty has begun to ferment.

10thly. Then, too, the abolitionists, taking advantage of the moment, and appealing to these precedents, persuaded the negroes that all were free, and that to refuse it to them, notwithstanding, was an act of the greatest injustice and barbarity, which they ought to resist by force, wherein they would be efficaciously countenanced by England.

11thly. It is these atrocious manoeuvres, abominated by all honourable men, of whatever opinion they may be, that have produced the recent revolts, which, for a year back, incessantly have occurred in the sugar-mills of La Alcancia, La Luisa; and in those of Messrs. Vega, Martiatin, Alfongos, Aldamas, and Oviedo, in the environs of Matanzas, with many others, which it is impossible to enumerate: causing the conflagration of some of them, the decapitation of our whites, and the banishment of a large number of negroes and mulattoes, which were the only benefits advisedly prepared for them by their impious agitators; for they are too intelligent not to foresee, that in the actual state of the island a rising of those unfortunates could have no other result than that of their destruction; but the exercise of this philanthropy announced itself, as we have seen, by conflagrations and banishment.

12thly. Proceeding, however, with the good faith which ought to preside over everything, and particularly in this question, which is of such immense importance, I will not pass over in silence, that though it is certain that these associations, by stifling, in the name of a love to their fellow-creatures, even the slightest yearnings of this divine sentiment, promote the rebellion of the slaves, and their greatest acts of barbarity, it must nevertheless be confessed that the Slave Trade has already against itself the absolute reprobation of almost all Europe and America, at least of that part of the latter which

mostly influences the destinies of the world; and this reprobation was finally sanctioned in France by the solemn declaration made by its Minister, on the 4th of May, of this year, respecting the absolute abolition, before the whole nation, represented in its Chambers, and it may be said, before the whole world, where the discussions of those sittings resound.

13thly. As former times gave rise to the fury of the Crusades, to that of Protestantism, and to many other frenzies, which have swallowed up large fractions of the human race, the abolitionist fanaticism has taken root during this century, threatening to convulse the American fraction, at least that which has not conducted itself with the proper prudence.

14thly. The pure and innocent portions of all that have ever been sacrificed, would nevertheless also become victims, like the preceding ones. They have not created their present position, which derives its origin and possession from good faith, uninterrupted for more than three centuries; a position not only solemnized, but, what is more, brought about, and, to a certain extent, directed, by the same Governments that at this day anathematize it, and whose aberrations we now are lamenting. England, who once monopolized those regions with her *asientos* and contracts, as she now monopolizes the *vertigo* of destroying them, wishes to monopolize also the proceeds, or at least the consumption, of American produce. But what avail reasons against the blind power of force and fanaticism? And when the English have stripped their possessions of slaves, and that the same sentence is pronounced against the French settlements, will they allow the Spanish islands to continue flourishing? How could the latter, as yet in their infancy, oppose this torrent, and brave all the consequent dangers; if such were their intention? They could not by any means do so. Their persuasions and their convenience are, however, perfectly in accordance as to the necessity of absolutely lopping off that traffic; and this short review has only for its object the repelling and rebutting, with proofs derived from history, and with the powerful reasons of the public and private law, the false and violent imputation of inhumanity which it is attempted to cast on the Spanish colonies.

15thly. The great crisis of Matanzas has absolutely rendered impossible, at least for some time, the progress of agricultural wealth in the island, if it have not totally ruined its foundations. The black race has been curbed, it is true; but it may be taken for granted that the negroes are, for all this, no less hostilely disposed. The large numbers that perished, either in the affrays, or afterwards by the hands of justice, have left behind a multitude of angry accomplices and apostles of vengeance, upon whom their pristine inflamers will now once more operate in masses with the greater zeal, as upon willing listeners, and with an additional farrago of exaggerated pretexts.

16thly. Distrust has spread itself over the interior of the island, and has expelled from the country that peace of mind which is the principal enchantment and the chief element of agriculture, and without which nothing is done properly and beneficially.

17thly. Though we might succeed, by dint of economy and good management, in once more disciplining the ancient slave population, if it were continually renewed it would be next to impossible to attain this end with regard to those negroes who had not yet enjoyed an opportunity of contracting the habits of labour and subordination, or of becoming domesticated by the strong bonds of affection and property, which they probably would never contract, being, as they would be, imbued with the overweening and exciting notion of being free.

18thly. And how could this necessary calm be attainable, if the contraband trade in negroes were to continue? While the Treaties would go on to be eluded, and the interested promoters of the traffic become more and more exasperated, the persecutions and poisoned arrows which they would discharge at us must grow so much the more numerous. Already have we witnessed the disaster of all slave-wrought sugar being excluded from the English markets, and heaven grant that Great Britain may not obtain the like declaration from all other Powers of Europe! And might she not, in her spite, go the length of stirring up direct hostilities? Might she not promote total or partial blockades, and other similar violences? And, finally, in the case of a maritime war, might not a formal attack on the island, backed by a call on the negroes to make themselves free, consummate its ruin, with so much the greater probability as the blacks would be less trained and submissive?

19th. Accordingly, the attainable prosperity of the country consists in not compromising any longer its existence, in contenting ourselves with the enjoyment of the moderate success which we have met with, and in giving up entirely all plans of rapid aggrandizement for the present, until time and experience shall, by means of colonizations, suggest other possible ones, and improve its condition. In the meantime the wise providence of its authorities must continue the efforts, hitherto so happily conducted, for restoring all the serenity possible to our interior, and for guarding it against fresh dissensions and convulsions, by entirely, and with energetic resolutions, closing all future entrance to new negroes, whereby we shall comply with the Royal Order under consideration; which will prepare the way for the future well-being of the island, without doing it any the least injury, as has been shown above; and which will also repair the bad effect produced by some international acts, now totally fallen into desuetude, and certainly borne with ill-will.

20thly. After a faithful fulfilment of the Treaties, and when it shall be evident and unquestionable that the traffic is here subject to so severe a persecution as to deter any vessel from venturing to proceed to the coast of Africa in quest of negroes, there will then, of course, cease the necessity of maintaining in this port the English vessel "Romney," which, under the denomination of *hulk*, has no other recognised object than that of lodging in it such as may be declared to be emancipated, and who then would have no existence. An end would be put, in like manner, to the judicial functions of the foreigners composing the Mixed Commission, which resides in this city, and has ever been viewed by the natives with repugnance. Above all, negotiations might be renewed to put a total stop to the right of visit, so derogatory to our navigation and national independence.

21stly. So great and important are the results which must reasonably be expected from an honest and legal compliance with the Treaties. And now, without trenching on those results, I proceed to dilate upon two very important points growing out of the statements in question.

22ndly. Don Wincelao Villaurrutio demonstrates how indispensable it is that the penalties to be inflicted on this traffic should be put forth only under the character of *pragmaticas* (Royal Ordinances) by reason of the exceptional state in which this island is placed, being governed by the Crown, solely in conformity with the laws of the Indies, inasmuch as the dangerous public discussions in the estates of the nation will thereby be avoided, no less than the diversity of opinions that might be hazarded, with the same danger as those manifested in France.

23rdly. On the same principle, several gentlemen who express their opinions on this subject urgently insist, that nothing of what may be determined on this point should be printed here, or ostentatiously promulgated; in which case an order might be made for all registered Commandancies to cause it to be understood by all Masters of ships, who on their voyages should or might approach the places where the traffic is carried on, what penalties they would incur if they made for them in search of negroes, and to compel them to sign the notifications in a book kept for the purpose, or to execute the formality in any other way that might be most to the purpose, provided that no one might be able to allege ignorance. Both these observations are of such importance, that I cannot omit soliciting his Excellency the President strongly to recommend them to the consideration of Her Majesty, lest they should be overlooked in the resolution on such momentous points.

24thly. As to the 2nd Article of the Royal Order, the votes of the document, as well as those of your Excellencies' and my own, concur entirely in considering that it would not only be unnecessary, but even inconvenient to create special courts of justice for taking cognizance of the infractions of these Treaties, it being of great importance to the national commerce only that the Mixed Commission in Africa should always be supplied with Spanish members, of capacity and character, and that they should not only be well paid, but that care should be taken to establish the Mixed Commission in a locality the least insalubrious possible, for fear of putting them to flight, and that there should be also Governors and Judges of the same characters and qualifications in the islands of Fernando Po, or Anabon, in order, that as soon as the Mixed Commissions, in their quality of juries, should have declared the detained vessels good prizes, and the negroes carried by them free, the culprits might be conveyed to

this island, to be at the disposal of their Excellencies the Captains-General, and in Africa, of that of some of the authorities in the said island, for them along with their Assessors, to apply the penalties that may be laid down.

25thly. As no one is ignorant of the violence with which the English have captured a number of Spanish vessels on the coasts of Africa, even before the conclusion of any Treaty which might have authorized them, or only furnished with a pretext for it, one may well imagine what vexations will now be practised, not only to impede the African slave traffic, but for the purpose of disturbing the trade in gold dust, ivory, cotton, wool, &c., and more especially the increase of our navigation, and the encouragement of our marine, as has very judiciously been observed by some gentlemen who have come forward to communicate information.

26thly. Inasmuch as great and arbitrary extortions can be made under the safeguard of these Treaties it would be of the greatest importance, that in addition to the indicated precautions respecting the Mixed Commission in Africa and the authorities of our islands, it should be stipulated in the first place, That no Spanish vessel ought to be detained, although visited, within 30 leagues of the coast; that no vessel ought to be detained which has been dispatched to different portions of the globe, and whose routes cause them to traverse that zone, or which may be drawn into it by fortuitous circumstances; that they ought not to be detained, either, when legitimately destined to these very coasts for the purpose of trading in the lawful produce of Africa, unless they should have more than 10 negroes on board, and without reckoning those who might have been born at sea; for a smaller number belong to the class of servants or mariners' wives, and might be too insignificant to be considered as destined for this traffic, in conformity with Article I. of the Instructions for Ships of War, annexed to the Treaty of 1817.

27thly. That, finally, none of these rules should extend to merchant vessels, which, in the seas of America or Asia, might carry negroes from one Spanish possession to the other, seeing, that the vicissitudes of the times might one day render these national transfers or speculations convenient, although responsibility attaches to those ships which engage in the like transports mentioned *ad hoc* in Article VII. of the said Instructions.

28thly. And above all, that the Royal Ordinance about to issue must never have any retroactive effect. It ought moreover to be stipulated, that no foreigner should ever be allowed the power of searching our territory, or our properties, under any title whatsoever; for although we intend to fulfil the Treaties faithfully, as our honour prescribes it, this must be done without any the least slur on the nation's decorum and dignity.

29thly. As a consequence of this new Convention, there ought to be an entire cessation of the exorbitant powers conceded to war cruisers by Article X. of the Treaty of 1835; for, according to its letter, and without considering the complications attempted to be given it, not any the least Spanish vessel can navigate, however lawful her voyage may be, without running the risk of being captured, and her owners ruined.

30thly. As to the responsibilities and penalties of the capturing cruisers and the Judges who injure our commerce, whereof the 3rd Article of the Royal Order treats, as well as to the consequent reparations called for by those injuries, I am of opinion that, with regard to those occasioned by the English men-of-war, the Queen's Government ought to apply to that of Great Britain to impose on the commanders of her ships the penalties of absolute suspension, and even of the loss of employment, according to the less or greater gravity of the unjust or violent acts they may have been guilty of, and which may be substantiated in the proceedings set on foot, and whereof certified copies shall be forwarded to England.

31stly. If the abuses be committed by Spanish vessels or authorities, the same progressive penalties shall be inflicted on them, in conformity with the laws, and also in accordance with the ordinances of the Royal fleet, for which purpose the said authenticated copies of the proceedings must be communicated to the Commander-General of the naval station at Havana, if the prize have been conducted hither, or to the Department of Cadiz, or to the Canary islands, if she have been adjudicated upon in Africa, or in the other tribunals competent thereto.

32ndly. As respects the reparations required by the injuries, if the responsible-

ness rests with Spaniards, the demands shall also be grounded on our laws, and be made before the competent tribunals; and if English subjects or vessels be concerned, the Supreme Government will use its endeavours to give effect to the corresponding compensations; and in both cases the claim shall be made in conformity with the rules and scale contained in Article VII. of the Regulation of the Tribunals annexed to the Treaty of 28th June, 1835, the computations of which appear to me fair and reasonable.

33rdly. With regard to the penalties to be inflicted, the 1st Article of the Royal Cedula of the 19th December, 1817, imposes, over and above the confiscation of the vessel in favour of the State, that of 10 years' confinement in a fortress of the Philippine islands, to the purchaser, Captain, Master and pilot of every prize carrying negroes. So great a severity might be proper, while the opinion of this country did not condemn the traffic; but now that, on the contrary, all would be inclined to visit with punishment him who should carry it on, if too rigorous penalties failed to move its compassion, it would still seem to be prudent to moderate the condemnations, in order to enable us to look forward to the public co-operation, which so signally facilitates the operation of the tribunals, and this operation ought to be strengthened as much as possible. After all, how would it be practicable to send the culprits to the Philippine islands, all the way from the isles of Cuba, Anabon, and Fernando Po?

34thly. Therefore, and referring to the judicious vote of our Prætorial Court of Judicature, as well as to some prudent reflections which accompany the informations presented to you, I make bold to propose for the deliberation of your Excellencies the following penalties;—

35thly. Every vessel that may be captured, with a cargo of newly-acquired negroes on board, or which is proved to have been destined to this traffic, shall be confiscated, with the whole of its cargo and appointments, and the proceeds thereof shall be applied for the benefit of the State, after deducting the expenses incurred by its capture, with all the consequences.

36thly. The Captain, the First and Second Mate, and the Master of every vessel that has been declared a good prize, shall suffer for the first time six years' imprisonment in some African fortress; eight years' for the second time; and 10 for the third time, with retention.

37thly. The same penalty shall be inflicted upon the freighter or owner of the vessel, unless he can substantiate that he was ignorant of the vessel being destined to this traffic.

38thly. The First and Second Boatswain of the vessel will be visited, for the first time, with four years' service on board men-of-war; with six for the second time; and with confinement in a fortress during eight years, for the third time.

39thly. On account of a less number of negroes than 10 it shall not be lawful to detain any vessel, unless it be proved that she has been, or was about to be, engaged during that voyage in the traffic; nor shall any vessel be detained which conveys blacks from one Spanish possession to another, as has been explained in paragraphs 26 and 27.

40thly. The apprehended negroes shall be declared free, and shall, in conformity with the rules laid down in the Treaties on this subject, receive their letter of emancipation from the Government where they reside, after completing the apprenticeship which they must serve in order to place them in a state not likely to suffer them to make a bad use of their liberty.

41stly. The cognizance of these causes, and the infliction of the corresponding penalties, shall exclusively belong to their Excellencies the Captains-General of the island of Cuba, and to the Governors of Fernando Po or Anabon, as is explained in paragraph 24.

42ndly. If any culprit be absent, yet within the Spanish territory, a copy of his criminality shall be transmitted to the Territorial Judge of that district, to enable him to investigate and pronounce sentence upon the cause with reference to the general laws of the kingdom, and to the Cedula about to issue on this subject.

43rdly. When vessels are taken with cargoes of fresh slaves, or if they have been fully proved to intend carrying on this traffic, the inculpated persons shall not be allowed any appeal against the sentence pronounced by the Territorial Judges alluded to in the said 24th paragraph; but if they only have been detained for more or less founded presumptions, they shall be allowed an appeal

before the Royal Tribunal of this capital, in the causes decided in it, or before that of the Canaries and Seville, in those of Africa, according to the greater facility of communications.

44thly. Though the vessels, their freights, and crews, shall have been lawfully condemned, full liberty shall nevertheless be enjoyed by any party capable of proving satisfactorily that he was only a passenger, and that he had no part or interest in the expedition.

45thly. If the vessel be acquitted, the officers and men shall not only have their full liberty, but shall have reserved to them their right against whosoever it may be; and a copy of the proceedings shall be transmitted to the Queen our Sovereign, or to the competent tribunals, to enable them to claim the indemnities that may be requisite, in conformity with the explanations given in paragraphs 31 and 32.

46thly. The above is the substance of the principal considerations and rules which I deem it incumbent on me to submit to the judgment of your Excellencies. They are deduced from the opinions set forth in the minute, and from the others which have been expressed. I, however, offer them only with the greatest diffidence, considering the importance of the question to which they relate, and the infinite variety of grave consequences with which they may be attended, and which it is impossible to foresee. Your Excellencies, however, taking a survey of the whole, will determine what shall be most conformable with your prudence and discernment.

No. 78.

Mr. Crawford to the Earl of Aberdeen.

Havana, October 3, 1844.

(*Received November 9.*)

MY LORD,

I CRAVE your Lordship's reference to my Despatch of the 29th June, and its Enclosures, relative to the claim which I had made for the liberation from slavery of certain persons abducted from the Bahamas upwards of 20 years ago, respecting whom, and their families, information had been obtained by the examination of Daniel Kelsall, who was redeemed from his degraded state, and restored to freedom and his native land, in May last.

I have great satisfaction in reporting to your Lordship the result of my application referred to, enclosing herewith to your Lordship the sequel of correspondence with his Excellency the Captain-General; and I have much satisfaction in submitting to your Lordship the lucid opinion given upon this occasion, as confirmed by General O'Donnell, which, in my opinion, does great honour to the Third Assessor-General, placing Nat, Coffee, John, Newton, and Billy Kelsall at my disposition, and free from the slavery which they have endured for so many years.

I trust, my Lord, that my hopes are not to be disappointed, but that I may receive the free papers of Eve, and so also recover her and her children.

In the meantime, I have directed Mr. Pro-Consul Forbes to propose to the five Kelsalls who are ordered to be liberated, the alternative of going to reside in Jamaica, which, if they refuse, he will send them on here for transmission to the Bahamas.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

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

&c.

&c.

&c.

First Enclosure in No. 78.

Mr. Crawford to the Captain-General.

Havana, August 5, 1844.

YOUR Excellency, in reply to my note of the 4th June, accompanying the free papers of Nat Kelsall, his son Coffee Kelsall, Eve his wife, and their family of 12 or 13 children, Newton, Billy, and John Kelsall, informed me that

orders were expedited to his Excellency the Governor of the Eastern District to proceed in the necessary investigation of the claim which had been made by the Governor of the Bahamas for the liberation of the parties above-named from slavery, in which they had unjustly been held for many years.

I now beg leave to enquire whether your Excellency has received the result of the enquiry so ordered, in order that if these poor people are to be delivered over to me for transmission to the Bahamas, from whence they were abducted, I may make the necessary arrangements.

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

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

Second Enclosure in No. 78.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, August 8, 1844.

As yet I have not received the result of the enquiry ordered respecting the freedom of the individuals, Kelsalls, which I say in answer to your Honour's communication of the 5th instant, adding, that of this day's date I have again written to his Excellency the Governor of Cuba to use the greatest dispatch.

God preserve your Honour many years!

(Signed) LEOPOLDO O'DONNELL.

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

Third Enclosure in No. 78.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, September 17, 1844.

IN the process raised in consequence of the communication and Enclosures which your Honour was pleased to address to me, of date the 4th of June last, claiming the release from slavery of the individuals therein expressed, the Third Assessor-General of the Government has given me his opinion upon the subject on the 9th instant, as follows:—

“ Most Excellent Sir,

“ The proceedings returned to your Excellency by his Excellency the Governor of Cuba, which had been sent to him to be executed by order of your Excellency, of date the 15th of June, of the present year, have been transmitted for my consideration, and in sight of these I lay before your Excellency my opinion with respect to the claim put forth by Her Britannic Majesty's Consul.

“ When his Honour transmitted to your Excellency his communication of the 4th of June, accompanying some documents, by which it appeared that Mrs. Isabel Kelsall, mistress of the slaves named Nat, Coffee, John, Newton, Billy, and Daniel Kelsall had manumitted them in the Bahamas, on the 14th of May, 1822, stating in his said communication that these individuals were detained in an unjust servitude by Mrs. Harriet Eysing, the daughter and heiress of Mrs. Kelsall, besides claiming the liberty of these individuals, his Honour extends his claim further, asking also for that of Nat's son, he having been born after his father was freed, as well as that of Eve, the wife of Coffee, with her family composed of 12 or 13 children, adding, that Eve is from the Bahamas, having come from the island of Exuma.

“ The documents presented by Her Britannic Majesty's Consul prove in an evident manner, that Mrs. Isabel Kelsall gave these before-mentioned servants their freedom; and the memorial presented in these proceedings by Eysing, the daughter of Mrs. I. Kelsall, agrees also with this, although it makes allusion to a certain obligation entered into by the said slaves to serve an apprenticeship to their mistress for the term of 25 years, which documents she affirms are in the general archives of the Government of the Bahamas. In the declarations of

the slaves that appear in these proceedings, something is said about this, although they aver their ignorance of the contents of the paper, to the foot of which they put a cross in proof of its reality.

“ If in my idea said documents favour the rights of Eysing, nothing could be decided until they appeared in the proceedings; but supposing they had appeared, it would prove nothing in favour of those who so claimed them, and for this reason such delay is unnecessary.

“ I repeat, that supposing those documents appeared, and by them those slaves of which we treat had obliged themselves to serve their mistress for the term of 25 years, would such an obligation be valid? In no manner, most Excellent Sir. Either this compromise was made at the time of their manumission by their mistress, or afterwards; if the first, the subsequent act annulled the previous obligation; if the second, neither could it be, because freedom being a right that the laws favour, would never admit the farce of making a man free, and at the same time abuse, by the influence of mastership, and taking advantage of the feelings of gratitude, to enslave him again; for by the laws, he who reaches the enjoyment of this state, although it may be but for a moment, if it is ‘in good faith, he cannot return to that wretched condition. Would it not, therefore, be ridiculous, and even immoral, to say to a man, ‘ I offer you your liberty, but after you have exhausted your strength in my service you are of no longer use to me! and, instead of sustaining you in your old age as a just recompense for your past services, I throw you off to the chances of public charity, or to die of misery and starvation, because I cannot now gain anything by your strength, which you have worn out and wasted to my profit!’ This would offend reason and humanity. I honour myself in citing our legislation, which expressly prohibits such manœuvres, and this law will for ever be a monument of glory to the Spanish nation.

“ The free letter given by Mrs. Kelsall is pure, absolute, and without conditions, and by this these individuals are freed, to which favour they are entitled; and your Excellency, with your accustomed justice, ought to place them at the disposition of Her Britannic Majesty’s Consul, in order that they may be transmitted to any port of Great Britain, or where his Honour may think fit, according to the instructions he may have from his Government; to which effect you may officially write to his Excellency the Commandante-General of the Eastern Department, in order that they may be claimed at Holguin, where they are at present, and maintained in Cuba until the Consul shall take charge of them.

“ In regard to the children of Coffee, and that of Nat, my opinion is not the same, because it has not been proved their mother was free; their fathers being so does not extend to the children. The state of the mother marks, and gives to the children, the condition of the latter, and whilst it is not proved that they were so, the possession in which Eysing is with respect to the children of Nat and Coffee is enough that her property should be protected by the Government of your Excellency.”

And having conformed with the said opinion, I insert to your Honour, in order you may take the necessary steps, and as a final result of the said claim, in the understanding that of this date I make the necessary communication to his Excellency the Governor of Cuba, that so far as he is concerned he shall hold the said individuals at the disposition of your Honour.

God preserve your Honour many years!

(Signed)

LEOPOLDO O’DONNELL.

Her Britannic Majesty’s Consul-General,

&c.

&c.

Fourth Enclosure in No. 78.

Mr. Crawford to the Captain-General.

Havana, September 19, 1844.

I HAVE the honour of acknowledging the receipt of your Excellency’s note of the 17th, which reached me yesterday. It will afford me very great pleasure to lay before Her Majesty’s Government your Excellency’s most just determination upon the lucid opinion which has been delivered by the Third

Assessor-General upon my claim, and the proofs attached, for the liberation from slavery in this island of Nat, Coffee, John, Newton, and Billy Kelsall.

The Assessor's reasoning upon the allegation used by Mrs. Eysing's daughter who states, that the unfortunates who are now freed by your Excellency's order came to this island as apprentices contracted for 25 years, I consider most honourable to his judgment and talents. It will be my duty to prove the falsity of such allegation, by causing the records of the Bahamas to be searched. I have not the slightest idea of the existence of such a document, or that it ever did exist; and if it is proved that, in addition to the infamy which attaches to Mrs. Eysing for the deportment of the negroes in question, she or her daughter have attempted, as it would seem they have done, to surprise and deceive the authorities under your Excellency into the belief of such a tale, as an excuse for their iniquity, I shall not hesitate to call upon your Excellency to aid me in the recovery from her or them of the full price of all those people's labour since the 14th of May, 1822, when they were freed in New Providence, previous to their abduction.

As regards Eve, the wife of Coffee, and her large family, and a child of Nat Kelsall, there being no proofs of their mothers being free, I readily acquiesce in the able and honourable opinion of the Assessor; but if afterwards I can obtain evidence of Eve's freedom, I shall expect her liberation, and that of her numerous family.

I have, &c.

(Signed)
His Excellency the Captain-General,
&c.

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

No. 79.

Mr. Crawford to the Earl of Aberdeen.

Havana, October 5, 1844.

(Received November 9.)

MY LORD,

I BEG leave to transmit to your Lordship copy and translation of a note, dated the 27th ultimo, from the Captain-General, with my reply thereto, relative to some emancipados.

His Excellency refers to my communication of the 1st May last, which I did myself the honour of reporting to your Lordship in my Despatch, Slave Trade, of the 9th May, with his Excellency's answer.

Having consulted with Her Majesty's Chief Commissioner, who recommended me to accept General O'Donnell's offer of the four individual emancipados, I made the necessary arrangements for their passages to Jamaica, on board the mail steamer "Thames," and they were sent off on the 30th ultimo, Mr. McClure defraying the expense by an order on the Immigration Agent at Kingston, as has been provided for by the island of Jamaica to meet such cases.

The men, I understand, were quite delighted at the change to a British colony, and are hale, hearty labourers.

I have, &c.

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

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

First Enclosure in No. 79.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, September 27, 1844.

AMONGST the 37 emancipados, negroes, men and women, to whom I have this day given papers of freedom, are the four comprehended in the enclosed note, who, because of what is known of them, I do not consider they should remain in this country after they have obtained their freedom. Under this supposition, and recollecting your communication of the 1st May last, I

state it to you, in case you please to take charge of said emancipados, and send them away from this island; with the understanding, that in the meantime they will remain deposited in the Royal House of Asylum; and which proposition I make to your Excellency for their benefit, not having as yet received the pleasure of my Government as to the disposal of the emancipados who obtain their free papers, about which some time ago I solicited the orders of my Sovereign.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

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

&c.

Emancipados.

Havana, September 27, 1844.

José	. .	No.	62	proc. brig	"Negrito."
Zeferino	. .	"	437	"	"Firmo."
Hipolito	. .	"	187	"	"Negrito."
Estanislau	. .	"	21	proc. schooner	"Carlota."

(Signed)

LEOPOLDO O'DONNELL.

Second Enclosure in No. 79.

Mr. Crawford to the Captain-General.

Havana, September 29, 1844.

I HAVE the honour of acknowledging the receipt of your Excellency's note of the 27th instant, respecting four emancipados, of 37 men and women of this class, whose free papers have been expedited of that date, and which four persons, as noted in the Enclosure, your Excellency proposed to hand over to me, to be sent to some British colony; your Excellency having been induced to make such proposal in consequence of my letter of the 1st May last.

That letter had special reference to the fact of a small vessel having then arrived from Demerara, with a Despatch from the Governor of that colony, who had encouraged her being sent to receive and to convey any emancipados which your Excellency might wish.

I have communicated to Her Majesty's Chief Commissioner your Excellency's note, to which I have now the honour of replying, to whom, and to Her Majesty's Superintendent of Liberated Africans, Lieutenant M'Clure, such matters more particularly appertain.

It is much to be regretted, that your Excellency has not yet received the instructions which you are pleased to refer to as having asked for, respecting the emancipados, from Her Majesty the Queen of Spain; because, perhaps the whole of the 37 who were freed on the 27th instant might have been handed over to be provided for, as has been proposed to your Excellency by Her Majesty's Commissary Judge.

But in the meantime, passages have been provided to Jamaica for José, 62; Zeferino, 437; Hipolito, 187; and Estanislau, No. 21, on board of the mail steamer "Thames," which leaves this port to-morrow at three P.M.

Your Excellency will, therefore, if you see fit, cause the said four persons to be put on board before that hour.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

His Excellency the Captain-General,
&c.

&c.

No. 80.

Mr. Crawford to the Earl of Aberdeen.

Havana, October 10, 1844.

(Received November 9.)

MY LORD,

WITH reference to the enclosed copies of correspondence which has very lately passed between Her Majesty's Commissioners and the Captain-

General, in which the ship "*Andeluza*" is denounced as fitting for a slaving voyage, I have just learnt, that General O'Donnell has officially given directions to the Intendente, the Count Villanueva, to order the strictest observation of the Custom Houses, so as to prevent vessels from fitting out for the Slave Trade; and his Excellency, the Intendente, whose opinions are for putting an end to the detestable traffic, has at once issued and dispatched circulars to all the ports, prohibiting such outfits, under the most severe responsibility of the Collectors.

If this measure is intended to be carried into *bonâ fide* execution, it shows a determination at last to fulfil the obligations of the Treaties; but as I hear of several cargoes of negroes daily expected to arrive from the coast, their being permitted to disembark (as I have no doubt will be the case), or their capture, and the punishment of the infractors, will be a fair test of the Captain-General's sincerity, which I very much doubt, and therefore shall watch the matter very closely.

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

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

First Enclosure in No. 80.

Mr. Kennedy to the Captain-General.

MOST EXCELLENT SIR,

Havana, October 2, 1844.

ON the arrival of the correo on the 15th of last month, I did not, as heretofore, address you, enquiring whether you had received any other instructions than those you had been acting upon, respecting communications with Her Britannic Majesty's Commissioners, because the discouraging reception those communications had previously met with from your Excellency had, in my opinion, left me no alternative but to wait your Excellency's advising us of them, according to promise, in order that we might resume those relations with this Government which are inseparable from the due fulfilment of our duties. I think it right, however, now to inform your Excellency, that I feel myself under the necessity of reporting to Her Britannic Majesty's Government, in terms even more decided than ever, that no hope can be entertained, under present circumstances, of the Treaty with Great Britain for the suppression of the Slave Trade being faithfully observed; and of giving, in proof of it, my certain knowledge that the ship "*Andeluza*" is now again fitting out for the coast of Africa, and is engaged to sail by the middle of this month, the 15th instant.

I have, &c.
(Signed) J. KENNEDY.
His Excellency the Captain-General, &c. &c.

Second Enclosure in No. 80.

Mr. Kennedy to Mr. Crawford.

Havana, October 2, 1844.

MR. KENNEDY presents his compliments to Mr. Crawford, and encloses him copy of a letter transmitted this morning to the Captain-General.

Third Enclosure in No. 80.

The Captain-General to Mr. Kennedy.

(Translation.)

Havana, October 3, 1844.

My wish is now, and always has been, to maintain with your Honour, as in the service of a Government friendly and allied to the Spanish

nation, the best relations ; on my part these have not been interrupted in any manner whatever ; but as such relations are based upon duties, and those are positively expressed in the Treaties which have given rise to the Commission of your Honour in this island, and by them your Honour is not authorized to make denunciations of infractions of the same Treaties, for that reason, I have seen myself obliged, in conformity with the letter of said Treaties, and to the instructions of my Government, which up to this date have not been altered, to return to your Honour your communications which treat upon these particulars. I can, however, assure your Honour, that I have given the most strict and positive orders to pursue and prevent, at all hazard, any infraction which may be attempted against the prohibition of the traffic in slaves.

God preserve your Honour many years !

(Signed)

LEOPOLDO O'DONNELL

Her Britannic Majesty's Commissary Judge,
&c.

&c.

No. 81.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, November 28, 1844.

I HAVE received your Despatch, marked Slave Trade, of the 3rd October, reporting the liberation of the British subjects, Nat, Coffee, John, Newton, and Billy Kelsall, from slavery.

I have the satisfaction of informing you, that I highly approve of the zeal and diligence which you have exerted in following up these cases, which you have brought to so happy a conclusion ; and I have to instruct you to express to the Captain-General O'Donnell the satisfaction felt by Her Majesty's Government at the accomplishment of this act of justice.

I sincerely trust that the hope which you express of receiving the free papers of Eve Kelsall, and of recovering her and her children from slavery, will be accomplished.

I am, &c.

(Signed)

ABERDEEN.

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

No. 82.

The Earl of Aberdeen to Mr. Crawford.

SIR,

Foreign Office, November 29, 1844.

I HAVE received your Despatch, Slave Trade, of the 5th October, 1844, reporting the circumstances under which you had forwarded to Jamaica four emancipados placed at your disposal by the Captain-General ; and I have the satisfaction of acquainting you, that I approve of your having sent the negroes in question to a British colony.

I am, &c.

(Signed)

ABERDEEN.

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

No. 83.

Mr. Crawford to the Earl of Aberdeen.

Havana, November 8, 1844.

(Received December 13.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, Slave Trade, of the 10th of September ; and craving reference to my

Despatch of the 3rd ultimo, relative to the liberation from slavery of Nat, Billy, Newton, Coffee, and John Kelsall,—I have now the satisfaction of reporting to your Lordship, that they arrived safely at Santiago de Cuba, where they were taken charge of by Mr. Pro-Consul Forbes, and, according to my directions, it was left to them to choose a destination, whether they were desirous of returning to the Bahamas, or would go to Jamaica, and as they preferred the latter, Mr. Forbes immediately provided their passages to Kingston, ordering them to present themselves, upon their arrival, at the office of the Colony's Secretary; and Mr. Forbes has written to the Earl of Elgin respecting them, acquainting his Lordship of the rescue of these poor men from slavery, and the circumstances under which they have been sent to Jamaica.

I have, &c.

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

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

No. 84.

The Earl of Aberdeen to Mr. Crawford,

SIR,

Foreign Office, December 14, 1844.

WITH reference to my previous Despatches to you, sending copies of the correspondence which had passed between Her Majesty's Envoy at Madrid and the Spanish Government, relative to the Slave Trade carried on in the island of Cuba, I herewith transmit to you, for your information, copies of two further Despatches from Mr. Bulwer, one enclosing copy of a note which, in accordance with my instructions, he had addressed to the Spanish Minister for Foreign Affairs, and the other a copy of the answer which M. Martinez has returned thereto.

I am, &c.

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

(Signed) ABERDEEN.

Enclosures in No. 84.

1. *Mr. Bulwer to the Earl of Aberdeen, November 23, 1844.*

2. " " " "

(See Nos. 40 and 41.)

No. 85.

Mr. Crawford to the Earl of Aberdeen.

Havana, November 20, 1844.

(Received December 30.)

MY LORD,

I HAVE the honour of transmitting to your Lordship copy of correspondence sent to me by Her Majesty's Commissary Judge, relative to certain vessels reported to be fitting at this port for the coast of Africa, one of which, it appears, is preparing under the approbation of the Captain-General, who states that she is to convey some 70 or 80 free negroes, who are desirous of returning to the country of their origin.

It is within my knowledge, that there are a number of Africans here who desire so to return. They have consulted me upon the subject, having themselves the means for defraying the expenses of their transport, but they are averse to embark in any but a British vessel, and they, in consequence of not being able to find one here, have sent deputies to Jamaica, two or three packets since, with the view of there making the necessary arrangements, and for their friends to follow, for the purpose of undertaking the long voyage from Kingston under the British flag. As yet I have not heard the result of their mission.

It may be that the deputies found obstacles to their plan, and have advised
CLASS B.

the venturing of their friends in a Spanish vessel; but I think it extremely unlikely; and it is much more probable that, under this guise, an expedition for slaves may be imagined, than which nothing could be more feasible, as the whole slaving apparatus would be, as it were, covered by the outward voyage from hence with so many passengers, and nothing would remain to be done at the coast for the accommodation of a return cargo of slaves.

Ingenuity inexhaustible will be employed to contravene the stipulations of the Treaties, to which the enormous gain of the slave trader will always have his attention drawn; and unless there is here a Captain-General of inviolable principles, whose avarice is not superior to his honour, there is, I fear, but small hope that we shall ever see the Treaties carried into anything like proper effect. Under the present Governor of Cuba, never.

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

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

First Enclosure in No. 85.

Mr. Kennedy to the Captain-General.

MOST EXCELLENT SIR, *Havana, November 5, 1844.*

I BEG to refer to my letter to your Excellency of the 2nd. of last month, and your reply thereto of the 3rd, for which I now have to make my acknowledgments, as well as for the steps taken in consequence to prevent the sailing of the "*Andeluzá*" for the coast of Africa. Hoping for the same results, I now beg to inform your Excellency, that the same parties who were fitting out the "*Andeluzá*" are now preparing the "*San Antonio*" for the same purposes, in place of the "*Andeluzá*."

I have, &c.
(Signed) J. KENNEDY.

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

Second Enclosure in No. 85.

The Captain-General to Mr. Kennedy.

(Translation.)

Havana, November 6, 1844.

It is true that the brig "*San Antonio*" is preparing to sail for the coasts of Africa, but not for the purpose of the illicit trade in slaves, but with the view of conveying to that country 70 or 80 free negroes, it being their own voluntary wish, paying their passage as any other travellers would do, and provided with proper passports, with the name and particular signs of each one; and I have conceded to the consignees of the said ship the requisite permit allowing them to do so, inasmuch as your Honour is aware that commerce with the said coast of Africa is not prohibited by the Treaties, nor the return to that country of its natives who wish to do so, and which I say to your Honour, for your intelligence, and in answer to your letter of yesterday upon the subject.

God preserve your Honour many years!

(Signed) LEOPOLDO O'DONNELL.

Her Britannic Majesty's Commissary Judge,
&c. &c.

Third Enclosure in No. 85.

Mr. Kennedy to the Captain-General.

MOST EXCELLENT SIR, *Havana, November 7, 1844.*

I HAVE received your letter of yesterday's date, informing me that the "*San Antonio*," of which I had written to you on the 5th instant, was engaged, under the permission of your Excellency's Government, to carry a number (70 or 80) of free negroes to the coast of Africa, and was not intended for the illicit traffic in slaves.

I will take immediate opportunity of forwarding this statement to Her Britannic Majesty's Government, to whom, at the beginning of the last month, I gave information of a vessel being about to proceed to the coast under such circumstances, for the purpose of instructions being sent to the blockading cruizers in consequence.

I have, &c.

(Signed) J. KENNEDY.

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

No. 86.

Mr. Crawford to the Earl of Aberdeen.

Havana, November 20, 1844.

(Received December 30.)

MY LORD,

HER Majesty's Commissary Judge having denounced to the Captain-General a slaver with 253 negroes, which arrived, and is said to have landed her cargo, lately at Guanimar, I have the honour of transmitting Mr. Kennedy's communication to his Excellency, dated the 18th instant.

Having received undoubted information of the arrival of another at a different point, and to a different party, which cargo, consisting of about 100 victims, has also been landed on the shores of this island, it became my duty, in obedience to the instructions of your Lordship, immediately to draw General O'Donnell's attention to the frequency of such glaring infractions of the Treaties subsisting between Great Britain and Spain for the suppression of Slave Trade.

I have now the honour of transmitting to your Lordship, the letter so addressed by me to his Excellency, which has been returned, accompanied by a note, of which I also enclose a copy and translation.

I need not represent to your Lordship how truly mortifying it is to be subjected to such indignities, in the execution of the most positive and repeated instructions, always adverted to by me, and as constantly repelled by this Captain-General, at the same time that our Treaties are totally disregarded, and their solemn stipulations no more fulfilled than if they did not exist, notwithstanding that the power to enforce their observance and to punish infractors, has been provisionally conceded by the Spanish Government.

Confident that this state of things will not be permitted much longer to subsist,

I have, &c.

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

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

First Enclosure in No. 86.

Mr. Kennedy to the Captain-General.

MOST EXCELLENT SIR,

Havana, November 18, 1844.

I REGRET to find it my duty to denounce to your Excellency another infraction of the Treaties between Great Britain and Spain, having learned, on trustworthy information, that a cargo of about 250 negroes have been, within the last week, landed at the Guanimar or its neighbourhood; they are described as Gangaes, and introduced by Don Pedro Blanco and Co.

I understand also, that they have since been brought to this city on account of various *hacendados*.

I have, &c.

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

(Signed) J. KENNEDY.

Second Enclosure in No. 86.

The Captain-General to Mr. Kennedy.

(Translation.)

Havana, November 19, 1844.

ACCORDING to what I have already stated to your Honour in my former communications, relative to my not being allowed to receive from you denunciations of the disembarking of negroes, such not being provided for in the Treaties, I am sorry to be obliged to return the enclosed communication which you addressed to me this day upon the subject. I can only assure you positively, and truly, that at no time have the orders which prohibit the clandestine introduction of slaves been so exactly observed, or with more vigour than at present.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

Her Britannic Majesty's Commissary Judge,
&c. &c.

Third Enclosure in No. 86.

Mr. Kennedy to the Captain-General.

MOST EXCELLENT SIR,

Havana, November 20, 1844.

I HAVE received your letter of yesterday's date, referring to mine of the 18th instant, and regret to find your Excellency still refusing Her Britannic Majesty's Commissioners the right of addressing you on the subject of infractions of the Treaty; for my part, I think I should be failing in my duty if I were not also to persevere in protesting against such a course, and in asserting that the Treaty under which I hold my commission, as well as the commission itself, must be considered rightly to give all the powers necessary to carry out its objects, among which one of the most prominent is this of denouncing infractions of it.

I have, &c.

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

(Signed)

J. KENNEDY.

Fourth Enclosure in No. 86.

Mr. Crawford to the Captain-General.

Havana, November 19, 1844.

ACCORDING to the positive and repeated instructions which I have received from her Majesty's Government to call your Excellency's attention to the infractions of the Treaties subsisting between Great Britain and Spain for the suppression of the Slave Trade, and to remonstrate with your Excellency upon their recurrence, I feel it my duty to acquaint your Excellency, that besides the cargo recently landed to Don Pedro Blanco and Co., another was run on the coast of this island, to the consignment of Don Francisco Riera, within the last few days, and I regret to add, that I have too much reason to think that several others are expected from the coast of Africa soon to arrive.

The absolute impunity which the parties carrying on this nefarious traffic have so long enjoyed, appears to have emboldened them more and more; but your Excellency being now authorized to put in force the penal laws stipulated for in the Treaty of 1835, I trust the guilty parties will not be allowed to escape, and I shall be most happy to have it in my power to report to Her Majesty's Government that they have been detected and punished as they deserve.

I have, &c.

(Signed)

JOSEPH T. CRAWFORD,
Consul-General in Cuba.

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

Fifth Enclosure in No. 86.

The Captain-General to Mr. Crawford.

(Translation.)

Havana, November 19, 1844.

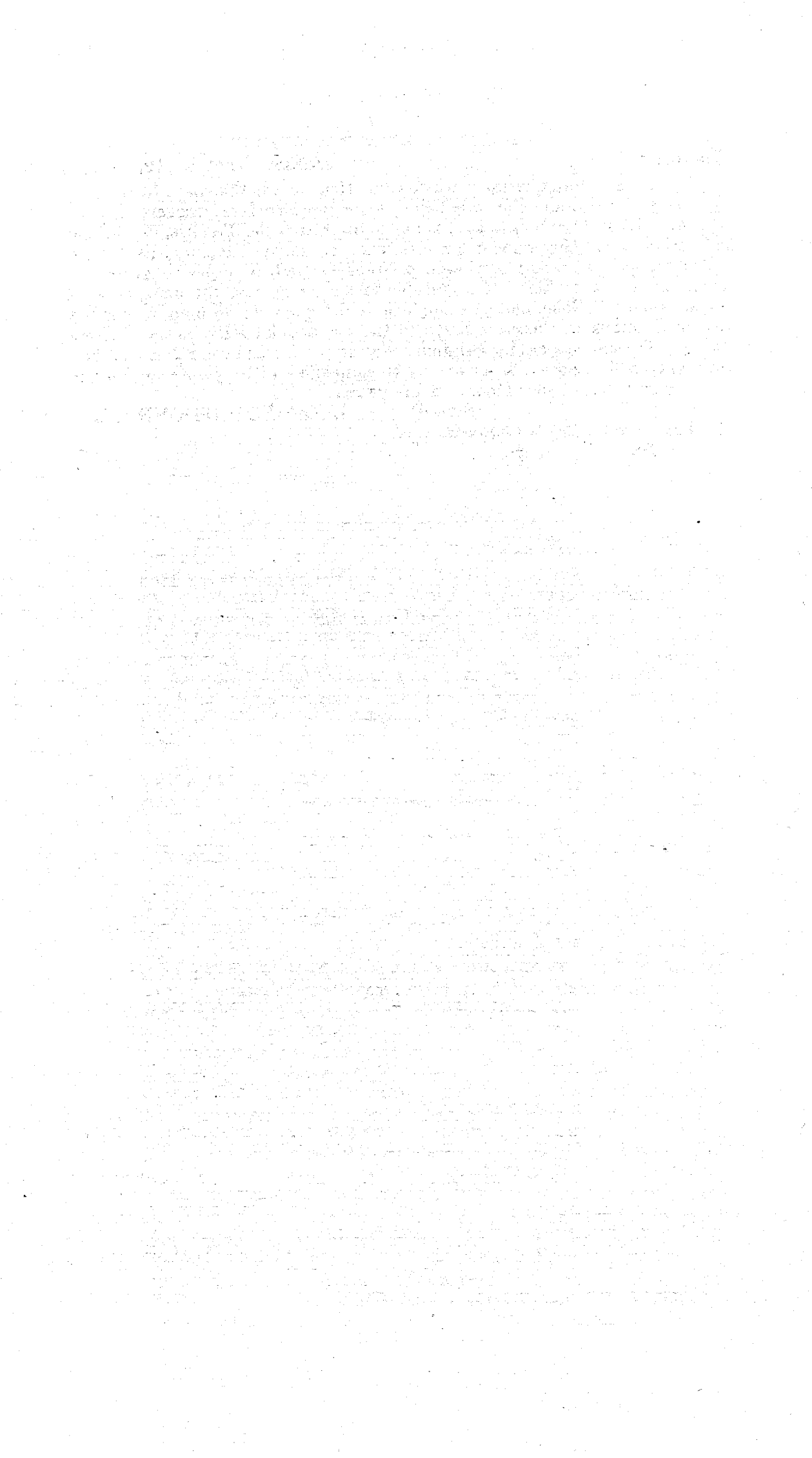
As the enclosed writing, which your Honour has this day addressed to me, refers alone to an affair in which it is not permitted to recognise in your Honour right of intervention, as it is not so marked in the Treaties, nor in the instructions of my Government, I return it to you in the same way as I have repeatedly told you; and I am even desirous as well, in order to avoid the repetition of an act which is disagreeable to me as to you, the annoyance of moving such questions, that you should have the goodness to limit yourself to your attributions as Consul, relative to the commercial interests and private claims of the subjects of Her Britannic Majesty, in whose favour you will find me always well-disposed, so far as may be compatible with my duty and justice.

God preserve your Honour many years!

(Signed)

LEOPOLDO O'DONNELL.

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



SPAIN. (Consular)—Santiago de Cuba.

No. 87.

Mr. Clarke to the Earl of Aberdeen.

Santiago de Cuba, December 11, 1843.

(Received January 30, 1844.)

MY LORD,

It is my painful duty to acquaint your Lordship, that the Spanish schooner "Nueva Estrella," a supposed slaver, sailed on the 11th of November, as announced on that date in the "Redactor" newspaper, of which the following is a translation:—"For the Canaries and Goree, the Spanish schooner 'Nueva Estrella,' Don José Mauri, Master; crew, seven men; passengers, two; with rum, sugar, coffee, and tobacco."

I have further to acquaint your Lordship, that the Spanish schooner "Venus," also a supposed slaver, sailed from this port this morning, her departure appearing in this day's "Redactor," of which the following is a translation:—"For Goree, Spanish schooner 'Venus,' Ferrer, Master; crew, twelve men, with aguadiente (the rum of the country), and coffee."

I have no doubt myself, but that both these vessels are intended for slave trading; and, acting in conformity with the instructions conveyed to me in your Lordship's Despatch, Slave Trade, of the 5th of October, 1843, which was received by me on the 14th of last month, I addressed the Governor of the province on the subject of the latter vessel, the "Venus," on the 1st of this month, copy of which representation I have now the honour to transmit, likewise a copy of the Governor's reply, to which I have annexed a translation.

I have, &c.

(Signed) CHARLES CLARKE.

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

&c. &c. &c.

First Enclosure in No. 87.

Mr. Clarke to the Governor Urbina.

MOST EXCELLENT SIR,

Santiago de Cuba, December 1, 1843.

It is my duty to inform your Excellency, that it is currently reported that the Spanish schooner, "Venus," Ferrer, Master, now loading in this port for Goree, is destined for the Slave Trade.

If this report should prove to be correct, and this vessel should eventually return to this province with a cargo of slaves, I trust that your Excellency will have issued such orders as will lead to the immediate seizure of the vessel, and the cargo she may attempt to introduce.

I have, &c.

(Signed) CHARLES CLARKE.

His Excellency the Governor Urbina,

&c. &c.

Second Enclosure in No. 87.

(Translation.)

The Governor Urbina to Mr. Clarke.

Santiago de Cuba, December 1, 1843.

I HAVE received your Despatch of this date, and you may believe that I know and will perform the duties required by my position.

God preserve you many years!

(Signed)

CAYETANO DE URBINA.

Her Britannic Majesty's Consul,

&c. &c.

No. 88.

*Mr. Clarke to the Earl of Aberdeen.**Santiago de Cuba, December 12, 1843.**(Received January 30, 1844.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Despatch, *Slave Trade*, of the 5th October, 1843. I am grieved to find that I have fallen under your Lordship's displeasure; but I humbly trust that when your Lordship shall have perused the following statement you will feel disposed to withdraw the censure passed upon me.

I am not aware that my predecessors ever received any instructions from the Foreign Office to represent or remonstrate with the Governors of this province regarding any slave trading transaction occurring within its limits, and I am quite certain that they never did make any such representation or remonstrance.

A copy of a Despatch from Sir Charles Adam to Commodore Byng, on the subject of *Slave Trade*, dated 7th October, 1842, which was forwarded by the latter to myself, decided me to represent the case of the "*Huracan*" to General Tello, the late Governor of this province; but thinking that I observed untoward results from my interference, I thought it best to submit my feelings to your Lordship previously to the making of a second representation, for I really did not feel assured that such representation by me would meet your Lordship's approbation.

I am the first Consul, and I believe the first man, who ever remonstrated with any Governor of this province touching any slave trading transaction; and in abstaining from bringing the case of the "*Siete Hermanas*" before the notice of the Governor, I respectfully beg to assure your Lordship, that it was not caused by any want of will on my part to put down the *Slave Trade* by all the means in my power. I was actuated solely by a desire to receive instructions from your Lordship before again proceeding to a second representation; and I venture further to remark, that had I felt lukewarm only on this point, I should not have made any representation or remonstrance of any kind, but I should have left matters to progress as in former years.

In obedience to your Lordship's orders, in future I shall not fail to report to the Governor all the information respecting the proceedings of slave traders which may come to my knowledge, and which I shall deem authentic.

I have, &c.

(Signed) CHARLES CLARKE.

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

&c.

&c.

&c.

No. 89.

*Mr. Clarke to the Earl of Aberdeen.**Santiago de Cuba, February 16, 1844.**(Received March 26.)*

MY LORD,

I HAVE the honour to inform your Lordship, that the Spanish schooner "*Nuestra Senhora del Carmen*," Don Ramon Herrero, Master, arrived here on the 13th January, from Trinidad de Cuba. She was reported in distress, bound for Monte Video, with a cargo of sugar, coffee, and rum, and sailed again on the 19th of the same month.

Since her departure I have been informed that she was armed, and that her real destination is the coast of Africa, for the purpose of engaging in the *Slave Trade*. I should imagine that she is intended to return to Trinidad or its vicinity, but on that point I can only surmise.

I have, &c.

(Signed) CHARLES CLARKE

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

&c.

&c.

&c.

No. 90.

*Mr. Clarke to the Earl of Aberdeen.**Santiago de Cuba, April 15, 1844.**(Received May 23.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Circular, Slave Trade, of the 31st December, 1843, with its two Enclosures, copies of the Act of the 6th and 7th Vict. cap. 98.

By the first island mail after the receipt of your Lordship's Circular, I wrote to Her Majesty's Consul-General in the Havana, requesting him to inform me how he intended to make known to the British subjects resident within his Consulate the purport of the above Act in order that I might follow his example within the limits of mine.

I expect his answer next mail, when I shall proceed at once to carry out your Lordship's instructions, and I shall previously cause a copy of the Act to be affixed in a conspicuous part of my office. A copy of your Lordship's Circular, and a copy of the Act of 6 & 7 Vict. cap. 98, have been annexed as Enclosures 22 B. and 22 C. to the 26th section of my General Instructions.

I am not aware of any British subject having been engaged in the Slave Trade within the limits of this Consulate during my residence here as Consul.

I have, &c.

(Signed) CHARLES CLARKE.

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

&c.

&c.

&c.

No. 91.

*Mr. Clarke to the Earl of Aberdeen.**Santiago de Cuba, May 9, 1844.**(Received June 25.)*

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of my Despatch to Governor Urbina regarding the Spanish schooner "*Ninfa Catalana*," and of his reply thereto, to which I have annexed a translation.

The departure of the "*Ninfa Catalana*" was announced in the "*Redactor*" newspaper of the 3rd of this month, as follows:—

2nd May—"For Prince's island, the Spanish schooner '*Ninfa Catalana*,' Antonio Olivé, Master, with a crew of 16 men and three passengers, with sugar, rum, and other produce."

I have, &c.

(Signed) CHARLES CLARKE.

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

&c.

&c.

&c.

First Enclosure in No. 91.

Mr. Clarke to the Governor Urbina.

MOST EXCELLENT SIR,

Santiago de Cuba, April 17, 1844.

IN compliance with my duty, I have to acquaint your Excellency that it is currently reported in this city, that the Spanish schooner "*Ninfa Catalana*," now loading in this port, is destined for the coast of Africa, with the object of taking on board there a cargo of slaves, to be ultimately landed within the limits of this province.

I regret exceedingly having occasion to convey to your Excellency such information, and I trust that your Excellency will at once acquaint the consignee of the "*Ninfa Catalana*," Don José Felin y Texedor, of the illegality of any
CLASS B.

traffic in slaves, and of your Excellency's determination to prevent the landing of any slaves within your jurisdiction.

I have, &c.

(Signed)

CHARLES CLARKE.

His Excellency the Governor Urbina,
&c. &c.

Second Enclosure in No. 91.

The Governor Urbina to Mr. Clarke.

(Translation.)

Cuba, April 18, 1844.

I HAVE become duly acquainted with the contents of your Despatch of yesterday, and you may rest assured that I know and will comply with the duties of my office.

God preserve you many years!

(Signed)

CAYETANO DE URBINA.

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

No. 92.

Mr. Clarke to the Earl of Aberdeen.

Santiago de Cuba, May 12, 1844.

(Received June 25.)

MY LORD,

ON the 11th December, 1843, I had the honour to acquaint your Lordship that the Spanish schooner "*Venus*" had sailed, as supposed, for the coast of Africa, with the purpose of taking in there a cargo of slaves.

That vessel returned here on the 26th of last month, without having purchased any slaves on the coast of Africa, and the non-purchase is attributed to two causes, partly to the purchase of slaves having been prohibited by the authorities of Bissao, and partly to the failure of a merchant in Bonny, on whom the Master relied for the furnishing of a number of slaves.

I understand that she has brought back some cigars, which formed part of her cargo, as unsaleable.

I have, &c.

(Signed)

CHARLES CLARKE.

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

No. 93.

Mr. Forbes to the Earl of Aberdeen.

Santiago de Cuba, July 16, 1844.

(Received August 20.)

MY LORD,

I HAVE to inform your Lordship, that the Spanish schooner "*Venus*," Estremera, Master, has sailed from this place; and my full conviction and belief is, that she is destined for the Slave Trade.

Her cargo consists of 64½ pipes of weak rum of this country, and her port clearance is as follows:—"June 26, 1844. Sailed for Goree, Spanish schooner '*Venus*,' Captain Cayetano Estremera, crew 12 men, and two passengers, with aguadiente."

I have brought the case under the notice of his Excellency the Governor, and copies of my Despatch and his reply are forwarded herewith.

In the event of this vessel succeeding in embarking a cargo of slaves (which I do not think very probable) and attempting to introduce them into this province, I will call upon his Excellency to issue such orders as may lead to the seizure of the vessel and cargo; although at the same time I may remark,

that it is not improbable that such application, if made, may be disregarded, if I am not, ere then, put in possession of the required exequatur.

I have, &c.
(Signed) JAMES FORBES,
Pro-Consul.

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

First Enclosure in No. 93.

Mr. Forbes to Governor Urbina.

MOST EXCELLENT SIR, *Santiago de Cuba, June 24, 1844.*

IT is my duty to inform your Excellency, that it is reported that the Spanish schooner "*Venus*," Estremera, Master, now lying in the harbour, bound for Goree, is destined for the Slave Trade.

If this report should prove to be true, and should this vessel eventually return to this province with a cargo of slaves, I trust that your Excellency will issue such orders as will lead to the seizure of the vessel and the cargo she may attempt to introduce.

I have, &c.
(Signed) JAMES FORBES.

His Excellency the Governor Urbina,
&c. &c.

Second Enclosure in No. 93.

(Translation.) *The Governor Urbina to Mr. Forbes.*

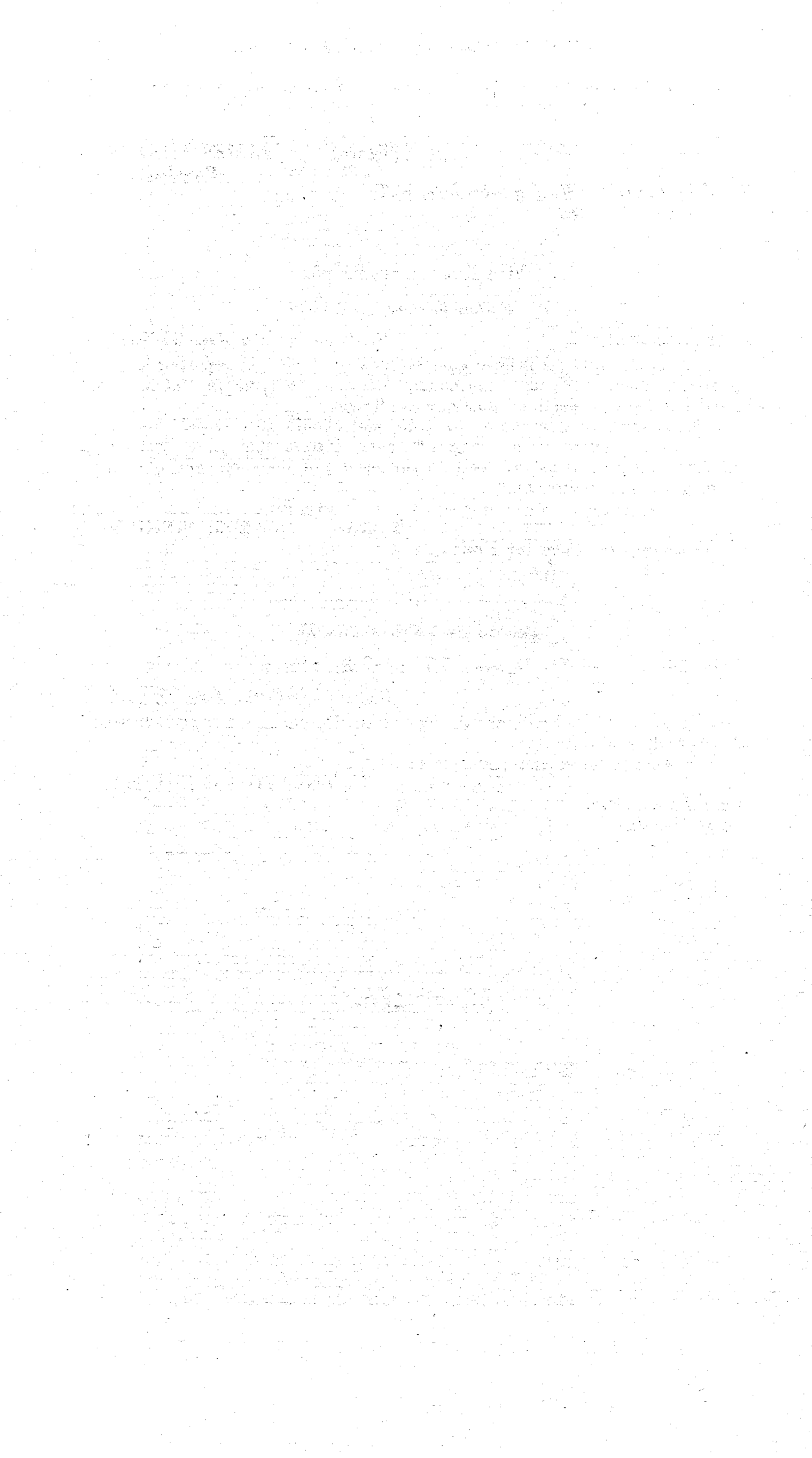
Santiago de Cuba, June 25, 1844.

I AM acquainted with the contents of the Despatch which you addressed me under date of yesterday.

God preserve you many years!

(Signed) CAYETANO DE URBINA.

James Forbes, Esq.
&c. &c.



SPAIN. (*Consular*)—*Alicante*.

No. 94.

Mr. Waring to the Earl of Aberdeen.

Alicante, March 13, 1844.
(*Received March 25.*)

MY LORD,

I HAVE to acknowledge the receipt of your Lordship's Circular Despatch, marked Slave Trade, and bearing date 31st December, 1843, which only came to hand this day, owing to the blockade of this place and the consequent interruption of the correspondence by post, and other intercourse.

I shall pay due attention to the instructions given in the above-mentioned Despatch, and to the provisions of the Act 6 & 7 Vict. cap. 98, enclosed in it, annexing Enclosures 22 B. and 22 C. to the 26th section of my General Instructions, and affixing a copy of the Act in a conspicuous place in my office.

I have, &c.

(Signed) JASPER WARING, *Consul*.

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

SPAIN. (*Consular*)—*Cadiz.*

No. 95.

Mr. Brackenbury to the Earl of Aberdeen.

Cadiz, January 27, 1844.

(Received February 6.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular, Slave Trade, of the 31st ultimo, transmitting me two copies of the Act 6 & 7 Vict. cap. 98, "For the more effectual suppression of the Slave Trade;" one copy of which shall be affixed in some conspicuous part of my office, and the other shall, in conformity with your Lordship's instructions, be preserved in the archives of this Consulate.

I have, &c.

(Signed)

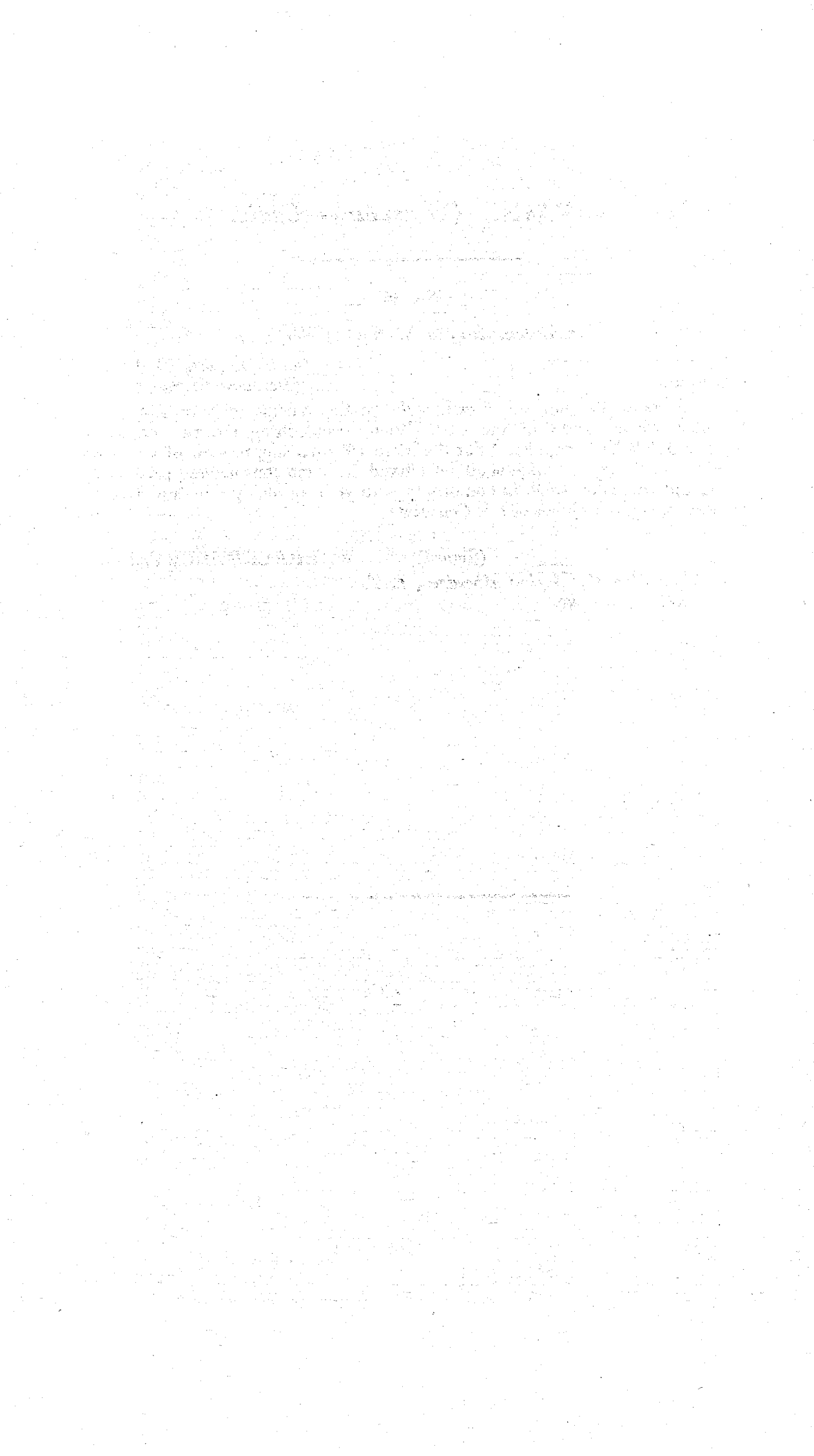
W. BRACKENBURY, JUN.

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

&c.

&c.

&c.



SPAIN. (*Consular*)—*Coruna.*

No. 96.

Mr. Baker to the Earl of Aberdeen.

Coruna, January 28, 1844.

(*Received February 15.*)

SIR,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, of the 31st of last December, transmitting copies of an Act of Parliament for the more effectual suppression of the Slave Trade.

I shall not fail to take proper measures for giving publicity to this Act of Parliament, and in immediately apprizing your Lordship, in the event of any British subjects being implicated in transactions forbidden by the Acts of Parliament of 5 Geo. IV. cap. 113, or 6 & 7 Vict. cap. 98.

I beg leave also to acquaint your Lordship, that I have particularly directed the different Vice-Consuls throughout my Consulship to keep a watchful eye on the equipment of vessels in the ports of the north of Spain, and instantly to inform me should they have reason to believe that any are being fitted out for slaving voyages.

I have, &c.

(Signed)

JAMES BAKER, *Consul.*

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

&c.

&c.

&c.

No. 97.

Mr. Baker to Mr. Bidwell.

Coruna, April 13, 1844.

(*Received April 26.*)

SIR,

I FEEL it my duty to report, for the information of the Earl of Aberdeen, that on the 10th instant the Spanish brig "*Fernando Séptimo*," Don Justoz Pasto de Fano, Master, arrived at this port from the Havana. This Master brought the intelligence, that on the day previous to his departure the Spanish brig "*Palmyra*" arrived on the coast of Cuba, from Africa, with no less than 1,114 slaves on board, having lost only 33 slaves during the voyage. He further reports, that the British cruizers have lately ceased to exert their usual vigilance for the suppression of this trade, and that, indeed, no efforts are now made with that view. An excellent opportunity is therefore now afforded to those desirous of taking an interest in these speculations.

This intelligence has not failed to create much sensation in Coruna, where the most wealthy resident merchants have formerly enriched themselves in this abominable traffic, and have only lately ceased from participating in the Slave Trade from the heavy losses which have been occasioned by the laudable zeal of the British cruizers. The enormous profit which will be derived by all the parties interested in the adventure of the "*Palmyra*" will, I fear, lead many again to invest capital in similar speculations. The Master of the "*Palmyra*" is alone represented to have gained 16,000 dollars. The present depressed condition of Spanish commerce, and the consequent want of legitimate ways of investing their money, make Spanish merchants eagerly listen to any proposal which offers a probability of success. The Slave Trade is also endeared to them by the recollection of their former profits, and in which even several now in this city were a few years since personally engaged.

CLASS B.

I have not failed, whenever I have heard this subject in any way alluded to, to point out the falsehood of the supposition of the Master of the "*Fernando Séptimo*," that the British cruizers have relaxed in their usual vigilance, and to observe, on the contrary, that the recent success of the Spanish brig "*Palmyra*" will stimulate them to renewed efforts for suppressing this inhuman trade.

I shall endeavour carefully to watch that no measures are taken in Coruna in consequence of this intelligence, and will immediately communicate any information which I may obtain of the transmission of money to the Havana for carrying on the Slave Trade, or any other steps adopted on this subject.

I have, &c.

(Signed) JAMES BAKER, *Consul.*

John Bidwell, Esq.
&c. &c.

SPAIN. (*Consular*)—*Malaga*.

No. 98.

Mr. Mark to the Earl of Aberdeen.

Malaga, January 26, 1844.
(Received February 23.)

MY LORD,

I HAVE the honour to acknowledge receipt of your Lordship's Circular Despatch, marked Slave Trade, of the 31st of December ultimo, enclosing two copies of an Act passed during the last session of Parliament, entitled "An Act for the more effectual suppression of the Slave Trade," accompanied by some observations on the provisions of the Act in question, as connected with the 26th section of the General Instructions.

In obedience to your Lordship's desire, I have affixed a copy of the Act 6 & 7 Vict. cap. 98, in a conspicuous position in my office, and have annexed the Despatch and remaining copy of the Act to the General Instructions, as constituting Enclosures 22 B. and 22 C. to the 26th section thereof.

I have, &c.

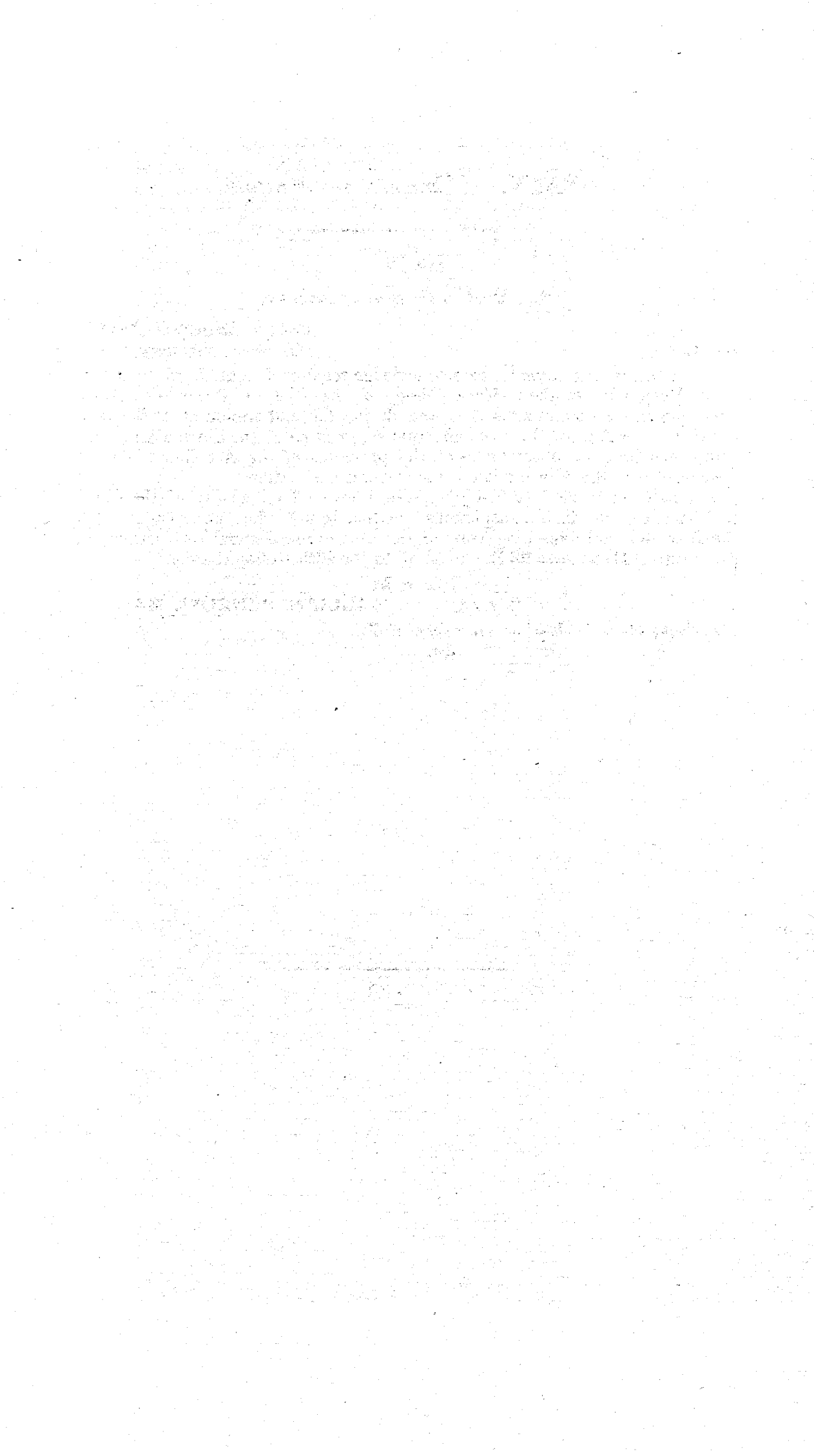
(Signed) WILLIAM PENROSE MARK.

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

&c.

&c.

&c.



SPAIN. (*Consular*)—*Port Mahon.*

No. 99.

Mr. Dalzell to the Earl of Aberdeen.

Mahon, February 19, 1844.

(Received March 25.)

MY LORD,

I do myself the honour to acknowledge receipt, on the 16th instant, of your Lordship's Circular Despatch of 31st December last, on the subject of the Slave Trade, which I have placed (as so instructed), together with one copy of the Act of Parliament therewith enclosed, as addition to 26th section of my General Instructions ; the remaining copy of the Act, and copy of your Lordship's Circular, I have forwarded to Mr. Vice-Consul Constant, stationed at Palma of Majorca.

Although some few individuals of Minorca are said to have been engaged in times past in slave trading, I have great satisfaction in stating that this odious traffic has long ago ceased entirely at Port Mahon, and at every other port of the Balearic islands, where there are indeed no vessels at all suited for such purpose.

I have, &c.

(Signed)

ROBERT ADAM DALZELI.

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

&c.

&c.

&c.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

1954

PHYSICS 551 - QUANTUM MECHANICS

LECTURE NOTES

BY

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Department of Physics
The University of Chicago
Chicago, Illinois

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SPAIN. (*Consular*)—*Teneriffe.*

No. 100.

Mr. Bartlett to the Earl of Aberdeen.

Santa Cruz, March 7, 1844.
(*Received April 15.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of a Despatch, marked Circular, Slave Trade, dated December 31, 1843, enclosing two copies of the Act of Parliament, 6 & 7 Vict. cap. 98, for the more effectual suppression of the Slave Trade.

I have, &c.

(Signed)

RICHARD BARTLETT, *Consul.*

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

&c.

&c.

&c.

No. 101.

Mr. Bartlett to the Earl of Aberdeen.

Santa Cruz, November 9, 1844.
(*Received December 4.*)

MY LORD,

I HAVE the honour to inform your Lordship, that the American sloop-of-war "*Preble*," 16 guns, Commander Freelen, anchored in this bay on the 13th of October, from New York, and sailed soon after for the coast of Africa.

The following changes in the American squadron on the coast, are reported :—

	Guns.		Guns.
Brig " <i>Porpoise</i> "	10	relieved by the " <i>Truxtun</i> ,"	10
Sloop-of-war " <i>Saratoga</i> "	20	" "	" " <i>Preble</i> ,"
Frigate " <i>Macedonian</i> ," rated	36	" "	" " <i>Jamestown</i> ."

I have, &c.

(Signed)

RICHARD BARTLETT, *Consul.*

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

&c.

&c.

&c.

No. 102.

Mr. Bartlett to the Earl of Aberdeen.

Santa Cruz, December 11, 1844.
(*Received December 31.*)

MY LORD,

I HAVE the honour to inform your Lordship, that the United States sloop-of-war "*Yorktown*," 16 guns, Commander Bell, arrived in this bay on the 20th of November, from New York, and sailed on the 21st to join the American squadron employed on the coast of Africa for the suppression of the Slave Trade.

I have &c.

(Signed)

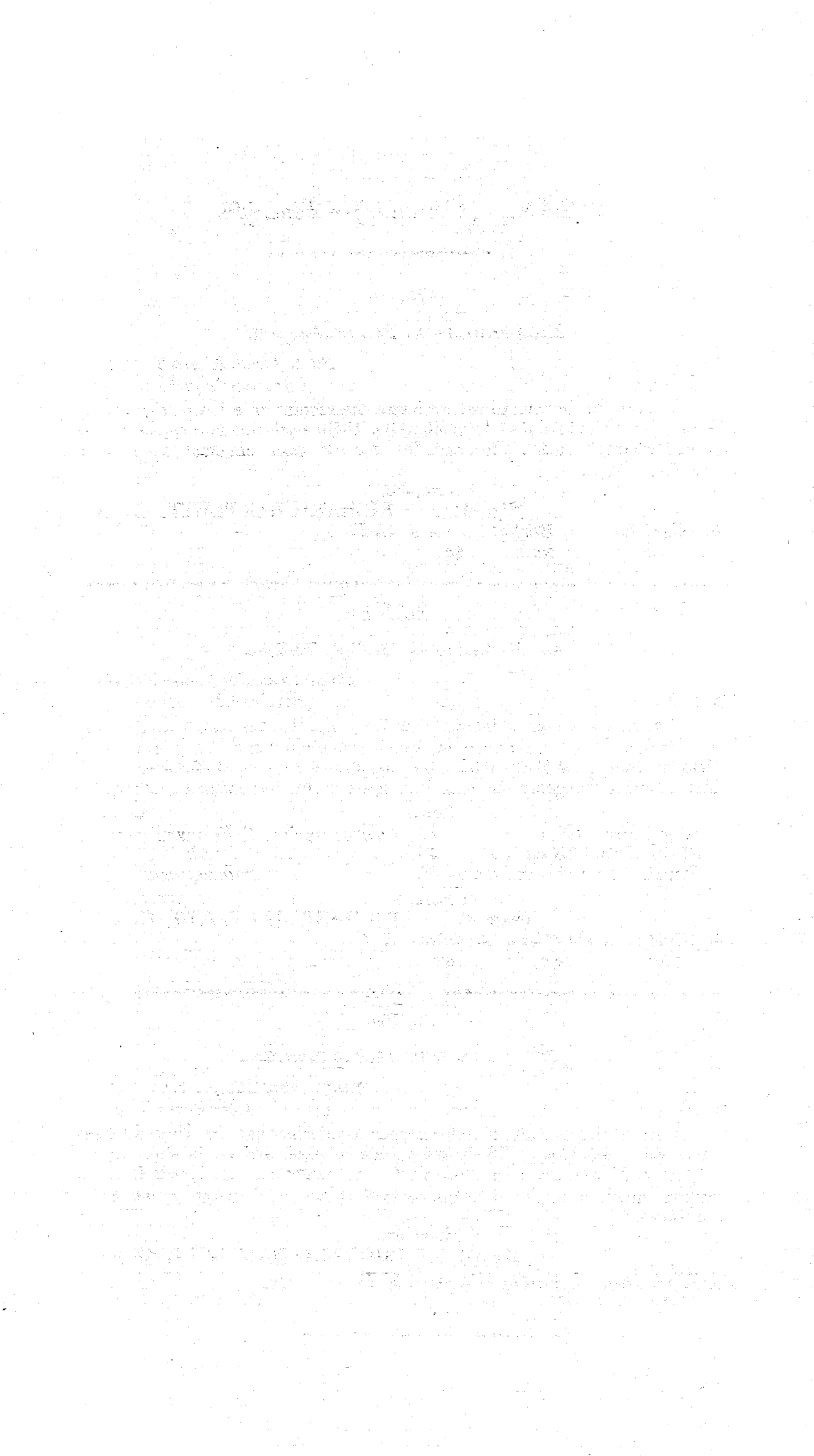
RICHARD BARTLETT, *Consul.*

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

&c.

&c.

&c.



PORTUGAL.

No. 103.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 4, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ship "Lily," on the Cape of Good Hope station, authorizing 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.

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

I am, &c.
 (Signed) ABERDEEN.

No. 104.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 4, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's ship "Illustrious," of 72 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 "Illustrious" is command by Captain J. E. Erskine, and Commander A. Forbes is the officer second in command.

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

I am, &c.
 (Signed) ABERDEEN.

No. 105.

Baron Moncorvo to the Earl of Aberdeen.

MY LORD,

Portuguese Legation, January 5, 1844.
 (Received January 6.)

I HAVE the honour to transmit to your Excellency the enclosed translation of an extract of a Despatch from the Secretary of State for Foreign Affairs at Lisbon, for the information of the Government of Her Britannic Majesty.

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

I have, &c.
 (Signed) MONCORVO.

Enclosure in No. 105.

Senhor Gomes de Castro to Baron Moncorvo.

(Extract.)

Lisbon, December 18, 1843.

I ALSO acquaint you for the information of the Government of Her Britannic Majesty, that by a decree of the 7th instant, Her Majesty the
 CLASS B.

Queen was pleased to exonerate José Angello de Barros from the appointment of Arbitrator of the Mixed Portuguese and British Commission established at St. Paul Loanda, in virtue of the 3rd Article of the Treaty of the 3rd of July, 1842; and that, by a Decree of the same date, the said august Lady was pleased to appoint Felix Antonio Domingues to the place above-named, and who set out for that destination on the 14th instant, on board the Government transport "*Princesa Real*."

No. 106.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 9, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ship "*Bonetta*," on the coast of Africa station, authorizing 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.

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

I am, &c.
(Signed) ABERDEEN.

No. 107.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 17, 1844.

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 the 3rd of July, 1842, between Great Britain and Portugal for the suppression of Slave Trade.

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

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 107.

Ship's Name.	Officer Second in Command.	Station.
Inconstant . . .	Lieutenant Thos. L. Hill . . .	North America and West Indies.
Electra . . .	Lieutenant Edmund Heathcote . . .	Ditto
Pickle . . .	Acting Second Master N. J. Soane . . .	Ditto
Hermes . . .	Mate William Cashman . . .	Ditto
Curacoa . . .	Lieutenant O. P. Knott . . .	Brazil.
Frolic . . .	Lieutenant John Compton . . .	Ditto
Viper . . .	Acting Master J. H. T. Norris . . .	Ditto
Spider . . .	Master's Assistant Joseph Hitchings . . .	Ditto

No. 108.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 17, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's sloop "*Hyacinth*," 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 of July, 1842, between Great Britain and Portugal.

The "Hyacinth" is commanded by Commander Francis Scott, and Lieutenant C. G. Campbell is the officer second in command.

I am, &c.
(Signed) ABERDEEN.

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

No. 109.

Baron Moncorvo to the Earl of Aberdeen.

(Translation.)

London, January 22, 1844.
(Received January 22.)

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty to Her Britannic Majesty, has the honour to answer the note which the Right Honourable the Earl of Aberdeen, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, addressed to him on the 14th of December, 1843, in reply to that which the Undersigned had written to his Lordship on the 13th of April last year, respecting the illegal capture, from a suspicion of her trafficking in slaves, of the Portuguese brig "Oriente," by Her Britannic Majesty's ship "Bittern," Captain Byron Cary.

The Undersigned lost no time in communicating to his Government the contents of that note, and he has been instructed by them to complain, as he hereby does, of the singular and inconsistent proceeding of the Court which condemned the Master of the vessel in question to the part of the costs of the trial which fell to his share.

The unjust nature of that decision, obtained by an appeal from the first sentence, that was well founded in law and justice, will, it is hoped by the Undersigned, produce in his Lordship's mind the same impression that it did on those of Her Most Faithful Majesty's Government when that condemnation came to their cognizance, touching the necessity and justice of returning to the first decision.

The Undersigned also regrets to have to advert to what he has repeatedly been obliged to complain of to his Lordship, namely, the obstruction and impediment which the licit commerce of Portugal continually suffers in the African seas from the British cruizers, and which is a fertile source of violence and injustice, extremely destructive of the prosperity of the Portuguese colonies in Africa, a fact to which the Portuguese Government cannot be insensible, and to which the Undersigned calls his Lordship's attention, being certain that Lord Aberdeen does not regard with indifference the interests of the Crown and of the subjects of the most ancient and most faithful ally of Great Britain. And trusting to the assurance given by his Lordship in the note alluded to of the disposition felt by Her Britannic Majesty's Government to do justice to any reclamation of the Government of Her Most Faithful Majesty on this subject, the Undersigned is happy in availing himself, &c.

(Signed) MONCORVO.

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

No. 110.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 27, 1844.

I have to desire that you will acquaint the Portuguese Government, that Her Majesty's steam-ship "Penelope," of 20 guns, will be employed on the coast of Africa station in the suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal.

The "Penelope" is commanded by Captain William Jones, and Lieutenant C. Hadaway is the officer second in command.

I am, &c.
(Signed) ABERDEEN.

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

No. 111.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, January 31, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's sloop "Satellite," of 18 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 "Satellite" is commanded by Commander H. B. Rowley, and Lieutenant G. W. Winlow is the officer second in command.

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

I am, &c.
(Signed) ABERDEEN.

No. 112.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 1, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's ships named in the margin of this Despatch, which were supplied with warrants authorizing them to act under the Treaty of July 3rd, 1842, between Great Britain and Portugal for the suppression of Slave Trade, have been ordered to proceed to the coast of Africa, to which station they are to be attached.

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

I am, &c.
(Signed) ABERDEEN.

No. 113.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 3, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ship "Curlew," on the Brazil station, authorizing her to act under the Treaty of July 3rd, 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, G.C.B.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 114.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, February 4, 1844.
(Received February 15.)

HAVING duly notified to Senhor Gomes de Castro, that the warrants supplied to Her Majesty's ships "Cygnet," "Acorn," "Tweed," and "Volage," had been returned to the Lords Commissioners of the Admiralty, and cancelled by them, and that Her Majesty's ships "Star," "Eurydice," and "Sealark," would be employed in the suppression of the Slave Trade, 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. 114.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD, *Foreign Office, Lisbon, October 26, 1843.*

I HAVE this day informed the Minister of Marine of your Lordship's communication of the 20th instant, of the cancelling of the warrants supplied to Her Britannic Majesty's brig "Cygnet," on the coast of Africa station, and to the sloop "Acorn," on the Cape of Good Hope station, for suppressing in those quarters the Slave Trade, under the Treaty concluded on the 3rd of July, 1842, between Portugal and Great Britain, for the suppression of Slave Trade.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c. &c.

(Translation.) Second Enclosure in No. 114.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD, *Foreign Office, Lisbon, November 25, 1843.*

I HAVE the honour to acquaint your Lordship, that I have this day made known to the Minister of Marine your Lordship's communication of the 15th instant, relative to the cancelling of the warrant supplied to Her Britannic Majesty's ship "Tweed," which was 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, and to the employment of the "Eurydice" on that station, and of the sloop "Star" on the coast of Africa station, in the suppression of the Slave Trade.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c. &c.

(Translation.) Third Enclosure in No. 114.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD, *Foreign Office, Lisbon, January 16, 1844.*

I HAVE the honour to acquaint your Lordship, that I this day informed the Minister of Marine of your Lordship's communication of the 9th instant, that the warrant supplied to Her Britannic Majesty's ship "Volage," which had been engaged in the North America and West India station, in the suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, had been cancelled, and that the sloop "Sealark" would be employed on the coast of Africa station, in suppression of the Slave Trade.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c. &c.

No. 115.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD, *Foreign Office, February 21, 1844.*

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's steam-vessel "Prometheus," of four guns, will be employed on the west coast of Africa station, in the suppression of the Slave Trade, under the Treaty of the 3rd of July, 1842, between Great Britain and Portugal. The

"Prometheus" is commanded by Lieutenant W. M. J. G. Pasco, and H. S. N. Cheshire is the officer second in command.

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

I am, &c.
(Signed) ABERDEEN.

No. 116.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, February 23, 1844.

I REGRET to have to inform your Lordship, that accounts continually reach Her Majesty's Government of the prevalence of Slave Trade within the Portuguese possessions on the coast of Africa.

The accompanying letters from Captain Foote, the officer commanding Her Majesty's naval force upon that coast, have lately been forwarded to this office; and the facts which they represent are such as require to be brought to the immediate knowledge of the Portuguese Government.

Your Lordship will perceive, from Captain Foote's letter of the 14th of November, and its Enclosure, that the license which, with the view of avoiding any restraint upon lawful trade, the 9th section of the 9th Article of the Treaty of 1842 confers upon vessels carrying suspicious cargoes, provided they are furnished with manifests of those cargoes, has been grossly abused, not by an officer of the Custom House, or by any inferior public functionary, whose indifference to the obligations of the Treaty might not be a subject of much surprise, but by the agency of that servant of the Portuguese Crown who, beyond all others, is bound to use his honest and zealous exertions for the suppression of Slave Trade and the punishment of all who embark in it,

Your Lordship will place the facts, as given by Captain Foote, before the Portuguese Government, and you will call upon them to mark their strong disapprobation of the conduct of the Portuguese Commission in the Mixed Court at Loanda, and to guard effectually against a recurrence of it.

The other letter from Captain Foote, dated 13th November, which I enclose to your Lordship, describes the impunity with which slaves from the interior are collected upon a part of the coast over which Portugal professes to exercise a government, with the flag of Portugal flying over the barracoons in which they are imprisoned to await the arrival of a purchaser. I regret to say, that it also describes the indifference with which the authorities of St. Paul de Loanda received the intelligence of their indecent abuse of their country's flag.

That a very slight degree of honest exertion would not suffice to put down such audacious proceedings, perpetrated as they are in the immediate neighbourhood of the seat of the Local Administration, is more than Her Majesty's Government can believe.

Your Lordship will therefore bring these facts also to the knowledge of the Portuguese Minister, and you will address a strong remonstrance to the Government, and require them to take immediate steps to enforce the laws of Portugal, and thereby to vindicate their good faith towards Great Britain.

I am, &c.
(Signed) ABERDEEN.

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

First Enclosure in No. 116.

Captain Foote to the Hon. Sidney Herbert.

SIR,

"Madagascar," at sea, November 13, 1843.

I HAVE the honour to transmit, for their Lordships' information, the accompanying copy of a letter I addressed on the 23rd August, 1843, to the Council of Government at St. Paul de Loanda, and their reply, respecting some barracoons of slaves ready for embarkation, five miles inland from Ambriz,

belonging to Portuguese merchants at St. Paul de Loanda, and under the management of Portuguese subjects, their agents.

Their Lordships are well aware, that by the Treaty between Her Majesty and the Queen of Portugal, signed at Lisbon on the 3rd July, 1842, Article XV. it is declared that the Slave Trade shall be considered piracy, and that those of Her Most Faithful Majesty's subjects who shall, under any pretext whatever, take any part in the traffic in slaves, shall be subject to the most severe secondary punishment.

In contravention of this, the whole coast claimed by the Portuguese Government is interspersed with barracoons full of slaves, under the immediate orders and management of Portuguese subjects, who fly the Portuguese flag thereon, and pay a certain tribute to the chiefs for their sanction and protection.

I should have remonstrated with the Council of Government of Loanda on this flagrant breach of faith, but that I was fearful their Lordships might not approve of my doing so, and I therefore thought it better to lay this information before their Lordships, who will take such steps thereon as they may judge proper.

I may here be permitted to remark to their Lordships, that the Treaty with Portugal, as respects this coast, has had no beneficial effect; the only alteration being to change the Portuguese flag in the slave vessels to the Brazilian, to evade the punishment decreed by the said Treaty.

I am sorry to say, that the Council have not thought proper to take any steps to get rid of or destroy the barracoons, for when I left Ambriz on the 6th instant, there were many hundreds of slaves in barracoons ready for embarkation, 500 of whom were on their way by land to be shipped in the "*Losteria*" brigantine, when that vessel was taken by the boats of the "*Madagascar*," on the 1st instant.

I have, &c.

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

Hon. Sidney Herbert, M.P.

&c. &c.

Second Enclosure in No. 116.

Captain Foote to the President of the Council of Government.

*"Madagascar," off St. Paul de Loanda,
August 23, 1843.*

SIR,

I HAVE the honour to inform your Excellency, that during my stay at Ambriz last week, I received information on which I can rely, that there are three or four barracoons full of slaves, about five miles inland, awaiting vessels to embark them; and that a number of Portuguese from that town are residing there, engaged in the purchase of slaves; and that the goods necessary for procuring the same are brought in boats from that town to Ambriz, and carried direct to these barracoons, so that the only alteration in carrying on this accursed traffic since the new Treaty between our respective Governments is, that the slave dealers *have removed out of the immediate territory of Angola*, and placed themselves in its vicinity, and that the means of enabling them to pursue their atrocious trade is provided from St. Paul de Loanda.

I do not venture to offer my opinion upon this lamentable state of things; the facts speak for themselves.

It has struck me, that the best way of getting rid of this new evil would be, to make a Treaty with the King of the Congo, who has despotic sway over these chiefs thus engaged in the Slave Trade; and if you should think proper to afford me your powerful assistance in accomplishing this, I think we could succeed in gaining this King over to our views, as I would offer him, in the name of my Government, ample remuneration for his loss of revenue.

I await your Excellency's reply with some anxiety.

I have, &c.

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

His Excellency the President of the Council,

&c.

&c.

Third Enclosure in No. 116.

The Council of Government to Captain Foote.

MOST ILLUSTRIOUS SIR,

Loanda, August 24, 1843.

WE have the honour to acknowledge your letter of yesterday, in which you say there are three or four barracoons existing at Ambriz, five miles inland, ready to embark as soon as they find an opportunity; this traffic being carried on by some Portuguese subjects of this town with merchandize sent from this port. And as a most convenient way of extinguishing this traffic, you propose making a Treaty with the King of the Congo, in which the said King would bind himself to abolish slavery; and to facilitate which, you, with the sanction of your Government, would guarantee an indemnity for the loss sustained, and asking our co-operation to carry this plan into effect.

In answer to the above, this Government has to declare to you, that although the information contained in the first part of your letter merits great credit, yet, in the fulfilment of its duty, it proceeds directly to verify such facts, and take the necessary measures, with the means at its command, to stop altogether such scandalous proceedings. In the meantime, it declares to you, that the merchandize to carry on the infamous traffic, if it exists in the said place, is not sent from this town, but is directly imported from English, American, and other vessels, *not* Portuguese; and there has been many cases of merchandize being sent from that place to this town.

Respecting the Treaty with the King of the Congo, this Government having recently received an embassy from him that has not yet been dispatched, and having to send a person to that country for another purpose, will take the opportunity to set up a negotiation with that Potentate, and will be glad to find that he accedes to the proposals for abolishing the traffic in slaves, the worst of all evils that befall the unhappy Africans.

God preserve you many years!

(Signed)

JOSE JOAQUIM DA SILVA GUARDADO.
CARLOS AUGUSTO FRANCO.
J. ANTONIO DE CARVALHOE MENEYES.
ANTONIO A AZEVEDO GALIANO.
LUIS GOMES RIBEIRO.

Captain John Foote,
&c. &c.

Fourth Enclosure in No. 116.

Captain Foote to the Hon. Sidney Herbert.

SIR,

"Madagascar," at sea, November 14, 1843.

I BEG to send herewith for your Lordship's information, the copy of a letter I have received from Lieutenant H. R. Foote, Acting Commander of the "Heroine," relative to his boarding the Portuguese brigantine "*Bom Successo*," by which their Lordships will perceive that she was cleared by the Custom House at St. Paul de Loando for Lisbon, *via* two of the most noted slave depôts on the coast, Benguela and Nova Redondo, with a cargo principally consisting of farinha, calavances, and rice, articles which form no part of the merchandize ever used in legal trade on the south coast; and yet, having all these things formally inserted in her manifest of cargo, according to the Treaty of the 3rd July, 1842, Article IX, section 9, it was impossible for Lieutenant Foote to detain her, though he had a perfect conviction of her ultimate intentions.

Their Lordships will not be surprised to hear that this very vessel took in a cargo of slaves at Nova Redondo three days afterwards, but mistaking a Portuguese schooner-of-war in the offing for the "*Prompt*," my tender, ran herself on shore, and was wrecked.

The Collector of Customs at Loanda being dead, that office has devolved,

ad interim, on the Commissary Judge of the Mixed Commission Court established at that place, in virtue of the Treaty of the 3rd of July, 1842, Senhor Eusebio Catella de Lemos Penheiro Falçao, who granted this vessel the necessary certificate of manifest of cargo, to enable her to leave that port with the before-mentioned cargo.

Now, Sir, it is perfectly clear that this vessel was well known to be going to Nova Redondo for slaves, both by the authorities of Loanda, as well as all the merchants concerned; and it is this which I am desirous of drawing their Lordships' attention to, namely, that they endeavour in every possible way to evade the Treaty, with the sanction of those who, in virtue of their office, are bound to carry it out; and it appears to me more unpardonable in the Commissary of the Mixed Commission Court to wink at these evasions, as he would seem more especially bound not to facilitate the Slave Trade than an ordinary Collector of Customs.

It is very vexatious to me, Sir, after all my strenuous endeavours to carry out the views of Her Majesty's Government in the extinction of this accursed Slave Trade, to find myself thwarted in every way by the Portuguese authorities in this extensive province, which will never cease until some of them are punished. Their actions are in every way opposed to their professions; and nothing checks a wholesale shipment of slaves from every part of the coast, but the known vigilance of Her Majesty's cruizers; and there are so many points of embarkation, that it would take more than double their present number to ensure success.

I have, &c.
(Signed) JOHN FOOTE,
Captain, and Senior Officer commanding.

Hon. Sidney Herbert, M.P.
&c. &c.

Fifth Enclosure in No. 116.

Lieutenant Foote to Captain Foote.

SIR,

"Heroine," off the river Congo, October 25, 1843.

I HAVE the honour to bring to your notice the circumstances attending the boarding of the Portuguese brigantine "*Bom Successo*," by Her Majesty's brig under my command, on the 13th instant.

This vessel, which had given me four hours' chase, was two days from St. Paul de Loanda, bound to Lisbon, *via* Benguela, and Nova Redondo, two noted slave depôts, and has on board a cargo of farinha, calavances, and rice, besides her hold levelled with timber and bamboo, for erecting barracoons, all duly and formally inserted in her manifest given by the Custom House authorities at St. Paul de Loanda, and dated 10th October, 1843. Owing to the demise of the Administrator of the Customs at Loanda, that office has devolved *ad interim* on Her Most Faithful Majesty's Commissary Judge of the Mixed Commission Court established at that place, in virtue of the Treaty of the 3rd July, 1842, Senhor Eusebio Catella de Lemos Penheiro Falçao, who granted this vessel the necessary certificates of manifest of cargo, to enable her to leave that port with the before-mentioned cargo, his signature and seal of office being attached to it.

It is well known to every one that farinha, calavances, and rice are articles which form no part of the merchandize used in legal trade on this or any other part of the coast of Africa: but, on the contrary, are never sought after but by slave dealers for the subsistence of the unhappy objects of their traffic; and one of the greatest obstacles offered to the Slave Trade is prohibiting vessels from conveying such cargoes to and from the coast.

Thus, it would appear, that the wily slave dealers at Angola have already detected a scheme whereby they find a new facility in carrying on their accursed traffic—that of obtaining Custom House clearances for their vessels laden with these indispensable commodities, by which means, under the 9th section of the 9th Article of the Treaty of the 3rd July, 1842, they are enabled to send their vessels to the different points for the embarkation of slaves without

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risk of detention; and I trust, Sir, you will see with me the necessity of adopting the earliest possible means of bringing to light this new feature in the Slave Trade carried on by the subjects of Her Most Faithful Majesty from these parts, notwithstanding the recent Treaty for its total suppression—a feature which, if permitted, must materially tend to neutralize all our efforts for the extinction of the Slave Trade on this coast.

The "*Bom Successo*" had nothing on board but the cargo I have already stated viz :—180 bags farinha; 60 bags calavances; 3 sacks rice, and a large quantity of timber and bamboo. And, of course, notwithstanding my perfect conviction of the ultimate purposes for which it was intended, I could not have been justified in detaining her after the production of so unquestionable a document as a manifest of cargo, bearing the signature and seal of such an authority; but I, however, deem it my duty to bring these facts to your notice, fraught as they are with the utmost injury to the execution of the Treaty of the 3rd July, 1842.

You will not, Sir, from your experience in these matters, be astonished when I inform you, that this very vessel (the "*Bom Successo*") embarked a cargo of slaves at Nova Redondo three days after I boarded her, and mistaking a Portuguese schooner for the "*Prompt*," she ran on shore with her cargo, and was wrecked.

I have, &c.

(Signed)

H. R. FOOTE,

Lieutenant, acting in command.

Captain John Foote,
&c. &c.

No. 117.

The Earl of Aberdeen to Baron Moncorvo.

Foreign Office, February 26, 1844.

THE Undersigned has had the honour to receive the note of Baron Moncorvo, dated the 22nd ultimo, in which, after acknowledging the receipt of the explanation given by the Undersigned, on the 14th December last, of circumstances under which the Portuguese brig "*Oriente*" was seized by the Commander of Her Majesty's brig "*Bittern*," in the month of December, 1842, and the reasons which induced the Vice-Admiralty Court at Sierra Leone finally to decree the restitution of the vessel, and to assign to the captor and the owner the payment of their respective costs, Baron Moncorvo states it to be the opinion of his Government, that the unjust nature of that decision makes it necessary and right that there should be a return to the first sentence of the Court, by which the captor was condemned in costs and damages; and Baron Moncorvo expresses a hope, that Her Majesty's Government will concur in this opinion.

In reply, the Undersigned has the honour to observe to Baron Moncorvo, that even if he were able to view the matter in the light in which it is viewed by the Portuguese Government, it would still be out of his power to order a Court of Justice to revise a judgment passed in due legal form, and to recur to a sentence which, upon a rehearing of the case, the Court had seen fit to overrule. But in fact, the Undersigned must again declare to Baron Moncorvo that, far from agreeing with the Portuguese Government, in thinking that any injustice has been done to the owner of the "*Oriente*" by the final sentence of the Vice-Admiralty Court, or that there is any inconsistency in that sentence, Her Majesty's Government are of opinion that that person has reason to congratulate herself upon the acquittal and restoration of her vessel.

With respect to the latter part of Baron Moncorvo's note, complaining that the proceedings of the British cruizers in the African seas are an obstruction to the lawful commerce of Portugal, and a fertile source of violence and injustice very detrimental to the interests of the Portuguese colonies, the Undersigned must be allowed to express his regret that Baron Moncorvo has again thought proper to prefer this loss and general charge without producing any facts in support of it. Vague accusations of this nature tend only to give an unfriendly tone to the relations between the two Governments, without leading to the satisfactory statement of real grievances, where any such exist.

It is under this conviction that Her Majesty's Government, in the remonstrances which they have too frequently had occasion to address to that of Portugal, upon the subject of the Slave Trade, has always sought to make any charge of misconduct on the part of Portuguese officers explicit, and to give such details of the facts which have made remonstrance necessary as should enable the Portuguese Government to take effectual measures for the correction of abuse and the vindication of their own good faith. Accordingly, Her Majesty's Government have, within the few last days, forwarded to Lord Howard de Walden the full particulars of two cases, in which the chief authorities at St. Paul de Loanda have shown, if not connivance at, at least a highly culpable indifference to the proceedings of slave traders in that town, and at Ambriz.

These facts, distinctly stated upon the authority of one of Her Majesty's officers, Lord Howard de Walden has been directed to bring to the knowledge of the Government at Lisbon; and the Undersigned trusts that Baron Moncorvo will not feel it inconsistent with his duty to represent to his Government, that when by a neglect of duty on the part of any officers in their employment the intentions of the Crown of Portugal, as recorded in Treaty, have been defeated, it will be in accordance with the friendship and alliance existing between the two countries openly to disavow the act of the person so offending, and to take immediate steps to prevent the recurrence of the offence.

The Undersigned, &c.

His Excellency Baron Moncorvo,
&c.

(Signed)

ABERDEEN.

No. 118.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, March 18, 1844.

(Received March 28.)

MY LORD,

I HAVE the honour to enclose the copy of a note which, under your Lordship's instructions, conveyed in your Despatch, marked Slave Trade, of the 23rd ultimo, I have addressed to the Minister of Foreign Affairs, on the subject of the infraction of the Treaty of July 1842, by Portuguese authorities and subjects, as reported by Captain Foote to the Admiralty.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 118.

Lord Howard de Walden to Senhor Gomes de Castro.

MONS. LE CONSEILLER,

Lisbon, March 8, 1844.

ACCOUNTS continually reach Her Majesty's Government on the prevalence of Slave Trade within the Portuguese possessions on the coast of Africa.

The accompanying letters from Captain Foote, the officer commanding Her Majesty's naval force upon that coast, are such as, in the opinion of Her Majesty's Government, require to be brought to the immediate knowledge of the Portuguese Government.

Your Excellency will perceive, from Captain Foote's letter of the 14th of November, and its Enclosure, that the license which, with the view of avoiding any restraint upon lawful trade, the 9th section of the 9th Article of the Treaty of 1842 confers upon vessels carrying suspicious cargoes, provided they are furnished with manifests of those cargoes, has been grossly abused—not by an officer of the Custom House, or by any inferior public functionary, whose indifference to the obligations of the Treaty might not be a subject of much surprise, but by the agency of that servant of the Portuguese Crown who,

beyond all others, is bound to use his honest and zealous exertions for the suppression of the Slave Trade, and the punishment of all who embark in it.

In placing these facts, as given by Captain Foote, before your Excellency, I am earnestly to call upon the Portuguese Government to mark their strong disapprobation of the conduct of the Portuguese Commissioner in the Mixed Court at Loanda, and to guard effectually against a recurrence of it.

In the other letter from Captain Foote, dated November 13, he describes the impunity with which slaves from the interior are collected upon a part of the coast over which Portugal professes to exercise a government, with the flag of Portugal flying over the barracoons in which they are imprisoned to await the arrival of a purchaser; it also describes the indifference with which the authorities of St. Paul de Loanda received the intelligence of this indecent abuse of their country's flag.

That a very slight degree of honest exertion would not suffice to put down such audacious proceedings, perpetrated as they are in the immediate neighbourhood of the seat of the Local Administration, is more than Her Majesty's Government can believe.

I am therefore instructed to bring these facts also to the knowledge of your Excellency, calling the attention of the Government of Her Most Faithful Majesty to the disregard and contempt with which the object of the Treaty of July 1842 has been treated, and which Her Majesty's Government view in the most serious light.

I am to claim, that the promptest measures should be taken to enforce the laws of Portugal, and thereby to indicate the good faith of the Portuguese Government towards Great Britain.

I avail, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor Gomes de Castro,
&c. &c.

No. 119.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, March 19, 1844.

(Received March 28.)

MY LORD,

HAVING duly notified to Senhor Gomes de Castro that the warrants supplied to Her Majesty's ships "Fantome" and "Avon" had been cancelled; that Her Majesty's ships "Hydra," "Hyacinth," "Penelope," and "Satellite," would be employed in the suppression of the Slave Trade; that Her Majesty's ships "Gorgon," "Ardent," "Growler," "Ringdove," "Albatross," and "Wasp," had been appointed to the coast of Africa station; and having communicated to his Excellency a list of the officers now second in command in eight of Her Majesty's ships employed in the suppression of the Slave Trade, I have the honour to enclose copies of the notes which I have received from his Excellency in reply.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

(Translation.)

First Enclosure in No. 119.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, November 10, 1843.

I HAVE the honour to acquaint your Lordship, that I this day communicated to the Minister of Marine your Lordship's note of the 3rd instant, stating that the warrants supplied to Her Britannic Majesty's ships "Fantome" and "Avon," which were employed in the suppression of the Slave Trade on the Brazil, and North America and West India stations, under the Treaty of the

3rd July, 1842, between Portugal and Great Britain had been cancelled, and that the steam-vessel "Hydra" would be employed on the coast of Africa in the suppression of the Slave Trade.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Second Enclosure in No. 119.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, February 1, 1844.

I HAVE the honour to acquaint your Lordship, that I this day made known to the Minister of Marine the contents of your Lordship's notes of the 24th January last, communicating to me a list of the officers second in command of Her Britannic Majesty's ships which are employed on the North America and West India, and Brazil stations, in suppression of Slave Trade, under the Treaty of the 3rd July, 1842; and informing me that Her Britannic Majesty's sloop "Hyacinth" will be employed in the suppression of the Slave Trade on the first of the above-mentioned stations.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Third Enclosure in No. 119.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, March 2, 1844.

I HAVE the honour to acknowledge the receipt of your Lordship's notes of the 22nd and 26th February last, on the appointment by Her Britannic Majesty's Government of the steam-vessels "Gorgon," "Ardent," and "Growler;" of the sloops "Ringdove," "Albatross," and "Wasp;" and of the ships "Penelope," and "Satellite," to the Brazil and coast of Africa stations, under the Treaty of the 3rd July, 1842, for the suppression of slave trade; and which I have this day communicated to the Minister of Marine.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 120.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, March 30, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's sloop "Larne," of 18 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 "Larne" is commanded by Commander J. W. D. Brisbane; and Lieutenant Augustus C. May is the officer second in command.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 121.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, April 20, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's steam-vessel "Prometheus," on the coast of Africa station, authorizing 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. 122.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, April 17, 1844.**(Received April 25.)*

MY LORD,

HAVING duly notified to Senhor Gomes de Castro, that the warrants supplied to Her Majesty's ships "Lily" and "Bonetta," to act in the suppression of the Slave Trade, had been cancelled, and that Her Majesty's ships "Helena," "Illustrious," and "Prometheus," would be employed under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the suppression of Slave Trade, I have the honour to enclose copies of the notes which I have received from his Excellency in reply.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

First Enclosure in No. 122.

(Translation.) Senhor Gomez de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, January 24, 1844.

I HAVE the honour to acquaint your Lordship, that I this day informed the Minister of Marine of your Lordship's communication of the 20th instant, relative to the cancelling of the warrants supplied to Her Britannic Majesty's ships "Lily" and "Bonetta," which were employed in the suppression of the Slave Trade on the coast of Africa and Cape of Good Hope stations, under the Treaty of the 3rd July 1842, and to the employment of the sloop "Helena" on the Cape of Good Hope station, and the "Illustrious" on the North America and West India station, in the suppression of the Slave Trade.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

Second Enclosure in No. 122.

(Translation.) Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, March 21, 1844.

I HAVE the honour to acquaint your Lordship, that I this day informed the Minister of Marine of your Lordship's communication dated the 15th instant, stating that the steam-vessel "Prometheus" had been authorized to

act in the suppression of the Slave Trade on the coast of Africa station, under the Treaty of the 3rd of July, 1842.

I avail, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.
Lord Howard de Walden, G.C.B.
 &c. &c.

No. 123.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, April 26, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's brig "Pantaloen," on the coast of Africa station, authorizing 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. 124.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, April 21, 1844.

(Received, April 29.)

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, in reply to the note which I addressed to his Excellency, under your Lordship's instruction, bringing under the notice of the Portuguese Government the proceedings of the authorities at Loanda, and remonstrating against the virtual infraction thereby of the Treaty of the 3rd July, 1842, for the suppression of the Slave Trade.

His Excellency gives the assurance that the representations of Her Majesty's Government will be strictly attended to, and that every measure will be taken in good faith by the Portuguese Government to ensure, as far as is within their power, the effective observance of the Treaty with Great Britain 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.)

First Enclosure in No. 124.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, April 15, 1844.

I HAD the honour to receive your Lordship's note, of the 8th ultimo, transmitting copy of a correspondence from Captain Foote, Commander of Her Britannic Majesty's naval forces on the coast of Africa, a copy of which I communicated to the Minister of Marine, requesting his Excellency, should the report of the existence of the barracoons which Captain Foote states to have been erected a few miles from Ambriz, for the purpose of receiving negroes for the Slave Trade, be correct, to issue his orders for their destruction. I also requested his Excellency to cause the strictest investigation to be made as to whether the cargo of the "Bom Successo," on her being cleared for Nova Redondo, was of a nature to cause the suspicion of its being destined for the Slave Trade, as being composed of merchandize which it is not customary to

ship to that port, excepting for purposes of Slave Trade, in order, should such be the case, that very severe measures may be taken with respect to the Commissioner of the Mixed Commission at Loanda, who was acting as Director of the Custom House of that town. I lastly requested him to direct the authorities of the Ultra-Marine Custom Houses not to clear any vessel which might from any circumstance cause suspicion, without being bailed.

I have every reason to believe that all these measures will produce the most decided effect, as being communicated for execution to an honourable and zealous Governor and a notorious enemy to the Slave Trade, who succeeded some months ago to the Council of Government, *ad interim*, which existed at the time of Captain Foote's correspondence, in consequence of the death of the former Governor.

It cannot however, with justice, be said that the Portuguese authorities in Africa do not in general make every effort in their power to effect the complete abolition of the Slave Trade, and far less that Her Majesty's Government are called upon to vindicate their good faith towards Great Britain in carrying out the Treaty of 1842. Her Majesty's Government would be well satisfied if every Power with whom it has Treaties was to act up to them, as regards Portugal, with that good faith evinced by Her Majesty's Government towards Great Britain, with respect to this Treaty.

The British Government has, on several occasions, acknowledged the exertions made by the President of the Council of Government at Angola, in 1842, and by the Commander of the Portuguese naval station on that coast, Francisco Antonio Gonçaves Cardozo, for suppressing the Slave Trade, and even recommended them to the favourable consideration of Her Majesty's Government for this reason.

It is not easy at once to abolish this odious traffic in Africa, which has been introduced for centuries in that region, as being the most lucrative, and almost the only means of employing capital, until such time as other branches of licit trade shall be substituted for the Slave Trade.

On this subject, I must call the attention of Her Britannic Majesty's Government, that they should recommend to the Commanders of their cruizers the most decided protection of licit trade, as any violence or impediment which it might suffer would be an incentive to speculators to return to the abominable trade which we are desirous to abolish.

Should any authority, however, be less zealous in the rigorous execution of the repeated orders of Her Majesty's Government for the purpose of effecting the total suppression of the Slave Trade, it cannot hence be inferred that the Portuguese authorities in Africa are in general connivers at the Slave Trade, which, notwithstanding the scrupulous vigilance of the British naval station, it has unfortunately been impossible entirely to suppress; as the price of slaves in the New World having risen in consequence of the greater risk run in obtaining them, the enormous profits of the slavers has excited their temerity, as generally happens in all articles of contraband. And that the British Government may be convinced of the efforts which Her Majesty's Government has made, as far as in them lies, for the suppression of the Slave Trade, I have the honour to enclose, not only a list of the naval force which we have stationed on the coast of Africa, at a great sacrifice to the Treasury, but also a list of the vessels captured by the said Portuguese naval force, and by the authorities of the provinces of Angola and Mozambique, which effectually proves the efficacy and loyalty with which the orders of Her Majesty's Government have been acted up to.

I renew, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

Second Enclosure in No. 124.

(Translation.)

Foreign Office, Lisbon, April 13, 1844.

LIST of the Portuguese Vessels of War stationed on the East and West Coasts of Africa.

AT MOZAMBIQUE.

Brig . . .	" <i>Villa Flor</i> "	14 guns.
Brig . . .	" <i>Caçador d' Africa</i> "	6 cannonades ; calibre 18 in.
Brig . . .	" <i>Gentil Libertador</i> "	6 guns.

AT ANGOLA.

Sloop . . .	" <i>Urania</i> "	18 guns.
Schooner	" <i>Nympha</i> "	6 guns.
Schooner	" <i>Esperança</i> "	6 guns.
Schooner	" <i>Boa Vista</i> "	4 guns.
Schooner	" <i>Concelho</i> "	1 swivel.

AT CAPE VERD.

Brig . . .	" <i>Ponga</i> "	14 guns.
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Besides the ships, there are at Angola several armed boats.

(Signed) ANTONIO JOAQUIM GOMES D'OLIVEIRA.

Third Enclosure in No. 124.

(Translation.)

Foreign Office, Lisbon, April 13, 1844.

LIST of the Vessels captured by Portuguese Ships of War and Authorities on the Coasts of Angola and Mozambique, for being employed in the Slave Trade.

AT ANGOLA.

No. 1.	Portuguese brig . . .	" <i>Maria Virginia.</i> "
2.	Brazilian brig . . .	" <i>Rosa.</i> "
3.	Brazilian schooner . . .	" <i>Virtuosa Maria Aldina.</i> "
4.	Brazilian sumaca . . .	" <i>Amisade.</i> "
5.	Portuguese schooner . . .	" <i>Nympha.</i> "
6.	Portuguese schooner . . .	" <i>Paquete Portuguez,</i> " formerly " <i>Maria Francisca.</i> "
7.	Brazilian sumaca . . .	" <i>Maria Rosa.</i> "
8.	Portuguese schooner . . .	" <i>Nereida.</i> "
9.	Portuguese brig . . .	" <i>Caçador.</i> "
10.	Portuguese sumaca . . .	" <i>Rio Tamega.</i> "
11.	Portuguese brig . . .	" <i>Paquete de Benguela,</i> " formerly " <i>Idallia.</i> "
12.	Portuguese brig . . .	" <i>San Manoel Augusto.</i> "

AT MOZAMBIQUE.

13.	Portuguese ship . . .	" <i>Donna Maria da Gloria.</i> "
14.	Portuguese ship . . .	" <i>Donna Maria Segunda,</i> " now " <i>Ral. Principe Don Pedro,</i> " and previously " <i>Relampago.</i> "
15.	Portuguese brig . . .	" <i>Importador.</i> "
16.	Brazilian polacca . . .	" <i>Ignex.</i> "
17.	Portuguese brig . . .	" <i>Fortuna d' Africa.</i> "
18.	Portuguese brig . . .	" <i>Don Manoel.</i> "
19.	Portuguese schooner . . .	" <i>Philantropico.</i> "
20.	Portuguese schooner . . .	" <i>Paquete da Madeira.</i> "

N.B.—Nos. 1, 2, 3, 4, 7, 9, 11, 12, 16, 18, and 20 are being tried ; Nos. 5, 6, 8, 13, 14, 15, 17, and 19 were condemned ; and No. 13 absolved.

(Signed) ANTONIO JOAQUIM GOMES D'OLIVEIRA.

No. 125.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 18, 1844.

(Received May 30.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, having reference to his note of the 15th of April, enclosed in my Despatch, marked Slave Trade, of the 21st ultimo, informing me that instructions in conformity to his announcement to me have been sent by the Minister of Marine to the Portuguese authorities in Africa, on the subject of the representations of Captain Foote to Her Majesty's Government, and which, by your Lordship's directions, I had communicated to Senhor Gomes de Castro.

I have, &c.

(Signed)

HOWARD DE WALDEN

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 125.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, May 17, 1844.

IN addition to my note of the 15th of last April, relative to the correspondence forwarded by Captain Foote, Commander of the *Britannic* cruizers at Angola, to the Admiralty, on the continuance of the Slave Trade at Ambriz, where it is said that there are some Portuguese barracoons for that purpose,—I have the honour to acquaint your Lordship, that the Minister of Marine communicated to me on the 6th instant, that although he was aware of the injury which any more restrictions will cause to the licit trade which is still carried on there, he issued a Portaria on the 27th of last April, to the Governor-General of Angola, to cancel the licenses given to Portuguese subjects for residing and trading in Ambriz, and to grant them solely to those who should give bail to ensure that they would not trade in slaves, being subject, in case of transgression, not only to the loss of the bail and of the barracoons which they may possess at Ambriz, but also to the penalties which they may incur for violating extant laws; and at the same time he ordered the Governor-General to employ all the means in his power to enter into a compact with the King of Congo, with a view to the abolition, in his kingdom also, by efficacious means, of the Slave Trade.

The Minister of Marine likewise informed me, that in a Portaria of the same date, he had ordered every possible investigation to be made in Angola relative to the Portuguese vessel "*Bom Successo*," which, having been dispatched from Loanda to Nova Redondo, caused suspicion of being destined for the Slave Trade; and particularly as to whether the then Administrator of the Custom House of Angola, and Member of the Mixed Commission established there, Eusebio Catella de Lemos Pinheiro Falçao, was in any manner an accomplice in this attempt at illicit commerce, that he may be immediately deprived of the office conferred on him by Her Majesty, if such was the case.

These measures, which tend towards causing the Treaty of the 3rd July, 1842, to be faithfully acted up to, cannot leave any doubt of the desire of Her Majesty's Government to contribute with efficacy towards the total abolition of the inhuman Slave Trade.

I avail, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 126.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, May 20, 1844.**(Received May 30.)*

MY LORD,

HAVING duly notified to Senhor Gomes de Castro that Her Majesty's sloop "Larne" would be employed on the coast of Africa station in the suppression of the Slave Trade, and that the warrants supplied to Her Majesty's steam-vessel "Prometheus," and to Her Majesty's brig "Pantaloön," to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade, had been returned to the Lords Commissioners of the Admiralty, and cancelled by them, I have the honour to enclose copies of the notes which I have received from His Excellency 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. 126.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, April 18, 1844.

I HAD the honour to receive your Lordship's note of the 15th instant, informing me that Her Britannic Majesty's sloop "Larne," of 18 guns, commanded by Commander J. W. D. Brisbane, second commander Lieutenant Augustus C. May, would be employed on the coast of Africa in the suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain; and I this day acquainted the Minister of Marine with your Lordship's communication.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Second Enclosure in No. 126.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, May 10, 1844.

I HAVE the honour to acquaint your Lordship, that I this day communicated to the Minister of Marine your Lordship's note of the 6th instant, informing me that the warrant supplied to the steam-vessel "Prometheus" to act in the suppression of Slave Trade on the coast of Africa station, under the Treaty of the 3rd July, 1842, had been cancelled.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Third Enclosure in No. 126.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, May 14, 1844.

I HAVE the honour to acquaint your Lordship, that I have communicated to the Minister of Marine your Lordship's note of the 10th instant, informing

me that the warrant supplied to Her Britannic Majesty's ship "Pantaloön" to suppress the Slave Trade on the coast of Africa station, under the Treaty of the 3rd July, 1842, had been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I avail, &c.
(Signed) JOSE JOAQUIM GOMES DE CASTRO.

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

No. 127.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 28, 1844.
(Received June 11.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, transmitting copies of a report from the Governor of the Cape de Verd islands, on the subject of the representation which, under your Lordship's instructions, conveyed in your Despatch, marked Slave Trade, of the 27th of February, 1843, I made to his Excellency, in respect to the protection said to be given by him and the authorities in the Cape de Verds to slave trading vessels; in which report the said Governor answers *seriatim* the various charges advanced against him.

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

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

(Translation.)

First Enclosure in No. 127.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Lisbon, May 20, 1844.

THE Governor-General of the province of Cape de Verd having been ordered, through the Marine Department, to answer to the accusations of connivance at Slave Trade made against him and the other authorities of that province, in your Lordship's notes of the 27th of February and 16th of March, 1843, makes such a minute and satisfactory defence in his official notes of the 1st and 22nd July of that same year, that I have thought it proper to transmit to your Lordship copies of these notes, and will only add, that the Governor, Francisco de Paula Bastos, having been appointed to that office from a knowledge of his honour, intelligence, aptitude, and activity, I can assure your Lordship that he would be incapable of prevaricating; nor is he easily to be duped on a subject which now engages the attention of Europe to such an extent.

I avail, &c.
(Signed) JOSE JOAQUIM GOMES DE CASTRO.

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

(Translation.)

Second Enclosure in No. 127.

The Governor-General Bastos to the Minister of Marine.

MOST EXCELLENT SIR,

Cape Verds, July 1, 1843.

HER Majesty was pleased to order me, in a Portaria, No. 744, from your Department, dated the 21st of last March, with urgency to report on the contents of a note from Her Britannic Majesty's Envoy Extraordinary and

Minister Plenipotentiary at that Court, addressed to the Foreign Department, on the 27th of last February, and also on an extract of a communication made to the British Government (copies of which documents are transmitted to me), as regards the toleration, or rather protection, given by the authorities of these islands to the Slave Trade. In conformity with these Sovereign determinations, I have the honour to make known to your Excellency, with a view to being laid before Her Majesty, the following, viz. :—1st. Slave Trade is not, nor is it possible that it should be, carried on in these islands, as there is no capital to invest in it, or regular purchasers to encourage these infamous speculations, from the general poverty of the inhabitants, who barely manage to earn a livelihood. 2nd. Slave Trade is not carried on, for the Custom House Directors being the Military Governors of the islands, and the *Patroes Mores* (Superintendents of Ports) being bound to furnish a monthly list of the arrivals of vessels, the ports they come from, and their cargoes and number of passengers, and as I every month compare these lists, which I have always found to agree, it is impossible that slaves be introduced without my knowledge. I can make the same statement as regards the departures of vessels, for since the Portaria of the 23rd of December of last year, which regulated the service of the ports of this province, under the Decree of the 30th of August, 1839, has been in force, any attempt of that nature is impracticable. 3rd. Slave Trade is not carried on, for there is scarcely any communication between these islands and the coast of Africa, and the little there is is kept up either by English, or by national coasting vessels, which are, however, obliged to take out a special passport from the Government when going to that coast, are scrupulously searched on their arrival and departure, and give bail before the passport is granted. 4th. Slave Trade is not carried on, for though the coast of Africa is surrounded by English cruizers, which search all the trading vessels they fall in with, no vessel has been taken for these hundred years while bringing slaves to this province, or sailing from here fitted out for the Slave Trade. From what I have said may be inferred, either that the accusation made against me and the other authorities of the island, of protecting the Slave Trade, is unjust and thoughtless, or, what is not credible, that the British cruizers on the coast do not act up to their orders, and that they protect the nefarious Slave Trade.

After this absolute denial (and which cannot be contradicted) of the contents of the note, and extract of the communication, which were enclosed to me in the Portaria, No. 744, I beg leave to add a few observations which may enable your Excellency to form a decided opinion on the important document denominated a communication; and though I do not know who the author may be, I can easily imagine what countryman he is, from the little knowledge he shows of Portuguese laws and affairs.

He says, that the Judge of Right, Accacio Alves de Aranja, had been suspended in that capacity by my predecessor, in order that a Judge *ad interim* might, which he did in accordance with the ex-Governor, suspend all the proceedings against slave traders; and that that Judge of Right, now reinstated, says he cannot renew the judicial proceedings without instructions from Lisbon. Your Excellency is well aware of the causes which led to that Judge being suspended, and which had no connection at all with protection of Slave Trade; nor did the said Judge stand in need of instructions from Lisbon to prosecute the trials, for the laws were in vigour which would regulate him in these proceedings. What I know of the case is, that after an action was brought against the defendants, the witnesses were examined, and the parties suspected liberated by a Despatch, even before the Judge Accacio was reinstated in the full exercise of his authority.

He adds, that the schooner "*Rosa*" was permitted to leave Villa da Praia for the coast of Africa without the slightest examination of the accusations made against it by the English cruizer "*Heroine*;" and that it undoubtedly went to fetch slaves, as the Captain was the notorious slave dealer Santa Anna, who is also Captain of the port of this town. This schooner came in August of last year from the coast to Ilha de Maio, and thence to this town; a short time before its arrival at Villa da Praia, it was registered by the "*Heroine*," which freely permitted it to enter the port. Would this have been the case if it had had any signs of being employed in the Slave Trade? Surely not.

The same brig came then to Boa Vista, where I was; and the Commander,

who visited me in company with the Consul, informed me verbally, that he had found on board the said schooner indications of its being employed in the Slave Trade, and that he had not taken it, in consideration to our flag, for when he registered it it was just entering the port. I then asked the Commander to make this statement on paper, that I might make the necessary investigation of the case; he did not do so: notwithstanding, I desired the Secretary to address the Director of the Custom House (Enclosure No. 1), ordering him to take the necessary steps to find out whether there was actually any indications of that schooner being employed in the Slave Trade. The answer (Enclosure No. 2) entirely dispelled all suspicion, which was already greatly diminished by the knowledge of the proceeding of the "Heroine" towards the "Rosa;" as it was not to be supposed that those who did not scruple to make the register, in utter disregard to our flag, should scruple to put in force the rigorous consequences of that search, having proofs sufficient to authorize that proceeding. But even should all this be overlooked, why did not the Commander communicate the circumstance to the authorities of Villa de Praia, in order that they might make the capture, when there were so many proofs at hand; and not merely, after some days, make a simple verbal communication to me, which, from the time and manner in which it was made, ought rather to be considered as an apology for registering the vessel in the port, which he was accused of having done. Besides, I am informed that the said schooner "Rosa" had already been registered on leaving Bissao, by the English brig-of-war "Pantaloön." It is true that this schooner went to Bissao, where the owner resides; nor was there any cause to prevent it; but it was not until the Government had taken every step to prevent any subsequent attempt at Slave Trade, as it only gave the passport when the Captain had given bail to the amount of 40 *contos de reis* (See Enclosure No. 3.) As regards Santa Anna, I am not aware whether he is or not a notorious slave trader, but I can state, that up to this day this crime has not been legally proved on him. It is not true that he is Captain of the Port of this town, for there is no such officer here; and though, from his maritime knowledge, he acted *ad interim* as Superintendent of the Port, in the absence of that authority, the Second Lieutenant Rochodel, who had been sent on a commission to Bissao, in the brig-of-war "S. Boaventura," i was long before he became Captain of the "Rosa;" nor would it have been possible to be in the exercise of both offices at the same time.

He next says, that the Portuguese brig "*General Espartero*" sailed from this province for Maranhao with slaves on board, and that I had stated having ordered an action to be brought against the person who shipped the slaves on board that vessel. This confession, which the author of the communication made, and which the force of truth drew from him in spite of himself, might save me from entering into any details on the subject, as I am above suspicion; but desiring that your Excellency may see how little truth there is in this communication, I will say a few words on it.

When in July of last year I arrived at this island of Boa Vista, I received an official communication from the Director *ad interim* of that Custom House, in which he informed me, that it was publicly rumoured that the "*General Espartero*" had taken to Maranhao, before I had arrived at this province, three slaves from this island, and which where in fact missed since the departure of that brig. I consequently ordered the Administrator of the district to proceed to a secret investigation of the circumstance, and to examine the witnesses who were supposed to know more about it, some of whom were even named in the above-mentioned communication. My orders were executed, and I transmitted the papers to the Judge of Right, that he might proceed according to law. About that time the "*General Espartero*" entered this port coming from Maranhao. Your Excellency is well aware that all that was to be done belonged to the judicial authorities, who had cognizance of the case, who would alone decide as to whether the proofs were sufficient or not for a detention or arrest, and which could not be determined upon by Government without the most complete infraction of all the laws and principles of justice. I do not know what progress has been made in this case, as I have received no communication on the subject, which I attribute, besides the ordinary delays of the process, to the absence of the Juiz de Directo, till March last, having gone to Ilha Brava, and to his transfer on his return.

This is the simple fact, which differs widely from the statement made in the communication, in which, besides other inaccuracies which I have mentioned and will still point out, that which refers to my supposed declaration of having ordered an action to be brought against the person who shipped the slaves, is not the least important, seeing that in this affair I kept the utmost secrecy, and ordered that the same should be done by the subordinate authorities, as the law enacts for the more easy apprehension of offenders. The author of the communication continues, by stating in his own manner the circumstances of the Spanish brig "*Urania*," which having been at the island of Boa Vista, went afterwards to the island of that name to take in salt, and when there, was registered by the brig-of-war, "*Heroine*," as I had the honour to inform your Excellency in my Despatch No. 394, and from the documents in my Despatch No. 418, may be perceived that nothing was found on board the said Spanish brig to cause the slightest suspicion. I have the honour to call your Excellency's attention to these documents, as one of them, the communication of the Commander of the "*Heroine*," positively contradicts what is advanced in the extract your Excellency now forwarded to me.

I will not expatiate on the romance of the Spanish schooner which last summer (that is, from July to September) was making preparations in this port for the coast of Africa, for Enclosures Nos. 4, 5, 6, 7, and 8, (which are the circular I caused to be addressed on that subject to the authorities who might give me any information on it) and their answers clearly prove that no schooner or other Spanish vessel was in this port during last summer, or even subsequently.

The author of the communication says, that Rytaneo de Bissao (who is probably the Lieutenant-Colonel Caetano Jose Nozolini,) came to compliment me at the end of last year, and presented himself everywhere in the uniform of a Portuguese superior officer. If this be the person spoken of I must inform your Excellency, that this officer came here on leave, and on his arrival it was his duty, as your Excellency is aware, to present himself to me in his uniform. This simple action, which was also prescribed by military laws, your Excellency will perceive is moulded and transformed, in order to hurt the character of myself and this officer, as is necessary for the purpose which is meditated. Your Excellency will see, from the documents enclosed in my Despatch No. 418, that I was censured for presenting myself to that officer in my uniform as Brigadier, an untruth which I therein refuted. And if your Excellency compare the origin of this communication with that of the information furnished to the Commander of the "*Madagascar*" frigate, (for as he was not in this province he could from false information alone have advanced such an assertion,) you will perceive that what is said above is not without foundation.

I do not know whether any contracts of the nature of those mentioned by the author of the communication were effected with my predecessor, but considering the proofs of strict honour which he gave, and what is so falsely stated besides, I do not hesitate to assure your Excellency, that this statement is as little founded on truth as those which I have refuted, and finally, as that which asserts that the Government had deprived Caetano Jose Catiline of his commission, who, as I said above, I believe to be the person denominated Rytaneo de Bissao.

The communication concludes, by asserting that within the last 12 months there has been a considerable increase of slaves in Cape Verd, in consequence of the duty of 9,600 reis on each, which is here levied. As regards the first part of this communication, I only say, that its author would be taken in his own net if he were compelled to prove what he so imprudently asserts; and with respect to the second, I must inform your Excellency, that as slaves are permitted to be brought to these islands under certain conditions, both by the Decree of the 10th December, 1836, and Portaria, No. 476, which restricted the *bonâ fide* transfer of slaves as laid down in the said Decree, and also by the Treaty of the 3rd July of last year for the complete abolition of the Slave Trade, the duty in question is what slaves pay in the Custom Houses when legally introduced. Your Excellency will allow me to conclude this provoked apology of my proceedings, and of those of the authorities who act under me, by observing, that I have served Her Majesty for 34 years, without any stain on my civil or military reputation, and that I consequently feel most poignantly that my honour and

credit should be attempted to be injured by accusations without any foundation whatever.

I am, &c.
(Signed) FRANCISCO DE PAULA BASTOS,
Brigadier, and Governor-General.

His Excellency the Minister of Marine,
&c. &c.

(Translation.) Sub-Enclosure 1 in Second Enclosure in No. 127.

The Secretary-General to the Director of Customs.

General Government of the Province of Boa Vista,
August 29, 1842.

SIR,

YOUR Despatch, dated 9th instant, having been laid before His Excellency the Governor-General of the province, in which you state that the schooner "*Rosa*," coming from Bissao and Ilha do Maio, having arrived on that day, the officers of the English cruizer "*Heroine*," which was then anchored in this port, went on board of the said schooner and made a vigorous search, without previous permission of the military authority of the port where both the brig and the schooner were, and conclude by requesting to be furnished with instructions as to how you shall act in similar cases; his Excellency determines that I should inform you, that on all occasions when an English ship-of-war, or of any nation except Portugal, enters that port, you shall acquaint them, that as the police of our ports does not come under the competency of foreign ships, it will in nowise be tolerated that they take upon themselves the scandalous abuse of searching any vessels in the port, and under the protection of the forts; and also that I should make known to you, that he was aware of this circumstance previous to your report, which differs in some respects from verbal communications made to him on the subject, which makes him suppose that you were misinformed as to the search made by the English brig having been made in the port, and that it might have been, as was stated to him, at the entrance of the port; and further, that this was the reason why the said schooner was not taken, as proofs of its being employed in the Slave Trade were found on board; and His Excellency therefore hopes from your zeal and patriotism, that you will make every examination, and communicate through this office, whether that schooner was actually within the port and under the protection of the forts, or only coming into it; and also whether any indications of Slave Trade were found on board. In this you will proceed with customary secrecy and prudence.

(Signed) JOSE M. DE SOUZA MONTEIRO.

Senhor A. J. Cordeiro,
&c. &c.

(Translation.) Sub-Enclosure 2 in Second Enclosure in No. 127.

The Director of Customs to the Secretary-General.

SIR,

Villa da Praia, September 20, 1842.

I ACKNOWLEDGE the receipt of your Despatch of the 29th ultimo, in answer to mine of the 9th of last month, and with reference to its contents, I have to forward, to be laid before his Excellency the Governor-General, the original report of the Superintendent *ad interim* of this port, relative to the search which the crew of the "*Heroine*" made on board the Portuguese schooner "*Rosa*," as also to the cargo which the said schooner brought to this port, which was perfectly of a licit nature, for it was all entered at this Custom House, and nothing was found on board to cause suspicion, for after the vessel was discharged a rigorous search was made, and it anchored in ballast between

the small island and the shore. I must add, in order to prove the truth of my statement, that from the arrival of the vessel to the day she completed the discharge of her cargo, a second Custom House officer was placed on board every evening at six o'clock, with orders to watch on deck until six o'clock next morning, while during the day the respective officer whose duty it was staid during the day.

(Signed) AMBROSIO JOSE CORDEIRO,
Director of Customs.

Senhor J. M. de Souza Monteiro,
&c. &c.

(Translation.) Sub-Enclosure 3 in Second Enclosure in No. 127.

The Superintendent of the Port to the Director of Customs.

SIR,

Villa da Praia, August 9, 1842.

I HAVE the honour to report, that when going to visit a Portuguese schooner which was entering this port, and which I afterwards found out to be the "Rosa," owned by Auralio Correa of Bissao, I saw a boat of the English cruizer "Heroine" pull towards it, when already within the ancient battery of Mulher Branca, at gun-shot from the battery of this town, the crew of which I perceived were going to register the schooner, and consequently I tried to prevent their doing so by hailing them, but this had no effect, as they were much a-head of me, and the schooner was registered by the English, and anchored near the brig; I then came along side, and made the boat's crew leave the vessel, as I considered this act to be an insult to the national flag. The English crew left the vessel unwillingly, and I then returned on shore. I consider it my duty to make this communication, in order that you may take the steps you think proper.

(Signed) JOSE JOAQUIM DE SANTA ANNA.

Senhor A. J. Cordeiro,
&c. &c.

(Translation.) Sub-Enclosure 4 in Second Enclosure in No. 127.

Deed of Bail given by Joaquim Martins Franco for Auralio Correa, owner of the Schooner "Rosa," of the Town of St. Joze de Bissao.

ON the 1st day of October, 1842, in this Villa da Praia, and in the office of the Provincial Government, before the respective Secretary, the undersigned declared, on the part of Auralio Correa, that he bound himself to comply with the Decree of the 10th December, 1836, making himself responsible, in case of infraction, for the amount of 40 contos de reis, and moreover, not to alter his course beyond the limits prescribed in the respective passport, viz. the ports of these islands and of Portuguese Senegambia, and that he will make no other use of a gun of three pounds calibre which he has on board, but that legally permitted. And that all this may be known this deed was made, and signed by the party giving bail, in the presence of the witnesses.

(Signed) JOSE M. DE SOUZA MONTEIRO.
JOAQUIM MARTINS FRANCO.

(As witnesses.)

TRISTAO DIAS DA SILVA.
JOAO ANTONIO SILVES.

(Translation.) Sub-Enclosure 5 in Second Enclosure in No. 127.

Circular to the Commander of Military Force, Director of Customs, Administrator of the District, and Superintendent of the Port.

SIR,

Government of the Province,
Villa da Praia, May 9, 1843.

His Excellency the Governor-General of the province determines, that you report with urgency and as minutely as possible on the following queries, an answer
CLASS B.

to which is absolutely necessary to enable the Government to take the necessary steps with a view to frustrate in a decisive manner the attempts of slave traders, and rigorously punish the authorities and *employés* who, either from inactivity or connivance, directly or indirectly, may have aided them in any manner:— 1st. Whether any Spanish schooner entered this port from the 2nd of July up to the date of this Despatch? 2nd. If such schooner have entered, how long did she stay? and what repairs or preparations did she make? 3rd. From which port did she sail? and what was her cargo composed of? 4th. If she sailed for the coast of Africa, whether the visit, as enacted in the 7th Article of the Decree of the 10th of December, 1836, was made? and if any suspicion was caused of her being employed in the Slave Trade? 5th. What proceedings took place with regard to the said schooner?

(Signed) JOSE M. DE SOUZA MONTEIRO,

(Translation.) Sub-Enclosure 6 in Second Enclosure in No. 127.

The Superintendent of the Port to the Secretary-General.

SIR,

Villa da Praia, June 1, 1843.

IN answer to your Despatch, in which his Excellency the Governor-General determines that I should report as to whether from the 2nd of June of last year up to this date any Spanish vessel had entered this port, what preparations it made, what cargo it took, the port of its destination, and the proceedings with respect to it of the authorities, under the Decree of the 10th of December, 1836, I have to state for the information of his Excellency, that having referred to my register of the arrivals of vessels, and to the register kept in my absence, I find that no vessel of that nation has come to this port, and this will therefore serve as an answer to all the queries.

(Signed) LOURENCO ANTONIO ROCHODEL,

Senhor J. M. de Souza Monteiro,
&c.

Superintendent.

(Translation.) Sub-Enclosure 7 in Second Enclosure in No. 127.

The Military-Commander to the Secretary-General.

SIR,

Villa da Praia, May 23, 1843.

I HAVE the the honour to acknowledge the receipt of your Despatch of the 9th instant, in which his Excellency the Governor-General determines that I should report on the queries relative to a Spanish schooner supposed to have entered this port, from the 2nd of June of last year up to the date of that Despatch. I have to acquaint you, that the registers of this port do not mention any vessel of that nation as having entered this port in the time stated in your Despatch.

(Signed) A. R. DZEISASKI,

Lieutenant-Colonel, and Military-Commander.

Senhor J. M. de Souza Monteiro,
&c.

&c.

(Translation.) Sub-Enclosure 8 in Second Enclosure in No. 127.

The Director of Customs to the Secretary-General.

SIR,

Villa da Praia, May 10, 1843.

I ACKNOWLEDGE the receipt of your Despatch of yesterday's date, in which, by order of his Excellency the Governor-General, you require me to state whether, since the 2nd of June of last year to the present day, any Spanish schooner had entered this port, and what preventive measure had been taken by the Custom House with regard to it, under the Law of the 10th December, 1836; to which I have to answer, that within the period mentioned by you no Spanish vessel has come to this island.

(Signed)

AMBROSIO JOSE CORDEIRO,

Director of Customs.

Senhor J. M. de Souza Monteiro,
&c.

&c.

(Translation.) Sub-Enclosure 9 in Second Enclosure in No. 127.

The Administrator of the District to the Secretary-General.

SIR,

Villa da Praia, May 31, 1843.

IN answer to your Despatch of the 19th instant, in which, on the part of his Excellency the Governor-General of the province, you determine that I should state whether any Spanish vessel has entered this port, from the 2nd of July last up to the date of your Despatch, the time it staid here (if so be that it came in), the preparations it made, and finally the port it sailed for, and cargo it had on board, I have to state in answer, that as this matter rests with the Custom House I can give no positive assurance, but as far as my memory aids me, I can almost assure you for the information of his Excellency, that within the time stated no Spanish vessel came to this port.

(Signed) FRANCISCO DE PAULA BRITO,
Administrator of the District.

Senhor J. M. de Scuza Monteiro,
&c. &c.

(Translation.) Third Enclosure in No. 127.

The Governor-General to the Minister of Marine.

Government of the Province,
Villa da Praia, July 22, 1843.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

HER Majesty was pleased to order me, through your Excellency's Department, in a Portaria, No. 756, to make the most strict investigations, with a view to discovering whether the Slave Trade is carried on the coast of Africa under the American flag, which is inferred from a Despatch which Her Britannic Majesty's Consul in this province wrote to his Government, with a declaration of Jeremiah M'Carthy, a copy of which was forwarded to me in the said Portaria. An enemy to the Slave Trade, both from conviction and in obedience to the laws of my country, I have taken every step to prevent its being carried on in this Archipelago, where the influence of the Government is more prompt and efficacious; nor have I been backward in giving the most positive orders to the authorities of Guinea on the same subject; hence I consider myself authorized to assert, that this abominable and inhuman trade is not carried on in these islands, and I presume the same may be said as regards the ports on the coast of Guinea, where the Portuguese standard flies. This being the case, great was my astonishment on seeing the communication of the English Consul to his Government, and the declaration of Jeremiah M'Carthy, in which the most serious accusations were made against the authorities of this town, as being unmindful of their duty. And in order to satisfy myself of the truth of these accusations, I demanded of the Director of the Customs and the Superintendent of the Port, in a Despatch (Enclosure No. 1), all the information necessary to enable me to proceed towards them according to law, if I should find that during my absence they had relaxed in the performance of their duty, thus causing the Portuguese flag to be disregarded by the slave traders. A note was also addressed to the American Consul (Enclosure No. 2), requesting information with respect to the "*Cyrus*," which was the schooner suspected of being intended for the Slave Trade. The answers of this Consul (Enclosure No. 3), of the Director of the Customs (Enclosure No. 4), and of the Superintendent of the Port (Enclosure No. 5), clearly refute the English Consul's assertions. From these papers your Excellency will be able to ascertain whether the so-called public opinion in the town being that the "*Cyrus*" was specially destined for the Slave Trade, is not a mere fiction, of a like nature to many others which the English Consul communicates to his Government for purposes best known to himself. From these papers it may be seen, that that schooner made no preparations for the Slave Trade in this port; that its cargo was of a licit nature, a part of which was sold here for payment of the charges of repairing, which it stood in need of in order to be enabled to continue its voyage; and the supply of water, which I beg your Excellency to observe, was only four pipes for a crew of 10 men. By the

American Consul's note, it is seen that the assertion of the "*Cyrus*" being a Spanish schooner under American colours was incorrect; that the so-called public opinion being that she was destined for the Slave Trade was equally so; and, finally, from the answers of the Director of the Customs and the Superintendent of the Port, it is proved that that schooner had all her papers legally correct, that she was engaged in legal commerce, and showed no indications of being bound to Cabinda for the purpose of slave trading. Under these circumstances the authorities of Villa da Praia could not act in any other manner, and the English Consul's communication is incorrect, and exposes ignorance of legal formalities. One more observation to which I beg leave to call your Excellency's attention, namely, if the agent of Her Britannic Majesty's Consul at Villa da Praia was so well informed as to the intended employment of the "*Cyrus*" in the Slave Trade, why did he not inform the authorities of the place of this fact while that vessel was yet in this port? If Her Britannic Majesty's Consul placed such implicit faith in the declaration of Jeremiah M'Carthy, that he thought it necessary to lay it before his Government, why did he not communicate it to me, in time to cause the necessary measures to be taken? These omissions plainly prove that the English Consul was not perfectly convinced of what he communicated officially.

(Signed) FRANCISCO DE PAULA BASTOS,
Brigadier, and Governor-General.

His Excellency the Minister of Marine,
&c. &c.

Sub-Enclosure 1 in Third Enclosure in No. 127.

Despatch addressed to the Director of Customs, and to the Superintendent of the Port.

(Translation.)

SIR,

General Government,
Villa da Praia, July 16, 1843.

THERE being reasons to believe that the American schooner "*Cyrus*," Captain W. F. Hill, which was anchored in this port in November of last year, destined for the port of Cabinda, went there for the purpose of being engaged in the Slave Trade, which, according to a communication made to the Government, was known to all the inhabitants of this town, as it was openly stated by the crew, besides which, the preparations made here proved it sufficiently, his Excellency the Governor-General determines that you shall make a minute and circumstantial report of whatever you are acquainted with on the subject, and also as to whether the said schooner was strictly searched at her departure, under the Decree of the 10th December, 1836, and what the result of such search, transmitting through this office an authentic copy of the report of the search, for the information of his Excellency.

(Signed) JOSE M. DE SOUZA MONTEIRO

Sub-Enclosure 2 in Third Enclosure in No. 127.

The Secretary-General to the United States Consul.

(Translation.)

SIR,

General Government,
Villa da Praia, July 16, 1843.

I HAVE the honour to request that you will be so good as to inform me whether the "*Cyrus*," which was in this port in November of last year, had a right to hoist American colours, as she did during her stay here; and also whether she made any preparations here which might raise a suspicion of her being intended for the Slave Trade; or whether, on her arrival at Cabinda, it was supposed that the crew or Master intended loading her with slaves.

(Signed) JOSE M. DE SOUZA MONTEIRO.

F. Gardner, Esq.
&c. &c.

Sub-Enclosure 3 in Third Enclosure in No. 127.

United States Consul to the Secretary-General.

SIR,

United States Consulate, Villa da Praia, July 21, 1843.

IN reply to the note of your Excellency of the 16th instant, I have to say, that the schooner "*Cyrus*," of Philadelphia, Captain W. F. Hill, arrived here on the 10th November, 1842, in distress for water, having lost part of her bulwark and four casks of water, on her passage from Havana. Her papers were strictly legal, being the register of the vessel granted at the Custom House, list of crew, from Havana, certified by the United States Vice-Consul, and all other documents of a vessel in a legal trade. She was chartered in Havana to take a cargo to Cabinda, and your Excellency's enquiries are the first I had heard advanced against that vessel; as for preparations made here for the Slave Trade, it is a perfect farce. I assure your Excellency her papers were in all respects legal. I have not forgotten the obligations to my own country, or the duty I, as Consul of the United States, owe to the Government of Her Most Faithful Majesty, who granted my exequatur.

I have, &c.

(Signed) F. GARDNER.

Senhor J. M. de Souza Monteiro,
&c. &c.

Sub-Enclosure 4 in Third Enclosure in No. 127.

(Translation.) *The Director of Customs to the Secretary-General.*

SIR,

Villa da Praia, July 22, 1843.

I ACKNOWLEDGE the receipt of your Despatch of the 16th instant, in which, by order of his Excellency the Governor-General of the province, you desire an authentic copy of the report of the visit made on board the "*Cyrus*," Captain W. F. Hill, when she sailed from this port for Cabinda, in consequence of the Government having been informed that it was known by all the population of this town that she was intended to be employed in the illicit Slave Trade; and with reference to the contents of that Despatch, I have to acquaint you, for the information of his Excellency, that this strange circumstance was ever unknown to me, and scarcely to be credited, as the facts are, that the "*Cyrus*" having left the port of Philadelphia, in the United States of America, for Havana, in the island of Cuba, and having concluded her mercantile transactions there, sailed for Cabinda, but was overtaken by a storm near these islands, when a part of her bulwark, and four pipes of water, which were on the quarter-deck, and was all they had on board for a crew of 10 men, were washed overboard; this caused the Captain to put into this port on the 17th November, 1842. On the same day he made his entry at the Custom House, and presented his passport, which was legal, as certified by the American Consul when he made his entry, as was his manifest also; for being obliged to sell a part of his cargo, which he did to different persons at Villa da Praia, in order to pay for repairs, I caused an investigation to be made on board after he had completed his sales, as required under the Custom House Regulations, and all was found to be correct, that is, the part of the cargo sold with that still on board agreed with the manifest; for had not this been the case, a report would have been made of the circumstance, that the Captain might be fined for goods missing, if less were found than was stated in the manifest, or the surplus goods seized, if more; and if on that occasion articles of illicit commerce had been found, they would have been apprehended, and the vessel detained. As this vessel did not come here to fit out for the coast of Africa, the visit which would have been made under 7th Article of the Law of the 10th December, did not take place, as the Custom House Regulations, and not the said Law, were applicable to her, in consequence of the legal nature of her papers and cargo, and of the

absence of any cause of suspicion, as was imagined by the person who made such an unfounded statement.

(Signed)

AMBROSIO JOSE CORDEIRO,
Director of Customs.

Senhor J. M. de Souza Monteiro,
&c. &c.

(Translation.) Sub-Enclosure 5 in Third Enclosure in No. 127.

The Superintendent of the Port to the Secretary-General.

SIR,

Villa da Praia, July 23, 1843.

I HAVE the honour to acknowledge the receipt of your Despatch of the 16th instant, in which you inform me that his Excellency the Governor-General desires that I should report on the circumstances relating to the schooner "Cyrus," which was in this port last year, under American colours, and was supposed to be engaged in Slave Trade. I have to state in reply, for the information of his Excellency, that the said schooner anchored in this port on the 17th November, driven in by stress of weather, on her way from Philadelphia to Cabinda, having had her bulwarks and four pipes of water washed overboard. She also sold some of her cargo here to pay for repairs. As my duty is not to register the cargoes of vessels, I cannot state whether her's was for purposes of Slave Trade; this can be more properly communicated by the authority on whom that office falls; but I can add, that in this port she made no preparations for the Slave Trade, and she consequently received all the protection and aid she stood in need of, her papers being all legal, and the number of her crew agreeing with the register. The above statement has been certified by the Consul.

(Signed)

DOMINGOS ANTONIO ROCHODEL,
Superintendent.

Senhor J. M. de Souza Monteiro,
&c. &c.

No. 128.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 15, 1843.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's sloop "Cygnet," of six 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 "Cygnet" is commanded by Commander Henry Layton, and Lieutenant E. A. Glynn is the officer second in command.

I am, &c.

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

(Signed) ABERDEEN.

No. 129.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 17, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that her Majesty's steam-vessel "Prometheus," of five 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 "Prometheus" is commanded by Commander John Hay, and Lieutenant J. J. Macgregor is the officer second in command.

I am, &c.

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

(Signed) ABERDEEN.

No. 130.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 25, 1844.

I HEREWITH transmit to your Lordship, for communication to the Portuguese Government, a copy of a Despatch, and of its Enclosure, from Her Majesty's Commissioners at the Cape of Good Hope, relative to an alleged purchase of three negroes, by the Master of the Dutch brig "*Brazilia*," from persons in authority at the Portuguese settlement of Lourenco Marquez, in Delagoa Bay.

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

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 130.

Her Majesty's Commissioners at the Cape of Good Hope to the Earl of Aberdeen,
March 11, 1844.

(See Class A. No. 228.)

No. 131.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 26, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's sloop "*Pearl*," on the Brazil station, authorizing 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, G.C.B.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 132.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, June 26, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ketch "*Arrow*," on the Cape of Good Hope station, authorizing 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, G.C.B.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 133.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 4, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ship "*Daphne*," on the Brazil station, authorizing 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, G.C.B.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 134.

Lord Howard de Walden to the Earl of Aberdeen.

Cintra, June 30, 1844.

(Received July 8)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomez de Castro, informing me that the Portuguese brig-of-war "Douro," of 16 guns, will be employed on the Cape Verd islands, and coast of Guinea station, in the suppression of the Slave Trade, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal; and that the warrant held by the Portuguese brig-of-war "Vouga," on that station, had been directed to be cancelled.

I am, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 134.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, June 22, 1844.

I HAVE the honour to acquaint your Lordship, that the Minister of Marine communicated to me on the 19th instant, that the brig-of-war "Douro," of 16 guns, commander the Captain-Lieutenant J. F. Guimaraes, and second commander the Second Lieutenant P. H. R. Ferreira, sailed from this port on the 11th with the necessary instructions, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain, to repress the Slave Trade on the Cape Verd islands and coast of Guinea station, and that the instructions which had been given to the brig "Vouga" on that station had been ordered to be cancelled.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 135.

Baron Moncorvo to the Earl of Aberdeen.

Portuguese Legation, July 13, 1844.

(Received July 15.)

MY LORD,

I HAVE the honour to acquaint your Excellency, that by a Despatch which I have received from my Government, I am therein instructed to make known to your Excellency, for the information of Her Britannic Majesty's Government, that the Queen, my august Sovereign, has been pleased to appoint Senhor Guilherme Cypriano Demony, to be Secretary to the Mixed Portuguese and British Commission, established at Saint Paul de Loanda, in the room of Senhor José Alexandre Pinto.

I have, &c.

(Signed) MONCORVO.

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

&c.

&c.

&c.

No. 136.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 19, 1844.

I HEREWITH transmit to your Lordship a copy of a letter, and of its Enclosure, from the Admiralty, containing a list of Her Majesty's ships supplied

with warrants, under the Treaty of 3rd July, 1842, with Portugal, for the suppression of Slave Trade, with the names of their commanding officers, and officers second in command, and the stations on which they are respectively employed; and I have to desire that your Lordship 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. 136.

The Hon. Sidney Herbert to Viscount Canning.

MY LORD, *Admiralty, July 12, 1844.*

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith a list of Her Majesty's ships supplied with warrants under the Treaty of 3rd July, 1842, with Portugal, for the suppression of Slave Trade, with the names of their commanding officers, and officers second in command, and the stations on which they are respectively employed; and their Lordship's request that the Earl of Aberdeen will cause the same to be communicated to the Portuguese Government.

I am, &c.
(Signed) SIDNEY HERBERT.

The Viscount Canning, &c. &c.

Sub-Enclosure in Enclosure in No. 136.

List of Her Majesty's Ships and Vessels supplied with Warrants under the Treaty with Portugal, for the Suppression of Slave Trade, dated July 3, 1842.

NORTH AMERICA AND WEST INDIES.

Ship.	Commanding Officer.	Officer Second in Command.
Illustrious	Capt. John E. Erskine	Com. Arthur Forbes.
Pique	Capt. Hon. Montague Stopford .	Lieut. John M'Dougall.
Inconstant	Capt. Charles H. Freemantle . .	Lieut. George Blare.
Spartan	Capt. C. G. J. B. Elliot	Lieut. Edward Tatham.
Eurydice	Capt. George Elliot	Lieut. Edmund Heathcote.
Electra	Com. A. Darley	Lieut. James Lowry.
Scylla	Com. Robert Sharpe	Lieut. W. C. Coffin.
Rose	Com. Henry R. Sturt	Lieut. W. H. Dobbie.
Griffin	Lieut. and Com. Charles Jenkin	Sec. Lieut. Mr. R. O. White.
Pickle	Lieut. and Com. J. A. Bainbridge	Act. Sec. Mr. W. G. Loare.
Hornet	Lieut. and Com. R. B. Miller . .	Act. Sec. Mr. W. C. Pyper.
Hermes	Lieut. and Com. Washinton Carr	Mate William Cashman.
Hyacinth	Com. Francis Scott	Lieut. Colin G. Campbell.

COAST OF AFRICA.

Ferret	Com. Josiah Oake	Lieut. J. T. Smith.
Espoir	Com. A. Morrell	Lieut. W. K. O. Price .
Alert	Com. Charles J. Bosanquet . . .	Lieut. Thomas C. Meheux.
Sealark	Com. Thomas L. Gooch	Lieut. Richard D. White.
Star	Com. R. J. W. Dunlop	Lieut. Thomas Etheridge.
Rapid	Lieut. and Com. Edward Earle .	Mate Shirley Aphorp.
Penelope	Capt. William Jones	Lieut. Cumberland Hadaway.
Hydra	Com. H. B. Young	Lieut. Charles J. Walton.
Albert	Lieut. Daniel Woodruffe	Act. Sec. Mr. John Thomas.
Heroine	Lieut. Henry R. Foote	Mate Philip Hudson.
Gorgon	Capt. Charles Hotham	Lieut. Augustus S. Wordley.
Ardent	Com. John Russell (6)	Lieut. H. E. S. Winthrop.
Growler	Com. C. H. M. Buckle	Lieut. John Lodwick.
Albatross	Com. Reginald Yorke	Lieut. William T. Rivers.
Ringdove	Com. Sir John Daniell	Lieut. William H. Stewart.
Wasp	Com. Sidney H. Usher	Lieut. E. L. Hockin.
Larne	Com. John W. D. Brisbane . . .	Lieut. Augustus C. May.
Cygnets	Com. Henry Layton	Lieut. Edmund A. Glynn.
Prometheus	Com. John Hay	Lieut. Fitzjames Macgregor.

CLASS B.

List of Her Majesty's Ships and Vessels supplied with Warrants—*continued.*

BRAZIL.

Ships.	Commanding Officer.	Officers Second in Command.
Alfred	Com. J. B. Purvis	Com. C. M. M. Wright.
Curaçoa	Capt. Sir Thomas Pasley	Lieut. Owen P. Knott.
Frolic	Com. Cospatrik B. Hamilton	Lieut. Charles R. Read.
Racer	Com. Archibald Reed	Lieut. John F. Wane.
Dolphin	Lieut. and Com. W. O. B. Hoare	Mate W. H. Haswell.
Viper	Lieut. and Com. James Carter	Act. Mas. J. H. T. Norris.
Spider	Lieut. and Com. P. E. Pyne	Mas. Ass. Joseph Hitchings.
Satellite	Com. H. B. Rowley	Lieut. George W. Winlo.
CAPE OF GOOD HOPE.		
Winchester	Capt. Charles Eden	Com. William C. Oldham.
Isis	Capt. Sir John Marshall	Lieut. George Lavie.
Cleopatra	Capt. Christopher Wyvill	Lieut. George Caswell.
Conway	Capt. William Kelly (6)	Lieut. Albert Heseltine.
Bittern	Com. Edmund Peel	Lieut. Thomas Chaloner.
Sappho	Com. Hon. George Hope	Lieut. Thomas Alldridge.
Helena	Com. Sir Cornwallis Ricketts	Lieut. Charles G. Phillips.
Thunderbolt	Com. George N. Broke	Lieut. George Wodehouse.

No. 137.]

*Lord Howard de Walden to the Earl of Aberdeen.*Cintra, July 22, 1844.
(Received July 30.)

MY LORD,

HAVING, in conformity with your Lordship's wishes conveyed in your Despatch, marked Slave Trade, of the 25th ultimo, communicated to Senhor Gomez de Castro the circumstances connected with the purchase of three negroes by the master of a Dutch vessel, the "*Brazilia*," of persons in authority in the Portuguese settlement of Delagoa Bay, I have the honour to enclose the copy of a note which I have received from his Excellency, acquainting me that he had referred my note to the Minister of Marine, in order that the necessary measures may be taken with a view to bringing to punishment the parties implicated in this transaction.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 137.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, July 10, 1844.

I HAD the honour to receive your Lordship's note of the 4th instant enclosing copies of papers relative to the purchase of three slaves by the Master of a Dutch vessel "*Brazilia*," of persons in authority in the Portuguese settlement of the Bay of Delagoa; and I this day transmit to the Minister of Marine copies of your Lordship's note, and all the documents accompanying it, in order that his Excellency may take them into due consideration, and issue orders for the strictest investigation, with a view to bringing to punishment the persons who are proved to have been implicated in this criminal slaving transaction.

I renew, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 138.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, July 31, 1844.

I TRANSMIT herewith to your Lordship a copy of a Despatch, and of its Enclosures, from Her Majesty's Commissioner at Boa Vista, from which it would appear that the Governor of that island, acting under the orders of the Governor-General of the Cape Verd islands at Porto Praia, conceives that the last-mentioned officer is the person on whom, under the Treaty between Great Britain and Portugal on Slave Trade, the character and duties of Superintendent of Africans liberated at Boa Vista ought to devolve.

I have to desire, that you will communicate these papers to the Portuguese Government, and request them to send instructions to the Governor of Boa Vista to act as a member of the Board of Superintendence of negroes liberated in that island under the Treaty, it being more in accordance with the spirit of the Treaty that he should do so, than the Governor-General at Porto Praia.

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

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 138.

*Her Majesty's Commissioner at Boa Vista to the Earl of Aberdeen, March 27, 1844.**(See Class A. No. 281.)*

No. 139.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Cintra, July 27, 1844.
(Received August 6.)

It is with extremely painful feelings that I have to report to your Lordship the melancholy death of Mr. Charles Francis Fynes Clinton, Her Majesty's Arbitrator at Loanda, which I have just learned from Senhor Gomes de Castro, his Excellency having been so obliging as to communicate to me a copy of the report which had been received by the Minister of Marine, detailing the distressing circumstances attending his fatal illness.

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

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

No. 140.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Cintra, July 28, 1844.
(Received August 6.)

ALTHOUGH it is probable that the Despatches which I forward by this mail for your Lordship from the Mixed Slave Trade Commission at Loanda, will have reported the capture of a large Brazilian slaver, the "Caçador," with more than 850 slaves on board, yet as this proof of the effective co-operation of a Portuguese cruiser, in fulfilment of Treaty between Great Britain and Portugal, cannot but be satisfactory in the extreme to Her Majesty's Government, I have the honour to enclose the "Diario do Governo," of the 27th instant, in which are published the official reports made to the Portuguese

Government, detailing the circumstances attending the capture of the "Caçador."

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 140.

Major-General Mello to the Minister of Marine.

Head Quarters of the Marine,

July 26, 1844.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

I HAVE the satisfaction to transmit to your Excellency, enclosed, the copy of a letter addressed to me by the Commandant of the station of the western coast of Africa, informing me of the capture, on the 27th of last May, of the Brazilian brig "Caçador," in the mouth of the Daude, with 850 odd slaves on board, by the Garde Marine Luiz Domingues, who was the sole captor of her, with a launch manned with 10 sailors. The vessel in question had put to sea in ballast from Loanda, on the 26th of the above month. As also the copy of a report the said Garde Marine makes concerning this occurrence to the Commandant of the station.

The Commandant of the station of western Africa, Captain of frigate "Cunha," recommends the Garde Marine Domingues, bestowing great eulogiums upon him for his activity, intelligence, and zeal of service. Considering, therefore, his extremely great exertions on this occasion, I deem it incumbent upon me to solicit your Excellency to be pleased to obtain from Her Majesty the favour of promoting him to a Second Lieutenantcy in the fleet.

God preserve your Excellency!

I am, &c.

(Signed)

M. DE VASCONCELLOS P. DE MELLO,

Major-General.

His Excellency the Minister of Marine,

&c.

&c.

Lieutenant Cunha to Major-General Mello.

The corvette "Urania," Loanda,

June 23, 1844.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

I HAVE the honour to bring to your Excellency's cognizance the capture, on the 27th of last May, of a Brazilian brig named the "Caçador," in the very mouth of the river Dande, with 850 odd slaves on board, together with all the crew and passengers, as appears from the report which I enclose to your Excellency, made by the Garde Marine Luiz Domingues, who was the only captor, in a launch manned with 10 sailors. The said brig had gone from Loanda in ballast on the evening of the 26th of the said month.

Your Excellency will permit me that I recommend to your upright and efficacious protection, this worthy and extremely well-qualified Garde Marine, whom I do not hesitate to call the most active, the most intelligent, and the most zealous of all that I have had under my orders ever since I have been serving in the fleet.

God preserve your Excellency!

I am, &c.

(Signed)

P. A. DE CUNHA,

Captain, Lieutenant Commandant of the Station.

Most Excellent Senhor de Mello,

&c.

&c.

Senhor Domingues to Captain-Lieutenant Cunha.

MOST ILLUSTRIOUS SIR,

The brig "Caçador," May 31, 1844.

I HAVE the honour to inform you, that on the 27th instant, at four o'clock in the afternoon, when cruising off the river Dande, I saw there at anchor a brig, which I found to be the Brazilian brig "*Caçador*;" I immediately bore down upon her, but when she became aware of my intention to overhaul her, she slipt her anchor, and stood out to sea, after sending off four boats that were making for the river. Having boarded her, I found a cargo of slaves, to the number of about 800, as well as the quantities of water, provisions, and other articles necessary for the supply of these slaves; and inasmuch as she came completely within all the provisions of the law which prohibits the Slave Trade, I considered her immediately as a prize, and carried her off, with the intention of placing her at your disposal. There was no Captain on board, nor did I find the usual ship's papers, but her crew and passengers are set down in the enclosed list; I also found two carbines, a portion of damaged gunpowder, and five cutlasses. I furthermore do myself the honour to acquaint you, Sir, that the crew of the launch No. 17 displayed great zeal in the discharge of their duties.

God preserve you!

(Signed)

LUIZ DOMINGUES,
Guarde Marine.

Most Illustrious Senhor de Cunha,
&c. &c.

No. 141.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 7, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's ship "*Madagascar*," on the coast of Africa, authorizing 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. 142.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Cintra, August 3, 1844.
(Received August 10.)

THE *Guarde Marine Domingues Marques*, who distinguished himself so much by the capture of the Brazilian slaver "*Caçador*," as reported in my Despatch, marked *Slave Trade*, of the 28th ultimo, has been promoted by the Queen of Portugal to the rank of Lieutenant, and has received the honorary distinction of the Order of the Tower and Sword.

In thus rewarding the zeal and activity of this officer, the strongest inducement is held out to other Portuguese officers on the African station to resist the pecuniary temptation which is offered for dishonourable connivance at the infamous traffic in slaves.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 143.

*Lord Howard de Walden to the Earl of Aberdeen.**Cintra, August 3, 1844.**(Received August 10.)*

MY LORD,

WITH reference to my Despatch, marked Slave Trade, of the 22nd ultimo, I have the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, informing me that orders were issued on the 17th instant to the Governor-General of Mozambique, to summon the Commander of Bahia de Lourenço Marques before a Court Martial, and to cause legal proceedings to be instituted against Alexandre José d'Ochoa.

These are the persons charged with having sold three negroes to the Captain of the Dutch ship the "*Brazilia*," in the correspondence of Her Majesty's Commissioner at the Cape of Good Hope, enclosed in your Lordship's Despatch, of the 25th June last, marked 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. 143.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, July 20, 1844.

IN addition to my note of the 10th instant, I have the honour to acquaint your Lordship, that the Minister of Marine communicated to me, on the 17th instant, that he had that day issued orders to the Governor-General of Mozambique to summon the Commander at Bahia de Lourenço Marques, Theobaldo Antonio da Gama, before a Court Martial, and to cause proceedings to be instituted against Alexandre José d'Ochoa, both of which persons are charged with the crime of having sold three slaves to the Captain of the Dutch ship, the "*Brazilia*," and determining that they shall deposit the proceeds of those sales, and desiring that the result of the proceedings be communicated back with the utmost promptitude: as soon as the information reaches me on this subject, I will communicate it to your Lordship.

I avail, &c.

(Signed)

JOSE JOAQUIM 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, August 16, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's brigantine "*Spy*," on the coast of Africa station, authorizing 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. 145.

*Lord Howard de Walden to the Earl of Aberdeen.*Cintra, August 12, 1844.
(Received August 20.)

MY LORD,

HAVING duly notified to Senhor Gomes de Castro that the warrants supplied to Her Majesty's vessels "Pearl," "Arrow," and "Daphne," authorizing them to act under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade, had been cancelled, and that Her Majesty's vessels "Cygnet" and "Prometheus" would be employed on the coast of Africa station in the suppression of Slave Trade, under the above-mentioned Treaty,—I have the honour to enclose copies of the notes which I have received from his Excellency 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. 145.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, July 9, 1844.

I HAVE the honour to acknowledge the receipt of your Lordship's note of the 3rd instant, informing that the warrants supplied to Her Britannic Majesty's ship "Pearl," on the Brazil station, and to Her Britannic Majesty's ship "Arrow," on the Cape of Good Hope station, authorizing them to act under the Treaty of the 3rd July 1842, for the suppression of the Slave Trade, had been cancelled by the Lords Commissioners of the Admiralty, which note I this day communicated to the Minister of Marine.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

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

(Translation.)

Second Enclosure in No. 145.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, July 11, 1842.

I HAVE the honour to acquaint your Lordship, that I this day communicated to the Minister of Marine the contents of your Lordship's note of the 28th ultimo, informing me that warrants had been supplied to Her Britannic Majesty's ships "Cygnet" and "Prometheus," on the coast of Africa station, to act under the Treaty of the 3rd July, 1842, in the suppression of the Slave Trade.

I renew, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

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

(Translation.)

Third Enclosure in No. 145.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, July 23, 1844.

I HAD the honour to receive your Lordship's note of the 18th instant, informing me that the warrants supplied to Her Britannic Majesty's ship "Daphne," on the Brazil station, to act under the Treaty of the 3rd July, 1842,

for the suppression of Slave Trade, had been cancelled; and thanking your Lordship for this communication, which I made known to the Minister of Marine,

I avail, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 146.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, August 20, 1844.

I HAVE received your Despatch, marked Slave Trade, of the 3rd instant, reporting that the Guarde Marine Domingues Marques, the captor of the slaver "Caçador," had been promoted to the rank of Lieutenant, and had received the Order of the Tower and Sword, as a reward for his zeal and activity.

I have to desire that you will take an opportunity of expressing verbally to the Portuguese Government the satisfaction with which Her Majesty's Government have received notice of this proof of the earnest desire of the Portuguese Government to fulfil the stipulations of the Treaty between Great Britain and Portugal, for the abolition of the Slave Trade.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 147.

Baron Moncorvo to the Earl of Aberdeen.

*Portuguese Legation, August 28, 1844.
(Received August 31.)*

THE Baron de Moncorvo has the honour to present his compliments to his Excellency the Earl of Aberdeen, and agreeably to what he had the honour verbally to mention yesterday to his Excellency, begs to enclose a translation of some queries, with the answers thereto, which have been forwarded to him by Her Most Faithful Majesty's Minister for Foreign Affairs, on the subject of the Slave Trade, and which the Baron has been commanded to submit to his Excellency the Earl of Aberdeen.

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

&c.

&c.

&c.

Enclosure in No. 147.

Queries and Answers on the subject of Slave Trade, from the Minister of Foreign Affairs at Lisbon.

FIRST.—Can a cruiser hoist her flag in a vessel of another nation, as suspected or as prize, before this vessel has been tried by a Mixed Commission?

Second.—Can a cruiser, having detained a vessel as prize, man it, and employ it in cruising, before it has been tried by a Mixed Commission, or even before its being delivered to the Mixed Commission?

Third.—When a Portuguese cruiser makes a prize of a vessel bearing the Portuguese flag, ought this vessel to be delivered to the Mixed Commission to be tried according to the provisions of the Treaty, or to the regular tribunals of the country, to be tried according to the Law of the 10th December, 1836, still in force?

Fourth.—Can an English cruiser, detaining a vessel on the high seas, bring it to a Portuguese port, and give it in search there for two or three days?

Fifth.—When a cruiser, giving chase to a vessel whose crew runs it aground, to avoid pursuit and to render the prize useless to the chaser, and this out of or within the range of the artillery on shore, and the authorities of the country

having sent some armed men on board before the arrival of the chaser,—in this case and according to the terms of the Treaty of the 3rd July, 1842, and the other necessary requisites concurring, is this vessel a good prize to the chaser or not?

Answer to the first query.

The vessels apprehended as suspected of the Slave Trade, in virtue of the Treaty of the 3rd July, 1842, are exclusively subjected to the authority and power of the man-of-war who captures them, whilst they are not delivered to the Mixed Commission, with authority of hoisting on board of them the flag of the nation to which belongs the vessel that has effected the capture.

To the second query:

According to the 11th Article of the Treaty of the 3rd July, 1842, and Article I. of the Annexed letter A., which makes part of the said Treaty, the vessels detained for being suspected of an illicit trade in slaves ought immediately, and with the least delay, to be conducted and sent to the nearest place to that where the detention was effected, and where is established a Mixed Commission, to the effect of being there tried; and only after the condemnatory judgment has taken place is it allowable to the Governments of the two stipulating nations to buy the condemned vessel for the service of their respective Royal navies, preference being always given to the Government whose cruizer has detained the vessel; whence it follows evidently, that before their being tried and bought, the captured vessels cannot be employed in any service of the nation that captured them; and so the cruizers who, instead of trying to send immediately the detained vessels to the nearest Mixed Commission, man them with their own crews, or employ them in cruizing, or in any other service of their nation, infringe the express disposition of the Treaty, and commit manifest oppression in invading alien property.

To the third query.

As it is manifest from the preamble of the Treaty of the 3rd July, 1842, that its object was to render more effective and active the repression of the Slave Trade in both countries, establishing to this effect regulations of maritime policy, instituting Colonial Commissions, to which might be subjected the vessels that might sail under the flag of any of the two nations, the dispositions of the Treaty are ample and general, determining that the men-of-war of each of the contracting parties, provided with especial instructions, may proceed to the visit and search of the vessels of both nations, may capture those that are suspected, and may send them to the Mixed Commissions, which have been declared competent to try all these vessels so captured; as all is expressed in the Articles II. VI. and XI. of the Treaty, and in the 3rd Article of the Annex B. making part of the said Treaty. No distinction is to be found there, nor exception respecting vessels captured by those of war of their own nation, to except them from remaining subject to the general rules established for the form of judgment; nor is there any disposition which limits those general rules to the vessels of one of the nations when captured by the maritime force of the other; therefore, according to the letter and spirit of the Treaty of the 3rd July, 1842, even Portuguese vessels, detained by Portuguese men-of-war, are subject to the competency of the Mixed Commission, to which they ought to be delivered to be tried. It is true, that according to the Decree of the 10th December, 1836, the Portuguese vessels captured for trading in slaves, or for being suspected of it, were tried by the regular tribunals of the country. Over this Decree, however, prevails the posterior Treaty of 1842, which has become the law of the land. It is however competent to the Portuguese authorities to try, according to the aforesaid Decree, all the cases of Slave Trade in which may be implicated foreign vessels of any other nation not English, and which may have been captured in the ports and territorial seas of Portuguese Africa, employed in that prohibited trade.

To the fourth query.

The visit, search, and examination of vessels suspected of trading in slaves ought to precede, and not to follow, their detention and capture; and according to the spirit and reason of the Treaty 3rd July, 1842, the men-of-war of any of the stipulating nations have no power, nor can they exercise any authority, over the vessels and territorial seas of the other. The proceedings of the English cruizers are therefore illegal, who, without the precedents of examinations and searches, capture vessels on the high seas, and bring them to Portuguese ports for the effect of proceeding to those acts which ought to antecede the capture;

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exercising in this way an authority which is not given to them by law, and not performing a duty which the said Treaty imposes on them, to wit, the duty of bringing the vessels after their capture to the place nearest to any of those of the Mixed Commissions, to be to them delivered.

To the fifth query.

The cruizers of one of the stipulating nations who, pursuing the suspected vessels, make them run aground in the territorial seas of the other, have no longer the right of consummating in them the capture, according to the principles of the law of nations and the spirit of the very Treaty of the 3rd July, 1842; and so the capture in this case ought to be reported as made by the authorities of the country which took possession of the vessels so run aground; competing, however, the trial of the prize to the Mixed Commission, or to the Territorial Judge, according to the above, declared in the answer to the third query. If, however, the vessel prosecuting belong to the nation of the territorial seas, and if the prosecution has been continued, the vessels-of-war never discontinuing from chasing the suspected vessels, if, in consequence of this prosecution the vessels may have run aground, the capture ought to be reported as made by the vessels who gave the chase, notwithstanding that the authorities of the country may have entered before those vessels. The capture in this state has been the immediate consequence of the vigilance, zeal, and efforts of the prosecuting vessel, which necessarily would have completed it if the authorities of the country had not interfered; the vessel was on the point of being inevitably caught by the vessel-of-war who gave it chase, and the authorities of the country had no right to deviate it from the force and power of the vessel to which it was already subjected, to profit from the fruits of another's labour.

No. 148.

Lord Howard de Walden to the Earl of Aberdeen.

Cintra, August 23, 1844.

(Received September 2.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, communicating to me the acquiescence of the Portuguese Government in the request of your Lordship, that the Governor of Boa Vista should be a member of the Board for the Superintendence of the Liberated Negroes, instead of the Governor-General of the Cape de Verd islands.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 148.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, August 21, 1844.

I HAD the honour to receive your Lordship's note of the 8th instant, relative to the doubt as to whether the Governor of the island of Boa Vista, or the Governor-General of the province of Cape Verd ought, on the part of Portugal, to belong to the Board of Superintendence in the above-mentioned island, under the 3rd Article of Annex C. to the Treaty of 1842, between Portugal and Great Britain, for the suppression of Slave Trade, and in which note your Lordship represents the advantages resulting from this office being conferred on the Governor of the island of Boa Vista, as regards the greater regularity and efficacy of the service of the Board.

Her Majesty's Government, recognising the just foundation of your Lordship's request, which Her Majesty's Government does not consider to be contrary to the above-mentioned 3rd Article of Annex C., will issue the necessary orders for the Governor of the island of Boa Vista to act as Member of the Board of Superintendence.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 149.

*Lord Howard de Walden to the Earl of Aberdeen.**Cintra, August 24, 1844.**(Received September 2.)*

MY LORD,

HAVING duly communicated to Senhor Gomes de Castro, in conformity with your Lordship's desire, expressed in your Circular Despatch, marked Slave Trade, of the 7th instant, a copy of the instructions recently issued for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade, I have the honour to enclose a copy of a note which I have received from his Excellency in reply.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 149.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, August 21, 1844.

THANKING your Lordship for communicating to me the instructions issued to the officers of Her Britannic Majesty's navy employed in the suppression of Slave Trade, which were enclosed in your Lordship's note of the 18th instant, I have the honour to acquaint your Lordship that I this day transmit them to the Minister of Marine, for the necessary effect.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 150.

*Lord Howard de Walden to the Earl of Aberdeen.**Cintra, August 30, 1844.**(Received September 9.)*

MY LORD,

IN fulfilment of your Lordship's instructions, I have duly expressed to his Excellency the Minister of Foreign Affairs, the satisfaction with which Her Majesty's Government had learned the reward conferred on the *Guarde Marine Domingues Marques*, for his zeal and activity in effecting the capture of the slaver "*Caçador*," as reported in my Despatch, marked Slave Trade, of the 3rd ultimo.

Senhor Gomes de Castro was evidently much gratified by this official, though verbal communication to him, and talked in the best spirit of the necessity of taking every opportunity of rewarding activity against the Slave Trade; and he mentioned the intention of the Government, acting on this principle, to promote the captor of another slave vessel, of the seizure of which the Government had just received information, as being equipped for the Slave Trade, but from which the crew had escaped, and all the papers, flags, and everything which could prove its nationality, had been withdrawn.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 151.

*Lord Howard de Walden to the Earl of Aberdeen.**Cintra, August 30, 1844.**(Received September 9.)*

MY LORD,

I HAVE the honour to enclose copies of a note and its Enclosure, which I have received from Senhor Gomes de Castro, containing a list of Her Most Faithful Majesty's ships supplied with warrants under the Treaty of July 3, 1842, between Great Britain and Portugal, for the suppression of Slave Trade, with the names of their commanding officers, and officers second in command, and the stations on which they are respectively employed.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

First Enclosure in No. 151.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, August 26, 1844.

IN conformity with the 2nd section of the 3rd Article of the Treaty of the 3rd July, 1842, between Portugal and Great Britain, for the abolition of the Slave Trade, I have the honour to transmit to your Lordship, for the information of Her Britannic Majesty's Government, the enclosed list, communicated to me by the Minister of Marine, in an official note of the 21st instant, of the Portuguese ships-of-war supplied with warrants to prevent the Slave Trade, under the above-mentioned Treaty; with the names of their respective commanders, of the officers second in command, and of the stations on which they are employed.

I have, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Second Enclosure in No. 151.

Marine and Colonial Office, August 21, 1844.

LIST of the PORTUGUESE SHIPS of WAR employed in the Suppression of the Slave Trade, under the Treaty with England of the 3rd July, 1844.

WEST COAST OF AFRICA STATION, COMPREHENDING THE ISLANDS OF S. THOME AND PRINCIPE.

Denominations and Names of Ships.	Rank and Names of Commanders.	Rank and Names of Officers Second in Command.
Sloop Urania . . .	Captain P. A. da Cunha . . .	First Lieut. A. d'Oliveira.
Schooner Nympha . . .	First Lieut. M. I. Tavares . . .	Second Lieut. H. Thompson.
Schooner Esperança . . .	Second Lieut. J. G. Taloni . . .	Midshipman C. A. Almeida Alboquerque.
Schooner Conselho . . .	Second Lieut. C. R. d'O. Lobo . . .	Midshipman G. A. P. Praice.
Schooner Boa Vista . . .	Second Lieut. J. B. Garção . . .	Master J. de Faria.

EAST COAST OF AFRICA STATION.

Brig Villa Flor . . .	First Lieut. P. V. da C. L. e Pinho	Second Lieut. T. de V. N. Ferrari.
Brig Caçador Africano . . .	Second Lieut. J. F. R. de Lima . . .	. . .

CAPE VERD ISLANDS AND COAST OF GUINEA.

Brig Douro	Captain-Lieut. J. F. Guimaraes . . .	Second Lieut. P. H. R. Ferreira.
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COAST OF BRAZIL.

Sloop Don João Primo	Captain F. S. Franco	First Lieut. F. A. do Rego.
Brig-schooner Tamega	First Lieut. J. J. G. de M. Corrêa	Second Lieut. J. M. da Fonseca.

The brig of war "Tê," commanded by the Captain-Lieutenant Domingos Fortunato do Valle, officer second in command the First Lieutenant Domingos Roberto d'Aguiar, and which is at present at Macau, was supplied with a warrant to suppress the Slave Trade on its way in those parts where it is generally carried on.

(Signed) ANTONIO JOSE D'OLIVEIRA LIMA.

No. 152.

*Lord Howard de Walden to the Earl of Aberdeen.**Cintra, September 8, 1844.**(Received September 16.)*

MY LORD,

HAVING duly notified to Senhor Gomes de Castro, in conformity with the instructions conveyed in your Lordship's Despatches, marked Slave Trade, of the 7th and 14th ultimo, that the warrants supplied to Her Majesty's ship "Madagascar," and to Her Majesty's brigantine "Spy," had been returned to the Lords Commissioners of the Admiralty, and cancelled by them, I have the honour to enclose copies of the notes which I have received from his Excellency 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. 152.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, August 21, 1844.

IN answer to your Lordship's note of the 17th instant, I have the honour to acquaint your Lordship, that I this day communicate to the Minister of Marine, for the convenient purposes, that the warrant supplied to Her Britannic Majesty's ship "Madagascar," stationed on the coast of Africa, authorizing her to act in the suppression of Slave Trade, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain, had been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I avail &c.

(Signed)

JOSE JOAQUIM GOMES D CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

(Translation.)

Second Enclosure in No. 152.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, August 23, 1844.

I HAVE the honour to acquaint your Lordship, in answer to your note of the 21st instant, that I this day inform the Minister of Marine, for the convenient purposes, that the warrant supplied to the British ship-of-war "Spy," stationed on the coast of Africa, for the suppression of Slave Trade, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain, had been returned to the Lords Commissioners of the British Admiralty, and cancelled by them.

I avail, &c.

(Signed)

JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c.

&c.

No. 153.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, September 14, 1844.**(Received September 22.)*

MY LORD,

I HAVE the honour to enclose a copy of a note which Senhor Gomes de Castro has addressed to me, informing me that the warrant supplied to the

Portuguese brig-of-war "*Douro*," authorizing her to act in the suppression of the Slave Trade on the Cape Verd islands and coast of Guinea station, had been cancelled.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 153.

(Translation.) *Senhor Gomes de Castro to Lord Howard de Walden.*

MY LORD,

Foreign Office, Lisbon, September 7, 1844.

I HAVE the honour to inform your Lordship, that the Minister of Marine communicated to me on the 4th instant, that the warrant supplied to the brig-of-war "*Douro*," commander the Captain-Lieutenant Izidoro Francisco Guimaraes, for the suppression of the Slave Trade on the Cape Verd islands and coast of Guinea station, had been cancelled.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

Lord Howard de Walden, G.C.B.

&c. &c.

No. 154.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, September 15, 1844.

(Received September 22.)

MY LORD,

SENHOR Gomes de Castro has informed me, that the long contemplated project of establishing a special tribunal in Africa, with a view to the summary condemnation of those vessels which are not subject to be proceeded against before the Mixed British and Portuguese Commission, has finally been carried into effect, and will be published in a few days.

The Court is to sit at St. Paul de Loanda, and is to be composed of the two Portuguese members of the Mixed British and Portuguese Commission, the Governor, the Judge of Right, and, I think, some other law officer.

The decision of this Court is to be final; the process is to be summary; and the division of the prize-money resulting from condemnation, to be immediate, as an encouragement to the captors.

Senhor Gomes de Castro also informed me, that the famous slave vessel "*Relampago*," which had been seized at Mozambique in 1838, and has been lying useless in the Tagus, notwithstanding my earnest and repeated recommendations to various Ministers to have her fitted out to cruize against the Slave Trade, has at last been equipped and fitted up in very fine order, and is to be dispatched immediately to the coast of Africa, under the command of a very active and intelligent officer, to be employed in that service.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

No. 155.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, September 30, 1844.

(Received October 7.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, informing me that the Portuguese sloop-of-war

“*Relampago*,” of 10 guns, will be employed on the west coast of Africa, 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.

(Translation.)

Enclosure in No. 155.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, September 27, 1844.

I HAVE the honour to acquaint your Lordship, that the Minister of Marine communicated to me, on the 25th instant, the departure from this port of Her Majesty's sloop “*Relampago*,” with instructions to act in the suppression of the Slave Trade on the west coast of Africa, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain.

This sloop carries 10 guns, and is commanded by the Captain-Lieutenant J. M. S. Rodvalho; and the First Lieutenant D. A. Contreiras, is the officer second in command.

I avail, &c.

(Signed) JOSE JOAQUIM GOMES DE CASTRO.

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

No. 156.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 10, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's brig “*Fawn*,” on the Cape of Good Hope station, authorizing 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. 157.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 21, 1844.

I HEREWITH transmit to your Lordship a copy of a Despatch from Her Majesty's Commissioners at Boa Vista, relative to a felucca under Spanish colours equipped for the Slave Trade, lying in Palmira bay, in the island of Sal, one of the Cape Verd islands; and reporting the zealous endeavours made by the Portuguese Commissioners and naval and military authorities at Boa Vista to effect the capture of that vessel.

I have to instruct your Lordship to express to the Portuguese Government the satisfaction of Her Majesty's Government on hearing that the Portuguese authorities at Boa Vista are using their best endeavours to give effect to the engagements entered into by the Crowns of Great Britain and Portugal, under the Treaty of 3rd July, 1842, for the suppression of the Slave Trade.

Her Majesty's Government have also learnt with satisfaction, that a slave vessel, captured by Her Majesty's ship “*Alert*,” having been carried for adjudication before the Mixed Commission at Loanda, was duly condemned by the

Portuguese Commissioners at that place, in the absence of Commissioners on the part of Her Majesty.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 157.

Her Majesty's Commissioners at Boa Vista to the Earl of Aberdeen, August 5, 1844.

(See Class A. No. 285.)

No. 158.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, October 15, 1844.
(Received October 22.)

MY LORD,

I HAVE the honour to enclose an abstract from the proceedings of the Chamber of Peers yesterday, at which your Lordship will be much gratified.

Your Lordship will recollect, that in my Despatch, marked Slave Trade, of the 23rd April of last year, I informed your Lordship of a motion made by the Duke of Palmella, Count Lavradio, and Viscount de Sá da Bandeira, in the Chamber of Peers, for the abolition of slavery in the Portuguese East India possessions. This motion was postponed, to afford time for obtaining information required. The subject was renewed this session by the Viscount de Sá da Bandeira, when, owing to the information called for not having as yet been furnished, the matter was again postponed. The Count Lavradio, however, following up the subject, with a view not to leave it to be so disposed of on the mere declaration by the Government, moved for the establishment of a permanent Committee, to be charged with the duty of investigating and following up the desire of the Chamber in carrying out the object of the motion, and of proposing to the Chamber all the modes which it may consider best adapted, not only for the suppression of the Slave Trade, but also for abolishing slavery in all the Portuguese possessions.

The motion made by Count Lavradio was agreed to unanimously, when the following Peers were elected members of the said Committee, in the following order:—Count Lavradio, Duke of Palmella, Count Villa Real, Viscount de Oliveira, Bishop of Braga, Viscount de Sá da Bandeira.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 158.

Abstract of the Proceedings of the Chamber of Peers on the 14th October, 1844.

THE following motion of Count Lavradio was read a second time; viz., Slavery being now recognised amongst all civilized nations as contrary to the precepts of natural right, it being consequently the duty of the Legislators of every country to do all in their power for its suppression; and it being notorious that slavery not only exists to a great extent in the Portuguese possessions in Africa and Asia, but that a great number of slaves continue to be exported thence to Brazil and other places, in violation of the Decree of the 10th December, 1836, and Treaty of 3rd July, 1842, it becomes necessary that a permanent Committee of seven members be elected by this Chamber to propose all such measures as it may consider to be most conducive not only to the suppression of the Slave Trade, but also the abolition of slavery in all the Portuguese colonies.

This Committee shall report the extent of its labours to the Chamber in the beginning of March of every year.

Count Lavradio said, that although the project for abolishing slavery in India had been adjourned a second time, he was perfectly convinced that not one of the members of the House was desirous for the continuance of slavery. He did not make this motion to oppose the Government, but solely to cause measures to be proposed and adopted adequate to the end in view. Senhor Frigueiros said, that he had voted for the adjournment, not from a desire for the continuance of slavery, but solely in order that the law might be framed on authentic data. He would, however, propose that the Committee be at once elected.

The motion was then put to the vote and passed, and a Committee, composed of seven members, viz., Count Lavradio, Duke of Palmella, Count Villa Real, Viscount Oliveira, Viscount Sobral, Bishop of Braga, and Viscount Sà da Bandeira, was elected.

No. 159.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 31, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that Her Majesty's steam-vessel "Eclair," of four 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 "Eclair" is commanded by W. G. B. Estcourt, and Lieutenant C. A. Johnson is the officer second in command.

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

I am, &c.
(Signed) ABERDEEN.

No. 160.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, November 2, 1844.
(Received November 10.)

I DULY communicated to-day to Senhor Gomes de Castro, according to your Lordship's instructions, the contents of your Lordship's Despatch, marked Slave Trade, of the 21st ultimo, relating, first, to the active co-operation of the Governor-General of the Cape de Verd islands, and the Commander of the Portuguese brig-of-war "Vouga," in responding to the call of the Portuguese and British members of the Mixed Commission at Boa Vista, with the view to capture, if possible, a felucca under Spanish colours, which had put into Palmira bay; and, secondly, to the adjudication and condemnation by the Portuguese members of the Mixed Commission at St. Paul de Loanda, of a slave vessel captured by Her Majesty's sloop "Alert," in the absence of Commissioners on the part of Her Majesty.

His Excellency expressed himself extremely gratified by the tenor of this communication, which he stated he would convey specially to the cognizance of his colleague the Minister of Marine and Colonies.

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

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

No. 161.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 11, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's schooner "Fair Rosamond," on the North America and West India station, authorizing her to act under the Treaty of the 3d July, 1842, between Great Britain and Portugal, for the suppression

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of 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. 162.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 8, 1844.
(Received November 18.)

MY LORD,

HAVING duly notified to Senhor Gomes de Castro, that the warrant supplied to Her Majesty's brig "Fawn," authorizing her to act on the Cape of Good Hope station, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade, had been cancelled, I have the honour to enclose a copy of a note which I have received from his Excellency in reply.

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

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

(Translation.) Enclosure in No. 162.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, October 30, 1844.

ACKNOWLEDGING receipt of your Lordship's note of the 24th inst., I have the honour to acquaint your Lordship, that I this day inform the Minister of Marine, for the convenient purposes, that the warrant supplied to the brig "Fawn," on the Cape of Good Hope station, to act under the Treaty of the 3rd July, 1842, between Portugal and Great Britain, for the suppression of Slave Trade, has been cancelled, and returned to the Lords Commissioners of the British Admiralty.

I avail, &c.
(Signed) JOSE JOAQUIM GOMES DE CASTRO.

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

No 163.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 28, 1844.

I HEREWITH transmit to you, for communication to the Portuguese Government, extracts from Despatches from Rear-Admiral Percy, Captain Wyvill, and Lieutenant Barnard, containing information about Slave Trade in the Mozambique Channel, and the connivance of certain officers of the Government at Quillemaine, in that trade.

I am, &c.
(Signed) ABERDEEN.

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

First Enclosure in No. 163.

(Extract.) *Rear-Admiral Percy to the Hon. Sidney Herbert.*

*Her Majesty's Ship "Winchester," Simon's bay,
August 29, 1844.*

It affords me much pleasure to find, from the accompanying papers, that the Governor of Quillemaine is to be removed, and that this and other cir-

cumstances stated by Captain Wyvill, induce him to think that the Slave Trade in the Mozambique may be on the decline; but so long as this inhuman traffic is carried on by the Government officers, as in the case of the Collector of Customs at Quillemaine, who, it seems, openly embarked slaves in his own boat, there can be little probability of its complete suppression. However, I trust the vigilance of the "Helena," "Sappho," and "Bittern," now in that neighbourhood, will be the means of defeating the object of many of the slave vessels, and of checking the abominable trade in which they are engaged on that coast.

Second Enclosure in No. 163.

Captain Wyvill to Rear-Admiral Percy.

(Extract.)

*Her Majesty's Ship "Cleopatra" off Quillemaine,
July 6, 1844.*

SINCE I left Simon's bay I have for the most part of the time been cruising off this port; the weather has been very unsettled and bad for the climate, so that it has been difficult for the slave vessels to communicate with the shore. A week before I arrived here, a cargo of about 700 slaves were embarked on board the "Julia," Brazilian bark, and got safely off. It seems the Collector of Customs at Quillemaine, M. Isidore, is a great slave dealer; and from the information I enclose, it appears that he was personally employed in his own boat embarking the slaves on that occasion. There are now 2,000 slaves in this neighbourhood paid for, and ready for embarking, and several vessels are expected for them. The Governor of Quillemaine is to be immediately relieved; his successor is supposed to be adverse to the Slave Trade. And as two of the richest merchants at Quillemaine are dead, it is very probable that the Slave Trade may decline here. Were the Collector of Customs superseded, I think there would be no person left with sufficient capital to carry it on at present, and would deter others from entering into the trade.

Third Enclosure in No. 163.

(Extract.)

Lieutenant Barnard to Captain Wyvill.

Her Majesty's Ship "Cleopatra," May 17, 1844.

FROM two separate sources I learnt that about a week before our arrival a Brazilian bark named the "Julia" had embarked from 700 to 900 slaves in the neighbourhood of Quillemaine. This was the same vessel detained on a former occasion by Captain Tron, then commanding Her Most Faithful Majesty's brig "Gentil Liberador," and liberated by the Governor of Quillemaine. Upwards of 2,000 slaves are now ready for embarkation in the neighbourhood of Quillemaine, purchased with the cargo of the American bark "Lucy Pennemene," which arrived during our cruise to Zanzibar last year, and from four to six vessels may be expected daily.

On arriving from Quillemaine in February last, I reported that a black schooner had taken in slaves at Macuze; on further enquiry I find, that after she sailed so many died from sickness that she put back, relanded the remainder at Macuze, and is now gone to Madagascar for bullocks, and may be expected daily for another cargo of slaves.

A person at Quillemaine who deals largely in slaves, was about to endeavour to establish a place for embarking them near Safala, but this cannot be managed for some months, as the Governor of that place must first be brought over.

Since writing the above, I have been informed by a person at Mozambique, who was at Quillemaine when I was there, that the slaves for the "Julia" were actually embarked in launches at the town of Quillemaine, the vessel remaining outside, and that he himself saw St. Isidore, the Collector of Customs, go down the river with a great number in his own boat. I also know from good information, that the vessel which embarked slaves at Macuze belongs to him, and that he deals very largely in negroes.

Fourth Enclosure in No. 163.

Lieutenant Barnard to Captain Wyvill.

(Extract.)

*Her Majesty's Ship "Cleopatra," off Quillemaine,
July 17, 1844.*

It appears that the bark "*Julia*," mentioned in my last letter, dated in May, 1844, as having embarked 700 slaves in the neighbourhood of Quillemaine, was wrecked on the Tapas da India eight days after her departure, when all hands perished excepting the Captain, Pilot, and two or three men, who have landed at the Macuze in a small gig; the rest of the crew constructed a raft, but it went to pieces, and they were all drowned.

The black schooner belonging to St. Isidore, reported as having shipped a cargo of slaves at the Macuze, and relanded a part of them at the same place, is now on the beach at Quillemaine, undergoing repairs; she appears to be about 90 or 100 tons, not coppered, and probably built at Mozambique. I am told that she embarked 400 blacks, and that 200 died from disease before her return. She has not been to Madagascar, as reported, but until lately has remained in the Macuze, loading with wood.

No. 164.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, November 19, 1844.**(Received December 3.)*

MY LORD,

I HAVE the honour to enclose a copy of a motion which was made by the Viscount de Sá da Bandeira, in the Chamber of Peers, and carried on the 15th instant, in the shape of a recommendation to the Government to institute a rigorous enquiry into the conduct of the Portuguese authorities on the coast of Africa, in regard to a supposed connivance in 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. 164.

Motion in the Chamber of Peers.

IN the session of the 15th instant, Viscount Sá laid before the Chamber the following motion, viz. :—

The information received in Lisbon from the Portuguese colonies in continental Africa, relative to the Slave Trade, has been for some time back of a nature to exclude all doubt of the culpability of the authorities who govern those colonies, either through connivance or remissness in the continuance of the Slave Trade. On the coast of Angola, several vessels employed in this infamous traffic have been captured by Portuguese ships-of-war; and there, as well as on the coast of Mozambique, the British cruisers have made numerous seizures of slave ships.

Statements of persons who have resided in the said colonies, and letters from others who did or still do reside there, confirm the existence of that traffic, and the connivance of the authorities.

It being therefore necessary to proceed with severity against the transgressors of the law, I hereby move, that the Government be recommended most urgently to cause a scrupulous investigation, by impartial persons, to be instituted, as regards the execution of the provisions of the Decree of the 10th of December, 1836, which abolished the said traffic, into the conduct of the following authorities, viz. :—

- 1st. The Governor-General of Angola, L. G. Possolo.
- 2nd. The Governor-General of Mozambique, R. L. de Abreu e Lima.
- 3rd. The Governor of Quillemaine and Rios de Sena, Fernando Carlos da Costa.

4th. The principal *employés* under each of the said Governors.

And that, should the result of the investigation subject any or all of them to the penalties enjoined in that Decree, they be accused and prosecuted before the competent Judges, and sentenced according to law.

The Chamber resolved that this motion should be disposed of as requested by its author.

No. 165.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, December 7, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's brigantine "Hornet," on the North America and West India station, authorizing 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.

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

I am, &c.
(Signed) ABERDEEN.

No. 166.

Lord Howard de Walden to the Earl of Aberdeen.

MY LORD,

Lisbon, December 2, 1844.
(Received December 9.)

I HAVE the honour to enclose a copy of a note, which I have received from Senhor Gomes de Castro, informing me that the Portuguese frigate "Diana," of 50 guns, will be employed on the coasts of Brazil and western Africa in the suppression of Slave Trade, under the Treaty of the 3rd of 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.

(Translation.)

Enclosure in No. 166.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD,

Foreign Office, Lisbon, November 25, 1844.

I HAVE the honour to acquaint your Lordship, that according to a communication from the Minister of Marine, of the 22nd instant, the "Diana" frigate, of 50 guns, received orders to sail from Madeira, and instructions to act in the suppression of Slave Trade on the coasts of Brazil and western Africa, under the Treaty of the 3rd of July, 1842, between Portugal and Great Britain,

The "Diana" is commanded by the Captain of frigate, J. M. F. de Amaral, and the Captain-Lieutenant T. d'Assis e Silva is the officer second in command.

I avail, &c.
(Signed) JOSE JOAQUIM GOMES DE CASTRO.
Lord Howard de Walden, G.C.B.
&c. &c.

No. 167.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, December 14, 1844.

I HAVE to desire that you will acquaint the Portuguese Government, that the warrant supplied to Her Majesty's brig "Griffon," on the North America and

West India station, authorizing 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.

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

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

No. 168.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, December 16, 1844.
(Received December 24.)

MY LORD,

HAVING duly notified to Senhor Gomes de Castro, in conformity with the instructions conveyed in your Lordship's Despatches, marked Slave Trade, of the 31st of October, and 11th ultimo, that Her Majesty's steam-vessel "Eclair," would be employed in the suppression of Slave Trade on the west coast of Africa station, under the Treaty of the 3rd of July, 1842, and that the warrant supplied to Her Majesty's brig "Fair Rosamond," to act under the above-mentioned Treaty, had been cancelled, I have the honour to enclose copies of the notes which I have received from his Excellency 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. 168.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD, *Foreign Office, Lisbon, November 19, 1844.*

THANKING your Lordship for the communication contained in your note of the 15th instant, I have the honour to acquaint your Lordship, that I have already communicated to the Marine Department, for the convenient purposes, that the steam-vessel of the British navy "Eclair," of four guns, Captain W. G. Estcourt, and officer second in command, Lieutenant C. R. Johnson, will be employed on the west coast of Africa station in the suppression of Slave Trade, under the Treaty of the 3rd July, 1842, between Portugal and Great Britain.

I avail, &c.
(Signed) **JOSE JOAQUIM GOMES DE CASTRO.**

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

(Translation.)

Second Enclosure in No. 168.

Senhor Gomes de Castro to Lord Howard de Walden.

MY LORD, *Foreign Office, Lisbon, November 26, 1844.*

IN acknowledging the receipt of your Lordship's note of the 22nd instant, I have the honour to acquaint your Lordship, that I this day communicate to the Marine Department that the warrant issued to Her Britannic Majesty's brig "Fair Rosamond," to act on the North America and West India station in the suppression of Slave Trade, under the Treaty of 1842, between Portugal and Great Britain, had been cancelled, and returned to the Lords of the Admiralty.

I avail, &c.
(Signed) **JOSE JOAQUIM GOMES DE CASTRO.**

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

No. 169.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, December 31, 1844.

I HAVE to acquaint your Lordship that Her Majesty has been pleased to appoint Edmund Gabriel, Jun., Esq., to be Arbitrator on the part of Her Majesty in the Mixed British and Portuguese Commission, established at St. Paul de Loanda, under the Treaty of the 3rd July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade.

I have to instruct you to announce this appointment to the Portuguese Government, and to state that Mr. Gabriel is about to proceed immediately to his post.

Your Lordship will request that instructions may be issued to the Portuguese authorities of Loanda to acknowledge Mr. Gabriel in the above-mentioned capacity, and to show him the courtesy and attention due to his important station.

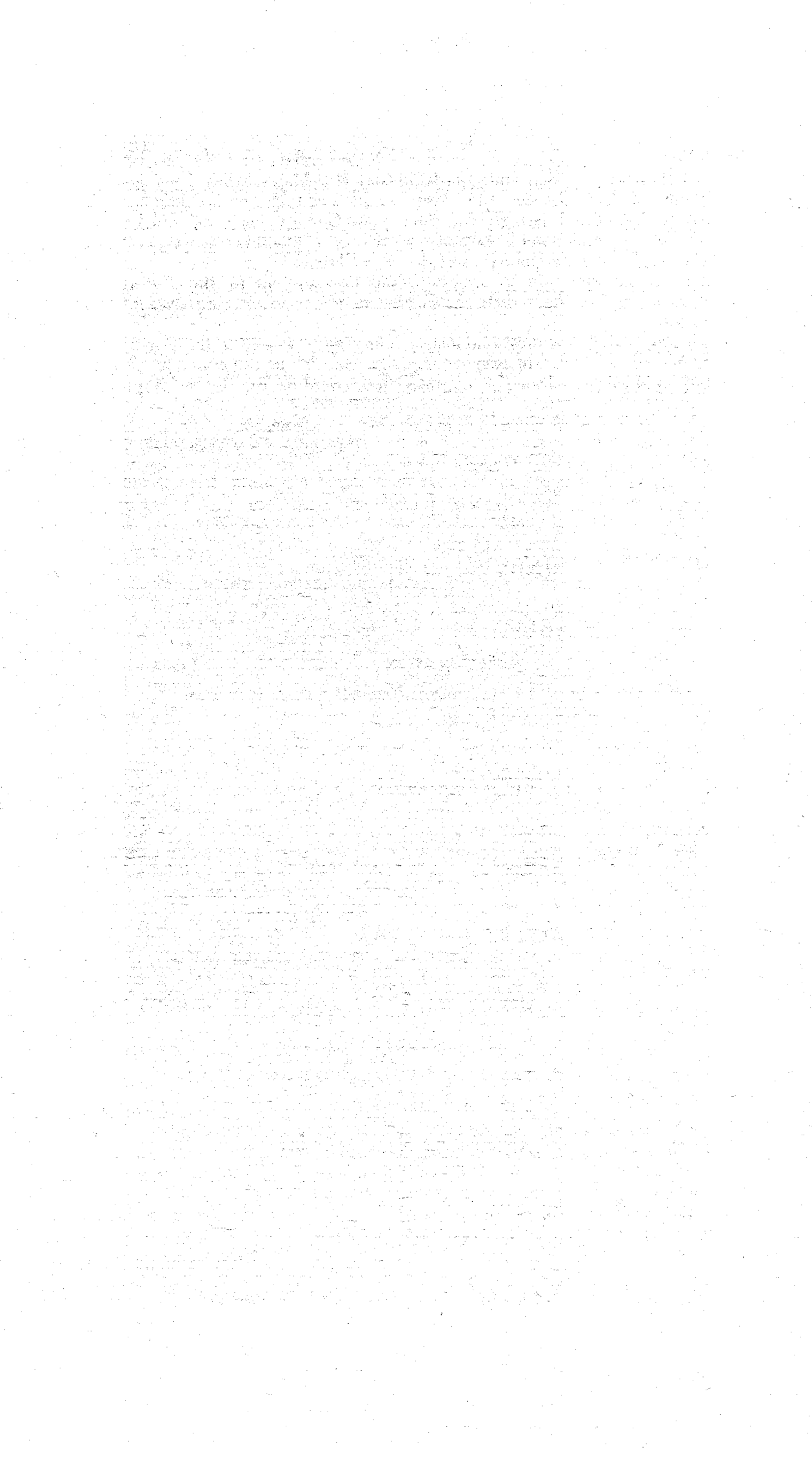
I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden, G.C.B.

&c.

&c.



PORTUGAL. (Consular)—Lisbon.

No. 170.

Mr. Smith to the Earl of Aberdeen.

*Lisbon, January 30, 1844.
(Received February 6.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular of the 31st ultimo, marked Slave Trade, and of its Enclosures, being two copies of an Act passed during the last session of Parliament for the more effectual suppression of the Slave Trade.

In obedience to your Lordship's instructions, I shall cause a copy of that Act of Parliament to be affixed in a conspicuous part of my office, and shall take proper measures for making its purport known to the British subjects resident within my Consulate. And whenever it shall come to my knowledge that any subjects of Her Majesty are implicated in transactions forbidden by it, or by the Act of 5 Geo. IV. cap. 113, to which it has reference, I shall not fail to transmit a statement thereof to your Lordship.

I have, &c.

(Signed)

WILLIAM SMITH.

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

No. 171.

Mr. Smith to the Earl of Aberdeen.

*Lisbon, July 30, 1844.
(Received August 6.)*

MY LORD,

I HAVE the honour to enclose for your Lordship's information, the "Diario do Governo," of the 27th instant, with a translation of an official notice of the capture of the Brazilian brig "Caçador," with upwards of 850 slaves on board, by a Portuguese armed launch under the command of Mate Luiz Domingues, at the entrance of the river Dande, on the 27th of May last.

I beg leave, at the same time, to enclose a letter which has been delivered to me by the writer's private correspondent in this city, for transmission to your Lordship. The person from whom I have received it states that Mr. Clinton, the British member of the Mixed Commission at Loanda, committed suicide on the 1st of June last, while labouring under the endemic fever of the country.

I have, &c.

(Signed)

WILLIAM SMITH.

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

First Enclosure in No. 171.

(Translation.) *Major-General Mello to the Minister of Marine.*

*Naval Head Quarters,
July 26, 1844.*

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I HAVE the satisfaction of transmitting to your Excellency the enclosed copy of a Despatch, addressed to me by the Commander of the station on the CLASS B.

western coast of Africa, in which he states the capture, on the 27th of May last, of the Brazilian brig "*Caçador*," at the entrance of the Dande, with 850 odd slaves on board, by the Mate Luiz Domingues, who was the sole capturer, in a launch with 10 men. That vessel had sailed from Loanda in ballast, in the evening of the 26th of the said month. I likewise send a copy of the report made of the occurrence by the said Mate to the Commander of the station.

Captain Cunha, Commander of the western Africa station, recommends the Mate Domingues, whom he praises in the highest terms for his activity, intelligence, and zeal; and considering the importance of the service rendered by him, I deem it my duty to beg that your Excellency will obtain from Her Majesty his promotion to the rank of Second Lieutenant.

God preserve your Excellency!

I am, &c.

(Signed)

M. DE VASCONCELLOS P. DE MELLO,
His Excellency the Minister of Marine, *Major-General.*
 &c. &c.

Second Enclosure in No. 171.

Captain-Lieutenant Cunha to Major-General Mello.

The corvette "Urania," Loand
June 3, 1844.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I HAVE the honour to acquaint your Excellency with the capture, on the 27th of May last, of the Brazilian brig "*Caçador*," at the entrance of the Dande, with 850 odd slaves on board, and all the crew and passengers, as stated in the report, of which the enclosed is a copy, of the Mate Luiz Domingues, who was the sole capturer, in a launch with 10 men. That vessel had sailed from Loanda in ballast, in the evening of the 26th of the said month.

Permit me to recommend to your Excellency's efficacious protection this worthy and long qualified mate, who is, without hesitation I say it, the most active, the most intelligent, and the most zealous of all I have ever had under my command during my service in the navy.

God preserve your Excellency!

I am, &c.

(Signed)

P. A. DE CUNHA,
Captain-Lieutenant, and Commander of the Station.

Most Excellent Senhor de Mello,
 &c. &c.

Third Enclosure No. 171.

Senhor Domingues to Captain-Lieutenant Cunha.

MOST ILLUSTRIOUS SIR,

The brig "Caçador," May 31, 1844.

I HAVE the honour to acquaint you, that at about four P.M., on the 27th instant, whilst cruising off the river Dande, I saw a brig anchored at the mouth of the said river, which I recognised as the Brazilian brig "*Caçador*," and immediately proceeded towards her for the purpose of searching her; but my design having been discovered, the brig slipped her cable and made sail, having shortly before sent off four boats, which made for the river. Having got on board, I found a cargo of about 800 slaves, with water, provisions, and the several articles necessary for the conveyance of the said slaves. And finding that the vessel came completely within the intent of all the Articles of the Law which prohibits Slave Trade, I considered her at once as a prize, and have placed her at your orders. On searching the vessel, I neither found the Captain nor the usual ship's papers, but only the crew and passengers, as per enclosed list; as also two carbines, some damaged gunpowder, and five swords. I have

likewise the honour to acquaint you with the good conduct and zeal of the boat's crew No. 17 in the discharge of their duties.

God preserve you!

I have, &c.

(Signed) LUIZ DOMINGUES, *Mate.*

Most Excellent Senhor de Cunha,
&c. &c.

No. 172.

Mr. Smith to the Earl of Aberdeen.

Lisbon, September 25, 1844.

(Received October 4.)

MY LORD,

I HAVE the honour to enclose for your Lordship's information, the "Diario do Governo" of the 24th instant, with a translation of a Decree therein published, whereby a new tribunal is created at Loanda, in the colony of Angola, for the purpose of adjudging all slave vessels taken at sea; the object of this measure being, as it is stated in the preamble to the Decree, to remove the difficulties which have arisen to the punctual execution of the Decree of the 10th December, 1836, as well as of the last Treaty with Great Britain for the suppression of the Slave Trade, from the insufficiency or inattention of the colonial authorities, which has been such, that it has neither been possible to sentence definitely the greater part of the cases under adjudication, nor to punish the guilty parties.

I have, &c.

(Signed) WILLIAM SMITH.

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

Enclosure in No. 172.

(Translation.) *Decree appointing a New Tribunal at Loanda.*

*Department of Marine and Colonial Affairs,
Palace of Belem, September 14, 1844.*

WISHING to remove as much as possible the difficulties which the punctual execution of the Decree of the 10th December, 1836, has hitherto presented in practice,—difficulties which have mostly arisen from the insufficiency or inattention of the colonial authorities, who in the processes of those prizes not included in the dispositions of the Treaty of the 3rd of July, 1842, made between Portugal and Great Britain, for the complete abolition of the Slave Trade, have constantly committed such and so many nullities, that it has neither been possible to sentence definitely the greater part of the said processes through the Commercial Court of Relacao, nor to punish those who are guilty and involved in the said traffic, whence there results great delay, against which some of the colonial authorities have already applied for measures to be taken:

For all these reasons, and exercising the faculty granted by the 1st Article of the Law of the 2nd May, 1843, and having taken the opinions of the Council of Ministers and of the Council of State, I am pleased to Decree the following:—

ARTICLE I.

There shall be in the city of St. Paul de Loanda, in the province of Angola, a tribunal to judge, in first and last resort, all prizes taken at sea, in conformity with the Decree of the 10th December, 1836, with reservation of the dispositions of the Treaty of the 3rd July, 1842.

ARTICLE II.

The tribunal shall be composed of a President, three Members, and a Secretary.

§1. The Governor-General of the province shall serve as President, and the Chief Civil Magistrate (Juiz de Direito) of the district, and the Portuguese Members (Commissioner and Arbitrator) of the Mixed Commission there established by virtue of the said Treaty, as Members, and as Secretary the Secretary for the time being of the said Commission.

§2. The President shall have no vote, and the Juiz de Direito shall act as Relator in the processes.

ARTICLE III.

Whenever the Governor-General shall be unable to act as President, his place shall be taken by the military authority of highest rank, in active service, in the capital of the province; in like manner the place of the Juiz de Direito shall be taken by his substitute, and that of any one of the Members by the Secretary, should any of those persons be hindered from acting; and in such case the Secretary shall accumulate the functions of both Member and Secretary.

ARTICLE IV.

The Members of the tribunal shall not, in that capacity, receive any salary or gratuity paid by the Treasury. The Secretary shall only receive the costs assigned to him as scrivener of the processes.

ARTICLE V.

The cargo, hull, rigging, and other materials of vessels captured on the coasts of the Portuguese dominions in Western and Eastern Africa, as also the negroes found on board, shall be conveyed to Loanda, and placed at the disposal of the tribunal, to be adjudicated according to law. The form in which such prizes are to be judged, shall be that established by the said Treaty of the 3rd of July, 1842, in the annexed Regulation marked B., so far as it shall be applicable.

ARTICLE VI.

The Captain, Masters, Mates, and crews of the vessels captured, as also the passengers found on board, shall be kept in custody until the prize shall have been sentenced by the tribunal. In case it shall be condemned, and judged a good prize, they shall be placed at the disposal of the Juiz de Direito of the district, to be sentenced and punished according to law, the certificate of the condemnatory sentence of the tribunal serving as the basis of the accusation, and being sent, together with the prisoners, to the said Judge.

§ From the final judgment pronounced by the Juiz de Direito, as well as from his intermediate acts, those to whom the law allows this resort, may appeal to the Court of Relacao of Lisbon.

ARTICLE VII.

The owners of vessels condemned as good prizes, their correspondents, and other individuals involved in the Slave Trade, but not apprehended in the vessels, as also the authorities and other functionaries specified in the Decree of the 10th December 1836, shall in like manner be prosecuted by the competent ordinary Justices, and sentenced in the first instance by the Juiz de Direito of the respective district, with appeal to the Court of Relacao, in Lisbon.

ARTICLE VIII.

The prizes made on land shall in like manner be proceeded against and judged by the local ordinary Justices. The form of proceeding in regard to such prizes, is that established in the last judicial reform in cases of contraband or smuggling.

ARTICLE IX.

The dispositions of the 354th Acticle, section 5th, of the last judicial reform (*Novissima Reforma Judiaca*) are extensible to the cases tried in conformity to the 7th and 8th Articles of this Decree.

ARTICLE X.

After the prizes taken at sea have been sentenced and condemned in the manner prescribed in the present Decree, their produce shall be delivered into the coffers of the respective Board of Collectors of the Revenue, who will divide it in the manner directed in the 5th Article of the Regulations of the 7th December, 1796; and thus shall be understood the dispositions of the 24th Article, section 4th, of the Decree of the 10th December, 1836, in this respect.

ARTICLE XI.

The produce of the prizes made on land, after being adjudged in the form mentioned in the 9th Article of this Decree, shall be applied in the manner directed by the Decree of December 10, 1836.

ARTICLE XII.

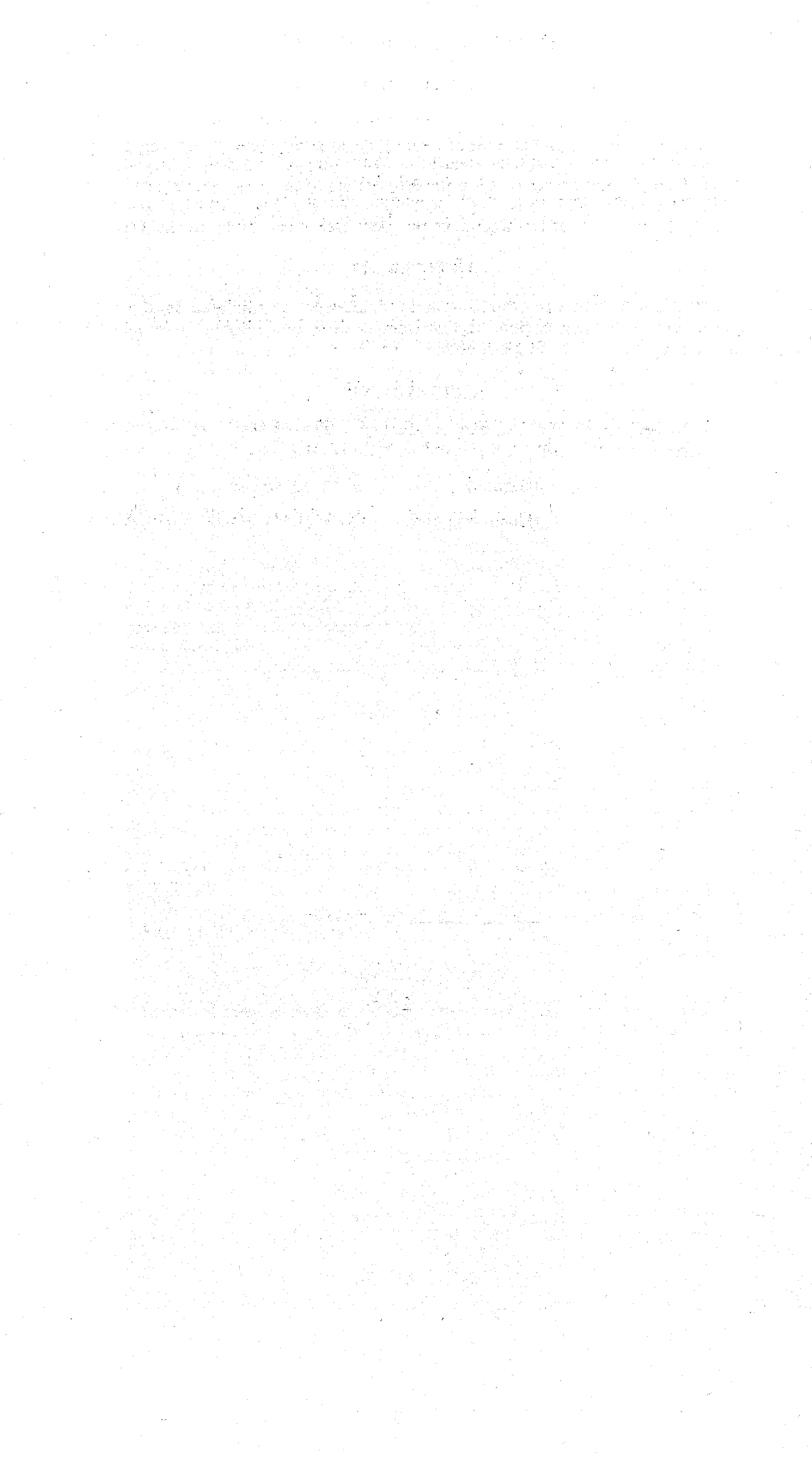
All legislation to the contrary is revoked. The Minister of Marine and Colonial Affairs shall thus understand it, and give it effect.

(Signed)

THE QUEEN.

(Countersigned)

JOAQUIM JOSE FALCAO.



PORTUGAL. (*Consular*)—*Oporto*.

No. 173.

Mr. Johnston to the Earl of Aberdeen.

Oporto, February 2, 1844.
(*Received February 29.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 31st December, 1843, enclosing two copies of the Act of the 6 & 7 Vict. cap. 98, and giving me instructions respecting the same; and I shall not fail to obey your Lordship's instructions.

I have, &c.

(Signed)

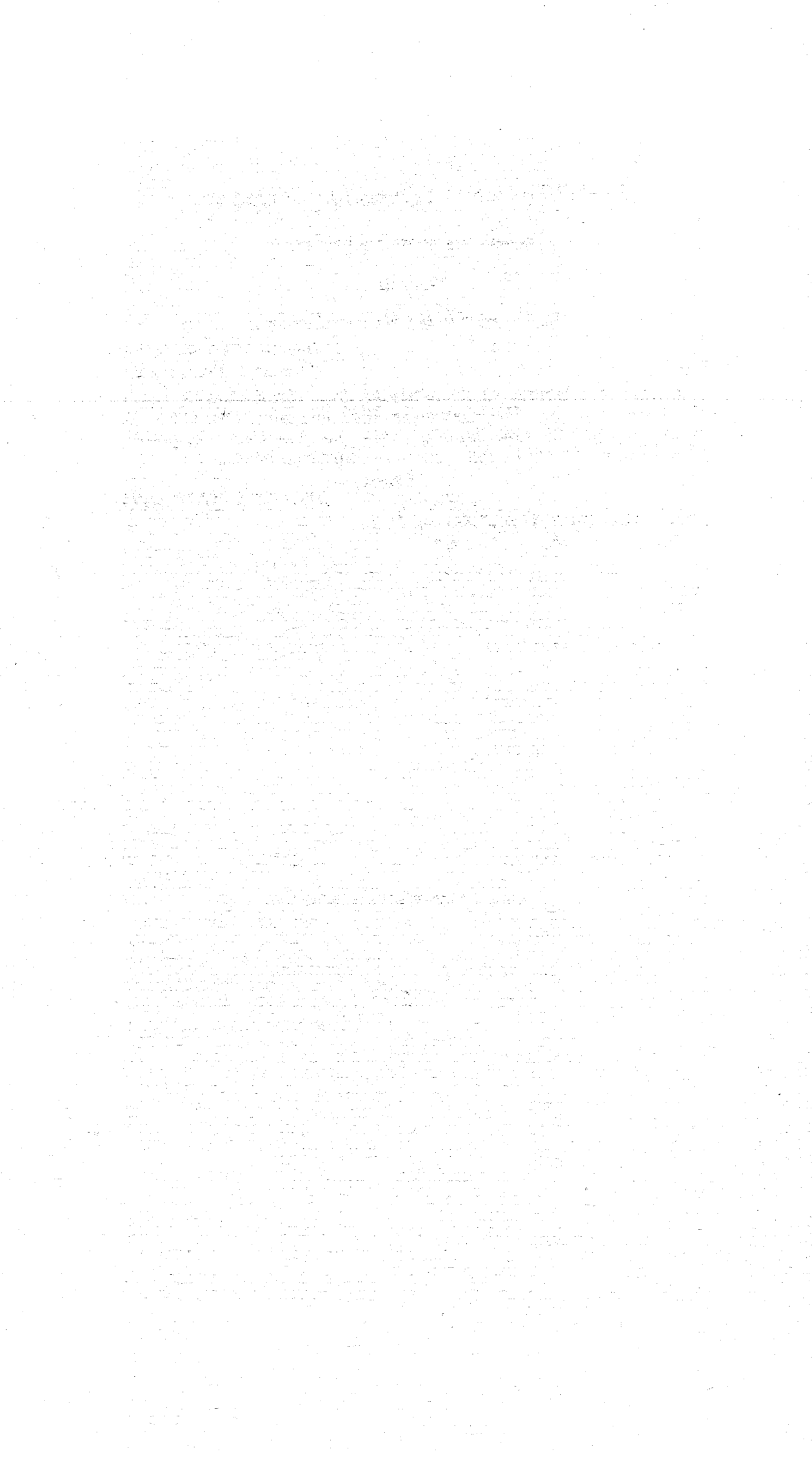
EDWIN J. JOHNSTON.

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

&c.

&c.

&c.



PORTUGAL. (*Consular*)—*Madeira*.

No. 174.

Mr. Stoddart to the Earl of Aberdeen.

Madeira, February 13, 1844.

(Received March 6.)

MY LORD,

I HAVE had the honour to receive your Lordship's Circular Despatch, of the 31st December last, marked Slave Trade, transmitting to me two copies of an Act passed during the last session of Parliament, for the more effectual suppression of the Slave Trade, and drawing my particular attention to the different stipulations of this Act, as well as conveying to me your Lordship's instructions relative thereto, and to the subject to which it has reference.

While I have to assure your Lordship that I shall lose no time in bringing to your Lordship's notice such information as may come to my knowledge implicating any subjects of Her Majesty in transactions forbidden by the Act in question, or by the previous Act of 5 Geo. IV. cap. 113, entitled "An Act to amend and consolidate the Laws relating to the abolition of the Slave Trade;" it affords me much satisfaction to be able, at the same time, to express my conviction that no British subject resident within this Consulate has, either directly or indirectly, any interest in, or connection with, such illegal traffic or criminal acts.

I have, &c.

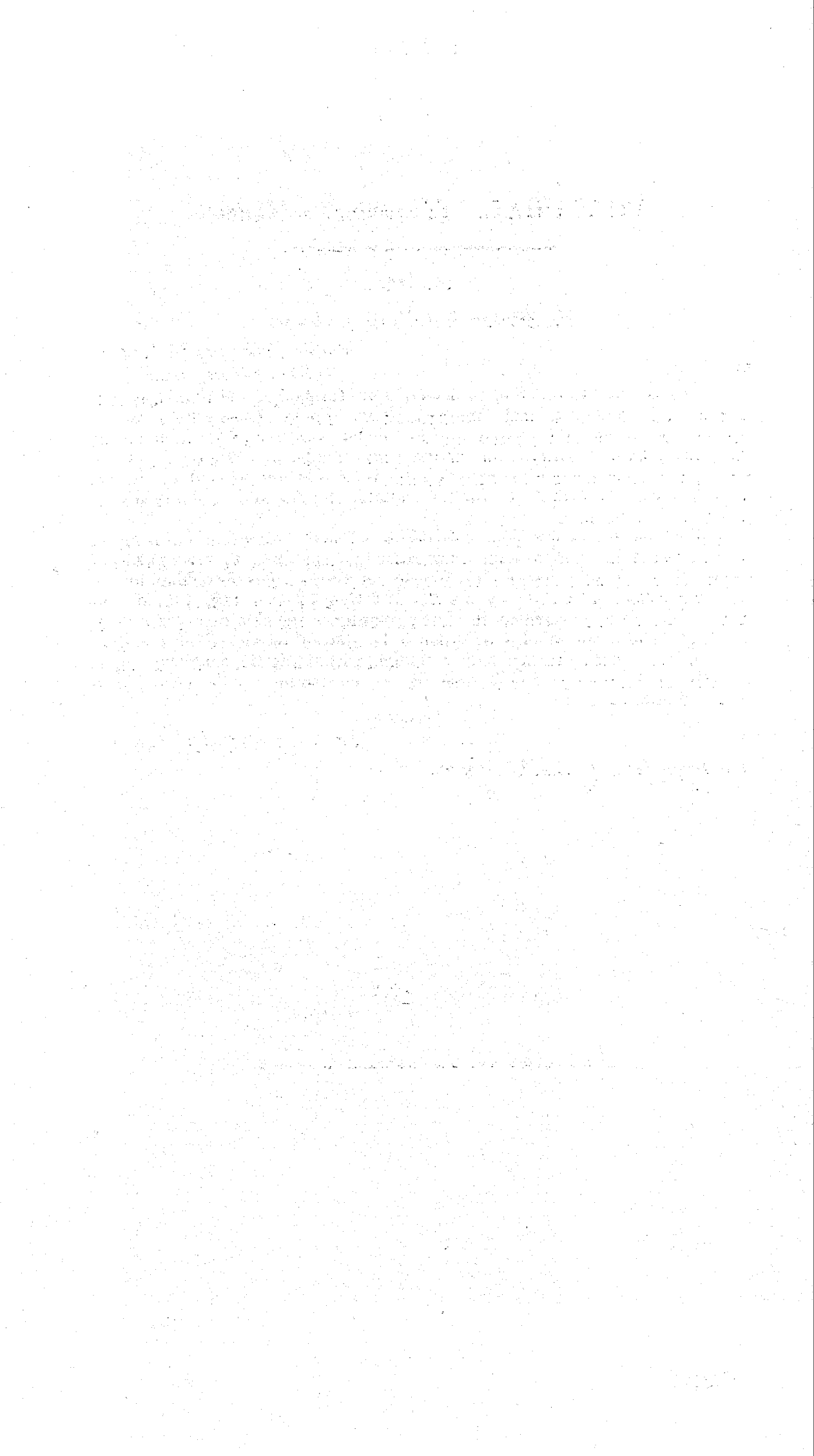
(Signed) GEO. STODDART, *Consul*.

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

&c.

&c.

&c.



PORTUGAL. (*Consular*)—*The Azores.*

No. 175.

Mr. Hunt to the Earl of Aberdeen.

St. Michael's, February 14, 1844.

(Received March 11.)

MY LORD,

I HAVE the honour to acknowledge the receipt, on the 5th instant, of your Lordship's Despatch, headed *Slave Trade*, of the 31st of December, 1843, enclosing two copies of the Act 6 & 7 Vict. cap. 98, "For the more effectual suppression of the *Slave Trade*," with instructions to make its purport known to the British subjects residing within my district.

In compliance therewith, I lost no time in communicating the purport of the Act to the several British subjects residing here; and I have sent an abstract of it, with the necessary instructions, to the British Vice-Consuls stationed in the Azores.

I have, &c.

(Signed)

THOMAS CAREW HUNT.

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

&c.

&c.

&c.

THE UNIVERSITY OF CHICAGO

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PORTUGAL. (*Consular*)—*Cape Verds.*

No. 176.

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, August 30, 1843.

(*Received February 24, 1844.*)

MY LORD,

I HAVE the honour to state that the English schooner called the "Juverna," John M'Donald, Master, burthen 39 tons, was sold here a short time since to Sehnor Martines, a merchant, and a great salt proprietor in these islands. The register I returned to the Custom House, at St. Mary's, Gambia. Mr. Martines is a respectable man, and as free from Slave Trade as any in these islands.

The Portuguese Government here has granted him a flag for this new purchase; he states it his intention to employ her for his own use in these islands.

I feel it my duty to make this report, because I conceive, that if foreign vessels can so easily obtain the Portuguese flag, great facilities will be given to the dealers in human flesh.

I have, &c.

(Signed)

JOHN RENDALL,

Her Britannic Majesty's Consul.

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

&c.

&c.

&c.

No. 177.

(Extract.)

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, October 5, 1843.

(*Received February 24, 1844.*)

MY LORD,

I HAVE the honour to enclose herewith the "Official Boletim," published in this island, under date of 3rd June last, announcing the promotion of Caetano Jose Nozolini to the rank of Lieutenant-Colonel in the army.

I have, &c.

(Signed)

JOHN RENDALL,

Her Britannic Majesty's Consul.

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

&c.

&c.

&c.

Enclosure in No. 177.

Extract from the "Boletim Official," of the General Government of Cape Verds, of Saturday, June 3, 1844.

(Translation.)

By Decree of the 13th March of this year, communicated in the Portaria, No. 743, of the 17th of the same month, Caetano Jose Nozolini, who held the rank of Lieutenant-Colonel, by courtesy (*graduado*) in this province, was promoted to be actual Lieutenant-Colonel.

No. 178.

*Mr. Rendall to the Earl of Aberdeen.**Boa Vista, Cape Verds, October 7, 1843.
(Received February 24, 1844.)*

MY LORD,

I HAD the honour, only a few days since, to receive your Lordship's Despatch, dated 30th May last, and marked *Slave Trade*, in consequence, as I learn, of the mail having gone to Sierra Leone instead of to the Gambia.

In obedience to your Lordship's commands, I beg to transmit, underneath, answers to the several questions therein put by your Lordship.

I have, &c.

(Signed) JOHN RENDALL,

*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure in No. 178.

*Answers to Queries from Foreign Office.**Boa Vista, Cape Verds, October 7, 1843.*

QUERY the 1st.—The population of these islands is estimated at from 85,000 to 90,000 souls. The whites are about 1,000; the slaves about 9,000; the remainder are coloured people and free.

There are no means of ascertaining the relative number of males and females.

The population of 1832 is stated to have been one-fourth more than at the present day, in consequence of a famine raging in these islands during the years 1834 and 1835.

The only difference in 1837 to the present day is said to be in the number of slaves, they being *then* much greater in number than *now*.

Query the 2nd.—Certainly, very often, and to a great extent, but the number it is impossible to say, as importations of most of them have again taken place; at present, and for the last nine months, very few have been imported. The importations are always from the coast of Africa.

Query the 3rd.—No. No slave is brought to justice, except in cases of murder; in all other cases the master punishes, and pays whatever damage his slave may commit.

Query the 4th.—None, except that a master is forbidden to kill his slave.

Query the 5th.—No.

Query the 6th.—Generally speaking. I think the poor creatures are far from being well fed and treated, but of course there are exceptions.

Query the 7th.—Yes.

Query the 8th.—It has been on the increase by importation. The work at the island of Sal, in salt, is performed almost wholly with slave labour; and that island is but very recently inhabited.

Query the 9th.—Very seldom.

Query the 10th.—No; the laws and treatment of the slave are the same now as formerly—no alteration.

Query the 11th.—Amongst the educated natives there is a considerable party favourable to the abolition of slavery; but the white Portuguese are decidedly unfavourable to such a step, and in many cases they bias the feelings of the natives upon the subject. The influence of this abolition party is not now great; they are of the opposition, or Septembrist party. I do not think they are on the increase at present, owing, as I before said, to the influence of the white Portuguese.

Query the 12th.—None.

Query the 13th.—Yes.

Query the 14th.—I have derived my answers from private sources. I am not aware of any census having been taken; and, although many attempts have been made to do so, yet, I believe, none have been regularly completed.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

No. 179.

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, November 4, 1843.

(Received February 24, 1844.)

MY LORD,

I HAVE the gratification to report to your Lordship, that the Portuguese man-of-war brig "*Vouga*," Commander Francisco de Assiz e Silva, arrived at this station on the 27th September last, to cruize amongst these islands in the suppression of Slave Trade.

It also affords me much satisfaction to report, that I have observed the greatest activity on the part of Commander Assiz, and a sincerity in the execution of his duties.

I have, &c.
(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

No. 180.

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, November 6, 1843.

(Received February 24, 1844.)

MY LORD,

I HAD the honour, under dates of 10th July, and 14th December, 1842, to bring to your Lordship's notice the case of the Portuguese brig "*General Espartero*" having taken slaves from these islands to Maranham, and of the notice which the authorities here took of it.

I have now the honour to report to your Lordship, that an influential man of colour, Antonio Perfero Oliveira, and who was Ordinary Judge, and was complained against by me, in the affair of the wreck of the English brig "*Astrea*," in January 1842, has been proceeded against, with two boatmen, and sent to prison; the whole three, it being said, were concerned in the shipment of some of the slaves on board the "*General Espartero*."

While I hail this *omen* as being the first active proceeding against the Slave Trade by the authorities in these islands, I feel it my duty to state, that I consider it strange that a proceeding against coloured men should have been chosen, and that other parties, equally (if not more so) guilty, should have been passed over. Also, I hear of no proceeding against the owner of the vessel, although he was on board at the time of the slave trading, nor the Captain; and, what is more strange, that the Governor-General, Bastos, should have permitted the Portuguese brig in question to come into this port and depart without the least hindrance, at the very time the action was going on against the coloured people.

I avail myself of this opportunity to state, that none of the prosecutions against slave trading, which was ordered by the Portuguese Government, have been commenced.

I have, &c.
(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

No. 181.

*Mr. Rendall to the Earl of Aberdeen.**Boa Vista, Cape Verds, November 15, 1843.
(Received February 24, 1844.)*

MY LORD,

IN reference to my Despatch to your Lordship, of the 14th August last, enclosing copy of a letter to the Governor-General of this province, alluding to the authorities of these islands having permitted a most notorious slave dealer to fit out for the Slave Trade in this harbour, I have the honour to enclose a further correspondence that has taken place upon the same subject, Nos. 1 to 4.

The Portuguese Commissary Judge in the Mixed Court at this place has told me, that he wrote to his Government upon the impropriety of the "*Clio*" being permitted to fit out, and lay in this harbour 43 days, and that there was no doubt of her being employed on a slaving voyage.

I heard a few days since, that the "*Clio*" had taken a cargo of slaves from Cacheo, the Portuguese settlement on the coast of Africa, and a dependency of this Government.

I have, &c.

(Signed) JOHN RENDALL,
*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

(Translation.)

First Enclosure in No. 181.

*The Governor-General to Mr. Rendall.**General Government, Boa Vista,
September 14, 1843.*

ILLUSTRIOUS SIR,

ON the 6th instant I received, with others, a letter from you, dated the 24th July last, in reference to the Spanish brig "*Clio*," that came into the port of this island in distress, on the 9th June, you complaining that the said brig was permitted to repair for sea, because you considered her suspicious, and classify her Captain as a noted slave dealer.

In answer to what you mention in your letter, permit me to bring to your knowledge what officially took place in the Government Office in consequence of proceedings which I caused to be instituted. I was informed at Porto Praia that there there was, at the port of Boa Vista, a Spanish vessel suspected of being employed in the Slave Trade; and it having been said that she was employed in that inhuman traffic, and was making preparations for the coast of Africa, the Captain being well known in the island, as a slave dealer; in consequence of this I ordered, (by circular of the 27th of the same month,) the authorities to whom this duty belonged, to take necessary proceedings, and to make a visit, as determined by Decree of the 10th December, 1836, to certify themselves of the reports abroad; and I had in answer, that the vessel had come in on the 12th of June in distress, that nothing was found on board that would authorize any proceeding against her; that she came supplied with a bill of sale, signed by the Commissary of the Mixed Commission of Sierra Leone, and of a *passavante* and muster-roll in due form; and the bill of sale stated, that the vessel was condemned for having been employed in the Slave Trade, with Brazilian flag, that her destination was for Cadiz and not for the coast of Africa, and that neither the vessel or Captain were known in this island as employed in the traffic of human flesh; and this answer is uniform with the reports from all the authorities.

By these proceedings it is seen, that you were badly informed as to the Captain and vessel, as none of your suspicions were found out; but, supposing for a moment that she was really suspicious, I cannot conceive why you did not hastily give all the informations to the local authorities, to enable them to proceed accordingly, but preferred keeping a complete silence during the proceedings, of which you could not have been ignorant, and awaited until the vessel

had been gone three days, to address me, when you knew there was no remedy. Happily, every one of these suspicions were negative, or destroyed by the official documents shown by the vessel; but nevertheless, it subsists my surpr.se.

I do not enter into discussion with you upon the possibility of any vessel meeting with a disaster at sea, in the month of June, on its passage from Sierra Leone to Cadiz, because I have no knowledge of sea matters. And, as to the facts which you state in confirmation, that the Captain of the "*Clio*" was a noted slave dealer, and as to the considerations you bring forth of him, I shall not detain them, because I do not know the force of these, or the exactness of those, and much less I am competent to take cognizance of them; and for this reason permit me, Sir, that this part of your letter may pass in silence.

On such intelligence the authorities of this island could not have proceeded otherwise, but in giving the protection of the port, and giving free admittance for clearing to this vessel; as if they were to proceed otherwise they would have broken that protection which, by natural right, ought to be given to all vessels in distress, and offend the rights of the people, and the laws of their country, without being supported by an excuse of alleging that the Captain *had the Slave Trade stamped on his forehead*, as you say; because not all the *employés* are Lavaters, and if they were so, they could not have considered a man guilty of crime only by the looks of his face.

It is not also at the disposal of the *employés* to classify suspicious all those vessels that you may nominate so; because, neither the Decree of the 10th December, 1836, nor the Article IX. of the Treaty for the complete abolition of the traffic in slaves gives them such a great authority; nor, it is not in the nature of the things to concede them: but very expressly point out the Articles that, singular or collectively, constitutes the suspicion, and therefore authorizes the taking of the vessel in which they are found.

I thank you the sincerity of the counsel which you give me, to prohibit in the ports of these islands the vessels which you call suspicious. I cannot accept nor follow them, because, neither this suspicion is permitted in the laws; and in such cases the laws show me the course to pursue, or it is dependant of your declarations, which I cannot or ought to subject myself to.

Very sincerely I accompany you in the wish you have, of the arrival of one of the cruisers of Her Britannic Majesty to help us on the total abolition of the traffic in which we both are so much interested, and I wish it because I am certain that those vessels will be commanded by intelligent officers that will know their duty, as I know which are the rights of the Portuguese flag.

(Signed) FRANCISCO DE PAULA BASTOS,
Brigadier, Governor-General.

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

Second Enclosure in No. 181.

Mr. Rendall to the Governor-General.

SIR,

Boa Vista, Cape Verds, September 23, 1843.

I HAVE the honour to acknowledge receipt of your Excellency's letter, in reply to mine respecting the suspected Spanish brig "*Clio*" having fitted out in this harbour.

I am happy to find, by your Excellency's communication, that the information you had received at Porto Praia, respecting the "*Clio*" during her stay here, so perfectly coincided in the statement I made to your Excellency after that vessel had sailed from hence.

Of the fact of the "*Clio*" having a bill of sale from the Mixed Commission Court of Sierra Leone, and also being provided with necessary papers from the other authorities of that place, I beg to assure your Excellency that such a thing is impossible, and that it is in fact a libel upon the Government of that colony, proof of which will no doubt be supplied your Excellency when the authorities are called upon to explain this most serious charge which is thus made against them. Your Excellency asks me, that, having suspicions against the "*Clio*," the reason why I did not communicate them to the authorities?

CLASS B.

The fact is, I spoke as openly in the matter as any other person, and perhaps more so; and I believe the circumstance of the Captain of the "*Clio*" being a notorious slaver, and that that vessel was concerned in the Slave Trade, was known to every one here who was able to distinguish right from wrong.

I, however, did not officially in writing communicate my suspicions, or the knowledge I had become possessed of, to the authorities here; nor had I ever done so in regard to slave transactions, as your Excellency must be well aware, in the case of the "*General Espartero*," when that vessel came into this port, during your Excellency's presence here last year, after she had carried slaves from hence to Maranham, when she was allowed to depart without hinderance, although your Excellency had previously informed me, in the presence of Captain Stewart, that you had a prosecution against one of the parties concerned in shipping slaves in that vessel.

In this case of the "*Clio*" I should have rested with making a report to my own Government, had not your Excellency addressed me upon the case of the search of a similar suspicious vessel by an English cruizer.

I join most heartily in wishing, with your Excellency, that cruizers are near at hand, for I regret to inform your Excellency, that the intelligence I have just received from Gambia informs me, that several vessels have lately left the neighbourhood of Bissao and Cacheo with cargoes of slaves; indeed, it is right that I should not forget to inform your Excellency, that the "*Clio*," upon leaving this, was bound to Cacheo for a cargo of slaves, where I heard they were in readiness for her.

I have, &c.

(Signed)

JOHN RENDALL,

Her Britannic Majesty's Consul.

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

Third Enclosure in No. 181.

(Translation.)

The Governor-General to Mr. Rendall.

General Government, Boa Vista,
October 14, 1843.

SIR,

I HAVE your letter, dated the 23rd of the last, and that was only delivered on the 3rd instant, in which you answer mine of the 14th of last month upon the vessel "*Clio*."

In this letter you pretend that the informations I received at Porto Praia, and those which I gave you in the referred to letter of the 14th, coincided perfectly with those you furnished me when I arrived here; but I do not think it so, because you informed me that the said vessel was taken under the Spanish colours, but she was with Brazilian colours; and that she could not have been furnished with the necessary papers for sailing—those papers were seen by the authorities of this island, who found them legal and in due form; and some other noted differences, which I do not mention to abbreviate, because they touch upon especial knowledge of navigation, which I am not possessed of, but they will appear proved in the informations that I received.

You also, in the letter to which this is the answer, intend to legitimate your silence as to the authorities of this island, which you kept on other occasions. Without wishing, even by shadow, to take knowledge of the causes that induced you to keep that silence, it appears to me, that if you were to keep any silence it should have been in this, without doubt; because papers having been presented, which you had the conscience that they were false, but which falsehood the local authorities were not at the advance to value, great would have been the service which you have rendered to the humanity and to the Governments of the Portuguese and English nations, if it were in aid of these same authorities, by pointing out to them the falsification of the documents that are brought to the presence of those authorities.

I shall not detain myself in other points of your letter, which I judge plainly disinvolved in my correspondence upon this matter. I thus conclude, thanking you cordially for the informations you give me of the destination of the "*Clio*"

for Cacheo, where she had a cargo of slaves ready, and of the different vessels that, with similar cargoes, departed from the neighbourhood of Bissao. I shall endeavour to obtain information upon this respect.

(Signed) FRANCISCO DE PAULA BASTOS,
Her Britannic Majesty's Consul, Brigadier, and Governor-General.
 &c. &c.

Fourth Enclosure in No. 181.

Mr. Rendall to the Governor-General.

SIR, *Boa Vista, Cape Verds, November 10, 1843.*

IN reference to what you are pleased to observe, in your letter of the 14th ultimo, in the case of the slaving brig "*Clio*," I beg to say, that I kept no silence with the authorities here; that I was open to any question they might have asked me; that I never saw the papers of the slaver, and was not therefore in possession of any information which was not known to themselves, because all that I knew was known to every idle boy in the street.

I have &c.
 (Signed) JOHN RENDALL,
His Excellency the Governor-General, *Her Britannic Majesty's Consul.*
 &c. &c.

No. 182.

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, March 25, 1844.
 (Received June 19.)

MY LORD,
 I HAVE the honour to transmit herewith copy of a letter which I this day addressed to Her Majesty's Commissioners at Sierra Leone.

I have, &c.
 (Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.
The Right Hon. the Earl of Aberdeen, K.T.
 &c. &c. &c.

Enclosure in No. 182.

Mr. Rendall to Her Majesty's Commissioners at Sierra Leone.

GENTLEMEN, *Boa Vista, Cape Verds, March 25, 1844.*

I HAVE the honour to acknowledge the receipt of your letter, dated 3rd January last, and I regret to find that you are of opinion that the abominable Slave Trade has increased upon the coast of Africa, and that it is expected further to increase.

It affords me much pleasure to state, that I have great hopes of this province becoming free from the contamination of the presence of the dealers in human flesh, in fact, I can have no doubt on the subject, provided a British cruizer is constantly kept in the islands, which the present senior naval officer (Captain Foote) has so laudably effected for the last two years.

Mr. Macaulay arrived here on the 8th ultimo, to join the Mixed Court established in these islands.

I have, &c.
 (Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.
Her Majesty's Commissioners,
 &c. &c.

No. 183.

*Mr. Rendall to the Earl of Aberdeen.**Boa Vista, Cape Verds, March 28, 1844.*
(*Received June 19.*)

MY LORD,

I HAVE the honour to transmit herewith copy of a letter which I received from the British Commissioners of the Mixed Court established at this place, with my reply to the same.

I have, &c.

(Signed) JOHN RENDALL,
*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K.T.*
&c. &c. &c.

First Enclosure in No. 183.

Her Majesty's Commissioners to Mr. Rendall.

SIR,

Boa Vista, March 20, 1844.

IN the 6th Article of the Regulations for the Mixed Commissions, forming Annex B. to the Treaty on Slave Trade, between Great Britain and Portugal, of the 3rd July, 1842, it is stipulated that on the condemnation of a detained vessel the slaves found on board "shall be delivered over to the Government to whom belongs the cruizer which made the capture, *to be dealt with according to the regulations and conditions contained in Annex C.,*" and in the 2nd and 3rd Articles of the Regulations for the Treatment of Liberated Negroes (forming Annex C. to the same Treaty) it is required, that "immediately after sentence of condemnation upon a vessel charged with being concerned in illegal Slave Trade, all negroes or others who were on board of such vessel, and who were brought on board for the purpose of being consigned to slavery, shall be delivered over to the Government to whom belongs the cruizer which made the capture;" and "the negroes *so liberated and delivered over to such Government shall be placed under the care and superintendence of a Board consisting of two Members or Commissioners.*"

Article X. of Annex C. declares, that "no negroes shall be apprenticed to any master who resides more than 20 English miles from the town where the Mixed Commission by which he was liberated is established;" and with regard to those liberated negroes who are provided for by the Governments of the colony in which they are located, Article XXI. requires, "that they shall be kept within 20 miles of the place where the Mixed Commission is sitting."

These clauses of the Treaty, and the circumstance that the only persons named as members of the Board of Superintendence (charged with the care and protection of captured negroes who may be emancipated by the British and Portuguese Commissions established in Portuguese colonial possessions) are the Portuguese Governors and the British Commissioners resident in those possessions, seem to indicate, if they do not positively prove, that it was the intention of the parties to the Treaty that negroes emancipated by the decrees of the Mixed Courts should be located in the island or colony where those Courts have been fixed. At the same time the requirement that captured negroes "shall be *delivered over* to the Government of the country to whom belongs the cruizer which made the capture," would seem to imply that some discretion is left to that Government with regard to the place, at least, in which it may think fit to locate the negroes thus captured. So that if the British Government should consider that Boa Vista is, from any cause, an improper place for the location of negroes who may be captured by British cruizers, it is at liberty to send those negroes elsewhere. And in like manner, with regard to negroes captured by Portuguese cruizers, and emancipated here, the Portuguese Government may locate such negroes in the island of Santiago, or Fogo, or any other place which it may deem more suitable than Boa Vista.

Angola, the Cape of Good Hope, and Jamaica, the three other stations

were Mixed Courts have been established under the Treaty of the 3rd July, 1842, may be, and we have no doubt are, very fit places in which to locate the negroes brought thither for emancipation. We think differently respecting Boa Vista. But owing to our very short residence in this island, we feel some diffidence in expressing a decided opinion without a reference to persons of greater experience; and we shall be much obliged to you, if you will let us have the benefit of your more precise and extensive information, in reply to the following questions:—

What are the advantages or disadvantages of locating emancipated negroes in the island of Boa Vista, as regards the means of obtaining a certain supply of wholesome and abundant food, the means of employment, education, and religious instruction, the protection of their persons, and the security of their liberty, medical attendance, and medicines?

What number of persons in the island are in a condition to maintain, and give employment to, negro apprentices as field labourers, mechanics, and servants; and what number of such apprenticed labourers, mechanics, and servants can be properly supported in the island?

We have, &c.

(Signed) W. H. MACAULAY,
British Commissioner.

CHARLES PETTINGAL,
British Arbitrator.

J. Rendall, Esq.
&c. &c.

Second Enclosure in No. 183.

Mr. Rendall to Her Majesty's Commissioners.

GENTLEMEN,

Boa Vista, March 25, 1844.

I HAVE the honour to acknowledge receipt of your letter of yesterday's date, transmitting therein extracts from the Slave Treaty between Great Britain and Portugal, in reference to the disposal of captured negroes under the said Treaty, after condemnation, and requesting my opinion upon certain points connected with their welfare, under the supposition that Boa Vista is the island selected for their location.

At present Boa Vista offers no encouragement for the location of emancipated negroes. The inhabitants, comparatively speaking, are in an abject state of poverty. Those parts of the island which formerly produced good crops of corn are now, from the effects of bad management, rendered worse than useless, as the labour and seed expended upon them are completely lost, the plants never coming to any maturity. The making of salt is fast declining in quantity, and quality, from the exposed state of the pans to the strong winds, and the sand in consequence either completely fills them, or so mixes itself with the salt, as to deteriorate its value very materially. The orchilla, and for the picking of which the Portuguese Government paid 50 reis per pound, is now so depreciated in value in the European market, that the Government of the islands have reduced the rate of picking to 30 reis per pound. The high duties demanded at the Custom House for the common necessaries of life, particularly to an African, (I refer to the article of rice, although I might include every thing eaten or drank by man,) are so enormous that they almost amount to a prohibition, a fact which would materially interfere with the location of emancipated Africans. Indeed, there is much to complain of. I could go deeply into detail, but for the present I presume it is sufficient, to know that this island is in a most abject state of poverty, the people nearly incapable of buying wholesome food, but subsisting alone upon beans, the place devoid of commerce, and little or no employment for the poor; whilst the imports and exports are so enormously high that foreign vessels seldom attempt any intercourse, except by necessity.

The means of education for the rising youth of this island has, to a certain extent, been thought of by the Portuguese Government, and there are two teachers employed, such as they are; also the people among themselves have private tuition at their own houses.

To the same extent have the Government thought of religious instruction, and there are two priests in the island at present, doing duty.

I believe an emancipated negro would receive here equal protection, and security of person, as could be found at any of the other islands of Cape Verd.

Of the health of the inhabitants, the Government have taken but little concern, as no medical man or medicine have ever been conceded to the natives of this island, although there have been times when they needed both.

I do not think that there are more than 30 or 40 individuals in this island who could be found eligible to maintain, and give employment to, negro apprentices, and I include all description of apprentices; and even some of these would be required to be employed for some period in the year in the salt pans.

I am fully of opinion that the apprenticed negro should be living contiguous to the place of residence of the Board of Superintendence, as I have many doubts as to what their treatment would be at a distance, or in any other island than the one the Board resides in.

If it is necessary to locate any of the Africans in this island, I would recommend that some exertion should be used in procuring the seed adequate to soil and climate, and to have some one understanding agricultural pursuits to teach the people to cultivate their soil properly. Were a model farm instituted it might be found to do great good, and I certainly think, under good management it would be found to defray its own expenses, and to possess besides means to forward the location generally of the liberated negroes, by donations of implements, seeds, and stock. Further, Boa Vista is one of the healthiest islands of the group of Cape Verd, and is, as I have before hinted, capable of being made eligible for agricultural purposes, provided care was taken in selecting seed, and cultivating the soil in a proper manner. Cattle of all descriptions improve considerably when transferred from another island to this, and grazing might be carried to a considerable extent.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

No. 184.

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, May 6, 1844.
(Received July 20.)

MY LORD,

I HAVE the honour to acknowledge receipt of your Lordship's Circular, dated the 31st of December last, and marked Slave Trade, enclosing two copies of an Act passed during the last session of Parliament, entitled "An Act for the more effectual suppression of the Slave Trade."

I beg to acquaint your Lordship, that I have had a copy of this Act exhibited in a conspicuous place of my office, and another, with the Despatch itself, added, as Enclosures 22 B. and 22 C., to the 26th section of the General Instructions.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

No. 185.

Mr. Rendall to the Earl of Aberdeen.

Boa Vista, Cape Verds, August 14, 1844.
(Received October 18.)

MY LORD,

I HAVE the honour to enclose herewith copy of a letter which I addressed to Her Majesty's Commissioners at Sierra Leone, on the 12th

instant, in reference to Spanish slave vessels being in these islands, and on Slave Trade in Bissao.

I have, &c.
(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

Enclosure in No. 185.

Mr. Rendall to Her Majesty's Commissioners at Sierra Leone.

GENTLEMEN, *Boa Vista, Cape Verds, August 12, 1844.*

I AVAIL myself of an opportunity offering for the Gambia to acquaint you, that within the last six weeks there have been several slave trading vessels in these islands, which are supposed to have quitted the coast of Africa in consequence of being chased by British cruisers.

There was a felucca at the island of Sal, a schooner at the island of St. Nicolas, and another at Porto Praia; all these vessels were well manned and armed.

I have also received reports of other very suspicious vessels being seen; and it is stated, that they all mostly belonged to Gallinas and Pongos.

The object of coming to these islands is to wait time for their cargoes of slaves to be got ready, and to procure water and other refreshments.

I am assured from very good authority, that the Slave Trade in Bissao proceeds without any interruption.

I trust you will agree with me in thinking, that it would be most desirable that one of Her Majesty's cruisers should be stationed in these islands.

We have not had a cruiser here since the "Madagascar" left for England, on the 23rd of June last.

I have, &c.
(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

P.S.—The "*Douro*," Portuguese brig-of-war, carried away her masts, and is gone to Lisbon. The "*Vouga*," also a Portuguese brig-of-war, accompanied her. We are, therefore, without a pennant that could take notice of a Spanish or Portuguese flag. The American sloop "*Sarratoga*" is at present lying in this harbour.

J. R.

No. 186.

Mr. Addington to Mr. Rendall.

SIR, *Foreign Office, December 31, 1844.*

I AM directed by the Earl of Aberdeen to transmit to you for your information, the enclosed memorandum explanatory of the manner in which it is desired that liberated Africans placed at the disposal of the British Government should henceforward be removed to the West Indies; and I am to request that you will attend to this duty, and will guide yourself in all respects by the contents of the memorandum, which you will consider as an instruction addressed to yourself. Her Majesty's Commissioners have been apprized of the present directions to you, in order that you may receive from them the necessary co-operation.

I am, &c.
(Signed) H. U. ADDINGTON.

J. Rendall, Esq.
&c. &c.

Enclosure in No. 186.

(See Sub-Enclosure in First Enclosure in No. 270. Class A.)

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud.

2. The second part of the document outlines the specific requirements for record-keeping, including the need to maintain original documents and to keep copies of all supporting documents. It also discusses the importance of ensuring that records are accessible and retrievable at all times.

3. The third part of the document discusses the consequences of non-compliance with the record-keeping requirements. It notes that failure to maintain accurate records can result in severe penalties, including fines and imprisonment. It also discusses the importance of cooperating with the authorities in the event of an investigation.

4. The fourth part of the document discusses the importance of training and education in the area of record-keeping. It notes that all personnel involved in the financial system should receive appropriate training and education to ensure that they are able to maintain accurate records.

5. The fifth part of the document discusses the importance of regular audits and reviews of the record-keeping system. It notes that audits and reviews are essential for ensuring that the system is operating effectively and for identifying any areas for improvement.

6. The sixth part of the document discusses the importance of maintaining the confidentiality of records. It notes that records often contain sensitive information and that it is essential to ensure that this information is protected from unauthorized access.

7. The seventh part of the document discusses the importance of ensuring that records are preserved for the appropriate period of time. It notes that records should be retained for a minimum of seven years, unless otherwise specified by law.

8. The eighth part of the document discusses the importance of ensuring that records are accurate and complete. It notes that records should be kept up to date and that any errors should be corrected as soon as they are identified.

9. The ninth part of the document discusses the importance of ensuring that records are accessible and retrievable. It notes that records should be stored in a secure and accessible location and that they should be able to be retrieved at any time.

10. The tenth part of the document discusses the importance of ensuring that records are protected from loss or destruction. It notes that records should be backed up regularly and that they should be stored in a secure location to protect them from fire, theft, or other disasters.

BRAZIL

No. 187.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, November 22, 1843.

(Received January 7, 1844.)

MY LORD,

ACTING upon the instructions conveyed to me in your Lordship's Despatch of the 28th of August last, Slave Trade series, that unless the Brazilian Government should have taken measures for ensuring the freedom of the negress Serafina, I should remonstrate against the cruel and unjustifiable conduct which has been practised towards her, I addressed to the Minister of Foreign Affairs on the 2nd instant, a note, of which the enclosed is a copy.

To this communication no answer has been returned, but there was delivered to me, just after I had dispatched it, a reply to my preceding communication to his Excellency on the same subject, dated 14th October, and forwarded to your Lordship in my Despatch of the 19th ultimo, Slave Trade.

This note of Senhor Paulino's, of which I have likewise the honour to transmit a copy and translation herewith, contains, as does mine of the 2nd November, a reference to the Convention of July 1817, Senhor Paulino's being accompanied by a protest, conformable to one formerly made by Senhor Aureliano, in answer to my note of December 4th, 1841, directed against what it designates "a clear and literal violation" of that Convention, a protest, however, made avowedly merely for the sake of form; it expresses also regret, that so much credence should be given to the word of a black woman "of bad conduct," as opposed to information afforded by respectable authorities; and concludes with asserting, that the wages of the emancipated Africans have not been diverted from the ends had in view in the compacts between the two Governments; a declaration directly at variance with what appears in the budgets of 1843-4, and 1844-5, Chapter II. Article XXV. Title LXIX. transmitted in my Despatch of this date, No. 84.

Here, my Lord, the matter rests at present; but I am in communication with Her Majesty's Commissioners respecting further communications to the Government, of the result of which you will be duly made acquainted. I do not anticipate, however, any ready assent to our demands; indeed it appears not improbable, that in this case, as in others, in order to gain time and postpone concession, the Brazilian Minister in London may be instructed to communicate thereon with your Lordship.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 187.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, November 2, 1843.

THE Undersigned, &c. &c., has the honour again to address Senhor Paulino, &c. &c., regarding the emancipated negress Serafina, begging to refer his Excellency to anterior correspondence between Her Majesty's Legation and the Brazilian Government, of which she has been the subject.

Her Majesty's Government have had under their consideration the particular case of Serafina, and have perused with pain and regret the statement presented

CLASS B.

therein of the cruel and unjustifiable conduct which has been practised towards her, and the Undersigned has in consequence been instructed to remonstrate, as he now does remonstrate, most strongly against the cruel and unjustifiable conduct in question.

But the Undersigned has likewise been instructed to draw the attention of the Brazilian Government to the 7th Article of the Regulations annexed to the Convention of 1817. By this Article it is provided, that the slaves shall receive certificates of emancipation from the Mixed Court; "and each of the two Governments binds itself to guarantee the liberty of such portion of the individuals as shall be respectively consigned to it." And the Undersigned, in further obedience to his instructions, has to require of the Brazilian Government, that this stipulation be carried into entire effect in respect to the unfortunate negress Serafina.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c.

&c.

(Translation.)

Second Enclosure in No. 187.

Senhor Paulino de Souza to Mr. Hamilton.

Palace of Rio de Janeiro, October 31, 1843.

THE Undersigned, &c. &c. acknowledges the receipt of the note No. 64, dated the 14th instant, which Mr. Hamilton, &c. &c. addressed to him, relative to the treatment of the Africans whose services have been hired out in the empire.

That note being almost a repetition of the contents of that dated December the 4th, 1841, No. 41, which Mr. Hamilton Hamilton addressed to Senhor Aureliano de Souza e Oliveira Coutinho, the Undersigned has very little to add to the answer given by his predecessor under date of the 10th of the same month and year, to which the Undersigned now refers.

Renewing, in the most formal and solemn manner, the protest made in that answer against the clear and literal violation of the 7th Article of the Convention of the 28th of July, 1817, and of the Regulations of the same date, in virtue of which the blacks emancipated by the Brazilian and British Mixed Commission are to be put at the disposal of the Imperial Government, the Undersigned avails himself of this occasion to declare to Mr. Hamilton Hamilton that this process is only in accordance with the duty of the Imperial Government not to acquiesce in any manner in the violation of the Treaties which it makes, and does not proceed from any interest or desire to introduce a greater number of such Africans into the country.

The Undersigned cannot but express his surprise at seeing that Mr. Hamilton Hamilton still insists on the case of the African Serafina, which case was the subject of his note No. 34, of the 30th of May last, as also of the answer which the Undersigned gave, dated the 27th June.

The Undersigned regrets that, with a view to justify the violation of the two above-mentioned Articles of the Convention and respective Regulations, Mr. Hamilton Hamilton should have recourse to an assertion, based merely on the word of a black woman of bad conduct, and who wishes to avoid serving; an assertion which is contradicted by documents, and by information from respectable authorities. But if it be correct for Mr. Hamilton to continue to give credit to the word of such African, it is equally so for the Undersigned to refute it, and to give faith to the authorities who supplied him with the documents and information which served as a basis for his above-mentioned answer of the 27th of June.

As regards the wages of the Africans, they do not, as Mr. Hamilton Hamilton conceives, form a part of the revenue of the State, but are placed in the Treasury as a deposit, for the purpose of being applied in conformity to the Instructions of the 29th of October, 1834, and the alterations of the 19th of November, 1835.

The Undersigned renews, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

JOSE AGOSTINHO BARBOZA, JUN.,

Interpreter to the Mixed Brazilian and British Commission, and Extra Public Translator, duly sworn.

Hamilton Hamilton, Esq.
&c. &c.

No. 188.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, November 22, 1843.

(Received January 7, 1844.)

MY LORD,

MY Despatch of the 16th September last apprized your Lordship of the capture of a slave schooner, the "*Vencedora*," or "*Tartaruga*," (for she has been called by both names,) by the boats of Her Majesty's brig "*Frolic*;" but it did not supply any details. I have since received from Commander Willis a copy of his report on the subject to the Commodore commanding, enclosed herewith; and have to add, that as she hoisted no flag, and was destitute of papers indicating her nationality, her case has been submitted for trial under the statute of August 1839, a course pursued hitherto in similar occurrences, to the Vice-Admiralty Court at the Cape of Good Hope.

I have likewise the honour to lay before your Lordship a correspondence in two separate series, resulting from this capture, which has passed between Her Majesty's Legation and the Brazilian Government; one series originating in a wish expressed by the Government for information concerning the capture; the other in a petition for the liberation of a Brazilian subject, said to have been only a passenger on board.

In the former series, a claim was made by Senhor Paulino that the vessel in question be referred for adjudication to the Mixed Commission Court, as had been the case with other vessels captured under similar circumstances; and his Excellency instanced the "*Cæsar*," captured in April 1838, by Her Majesty's ship "*Rover*;" but this was anterior to the Act of Parliament of August 1839, and the instructions consequent thereon, issued to British cruisers; and I considered the claim inadmissible.

In his note of the second series (Enclosure No. 8), his Excellency enlarged on the circumstance that Slave Trade was not accounted piracy in Brazilian law; and I took advantage of the opportunity to comment on the manner in which Brazil had departed from the solemn engagements which on this very point she had so long ago contracted with Great Britain.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 188.

*Commander Willis to Mr. Hamilton.**Her Majesty's ship "Frolic," Rio de Janeiro,
October 23, 1843.*

SIR,

IN compliance with your Excellency's request, I beg leave to enclose copies of my letter of the 17th instant to the Commodore, enclosing one from Lieutenant Cumming, of Her Majesty's sloop under my command, giving a detailed account of the capture of the "*Vencedora*" slave schooner on the 6th ultimo. It is with very great regret that I have also to inform you, that this promising and zealous officer has been forced to invalid; his health being destroyed by his exertions on board the slave vessel, where he was attacked with small-pox, the disease being prevalent amongst the unfortunate negroes on board.

I have, &c.

Hamilton Hamilton, Esq.

&c.

&c.

(Signed)

W. A. WILLIS, *Commander.*

Sub-Enclosure 1 in First Enclosure in No. 188.

*Commander Willis to Commodore Purvis.**Her Majesty's ship "Frolic," at sea,
October 17, 1843.*

SIR,

I HAVE the honour to enclose a copy of a letter from Lieutenant Cumming, of Her Majesty's sloop under my command, dated October 12th

giving a detailed account of his proceedings when in charge of the boats of the "Frolic," in capturing, on the 6th ultimo, about seven miles off Campos, the schooner "*Vencedora*," with a crew of 28 men, and 348 slaves of both sexes on board. I beg, Sir, to represent to your favourable notice the spirited and energetic behaviour of Lieutenant Cumming, also of Mr. Cannon (Vol. 1st Class), and the 15 seamen and two marines, on that occasion. There being a heavy sea running rendered it extremely difficult to board the vessel; and the 28 men in the slave schooner (under a press of sail) arming themselves with cutlasses and muskets, which they were loading with slugs, presented a formidable appearance, when Lieutenant Cumming shot the Captain of the slave vessel through the head, who was in the act of swaying the peak up, and which, if he had effected, would have ensured her escape; the pinnace's crew by great exertions gained the vessel and jumped on board; the slaver's crew were intimidated, and running forward, threw down their arms. I beg also to inform you, that the dreadful offensive state of the vessel, and the prevalence of small-pox and other diseases amongst the slaves, caused severe illness to many of our seamen; and that Lieutenant Cumming, although vaccinated in early life, was attacked by a very severe species of small-pox, which has given his constitution a severe shake, and from which he is now only slowly recovering. The "*Vencedora*" hoisted Portuguese colours, but had on board a Brazilian ensign much worn. Her papers, however, were not found sufficiently conclusive to afford her a "claim to the protection of either of the powers whose flags she carried." She was considered, both by the British Consul at Rio de Janeiro and myself, to be only condemnable in a British Vice-Admiralty Court; her papers were, therefore, with two witnesses and the prisoners, sent to the Cape of Good Hope for adjudication on the 23rd ultimo.

I have, &c.

Commodore J. B. Purvis,
&c.

(Signed)

W. A. WILLIS, *Commander*.

Sub-Enclosure 2 in First Enclosure in No. 188.

Lieutenant Cumming to Commander Willis.

*Her Majesty's Ship "Frolic," at sea,
October 12, 1843.*

SIR,

HAVE the honour of laying before you the circumstances under which the slave schooner "*Vencedora*" was captured, on the 6th ultimo, by the pinnace and gig of Her Majesty's sloop under your command.

At about two P.M. on that day, a strange sail was observed in the offing standing in for the land, with starboard-topmast-studding-sail set, and apparently steering for the slave fazenda, near Campos, the wind then blowing strong from the north-east. My suspicions of her real character were fully confirmed by a large fazenda boat working out to meet her; the pinnace and gig stood out at the same time in company with this boat. The stranger was shortly made out to be a schooner-brig. The fazenda boat had fore-reached our pinnace, and nearing the schooner, waved her off; but the vessel still stood on, until discovering pinnace to be a man-of-war's boat, she took her starboard studding-sail in, and braced up on port tack. Before this I directed three musket shots to be fired a-head of her, which she answered by hoisting Portuguese colours and loosing foretop-gallant sail.

Observing many of the crew arming themselves, whilst others ran aft to the peak-halliards, (for she had been running with her main boom well over on the port-quarter, and had lowered the peak to gibe the sail,) and the vessel evidently making off, I ordered three shot to be fired aloft. The men then left peak-halliards for their arms; one man alone remained hoisting the peak. I fired at him; he fell, and peak came down. Vessel's head paid off, and pinnace boarded. The crew had all collected forward, but on the boarders rushing on them they threw their muskets and cutlasses down, which they were loading, and surrendered without the slightest resistance. The muskets that were loaded were charged with slug cartridges. The crew consisted of 28 men; the Captain was found killed, shot through the head, and lying by the main-mast. Mr. Cannon (Vol. 1st Class,) in the gig, was some distance to leeward,

but had used *every exertion*, as did also every officer under my command. The slaves were densely crowded together, although 113 had died on the passage from the coast of Africa, which she left on the 3rd August with 460 on board. In the after part of the hold, which had been partitioned off in space, 69 slaves (female) were stowed in bulk, others on deck, and the remainder in the forehold; the height over the leaguers being three feet seven inches. She had not even a slave-deck down. Sails were trimmed as soon as possible, to make the best of our way to the northward, in compliance with orders. Searched for papers, which were carefully taken care of. Found the pumps intentionally choked by one of the prisoners, no doubt with a view of my running her ashore; the vessel making a considerable quantity of water. Very short provisions and water. Both lower mast-heads sprung; port fore-yard-arm gone; sails much worn, and no spare ones on board. Only one old anchor, and that without a stock or ring, and the cable not fit to hold the vessel. Under these circumstances, and after endeavouring without success to work up against a strong northerly wind, set sail, Sir, in the hope of reaching Point Manquinhas, off which I had been ordered to anchor; and the schooner in a very leaky state, with the pumps disabled, besides a great portion of my crew laid up, together with great mortality amongst the Africans, and the vessel still drifting bodily to leeward, I felt imperatively called upon to bear up for Rio, which I did on the morning of the 8th, the remaining quantity of fresh water being about two-thirds of a cask, and two bags of farinha.

I have, &c.

(Signed) ARTHUR CUMMING, *Lieutenant.*

Commander Willis,
&c. &c.

Second Enclosure in No. 188.

Senhor Paulino de Souza to Mr. Hamilton.

Palace of Rio de Janeiro, September 26, 1843.

A SCHOONER, named the "*Tartaruga*," having arrived at this port with 350 Africans on board, captured by the English brig-of-war "*Frolic*," to the northward of Campos, it becomes the duty of the Undersigned, &c. &c., to request Mr. Hamilton, &c. &c., to furnish him with the necessary information on the subject, in order that he may have official knowledge of this proceeding.

The Undersigned avails, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.
&c. &c.

Third Enclosure in No. 188.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, October 10, 1843.

To satisfy the demand which Senhor Paulino addressed to the Undersigned, &c. &c., in his note No. 58, dated the 26th ultimo, for information regarding a schooner said to be the "*Tartaruga*," otherwise "*Vencedora*," the which was captured to the north of Campos by Her Majesty's brig-of-war "*Frolic*," and recently brought into Rio de Janeiro, the Undersigned has the honour to acquaint his Excellency, that the schooner in question was detained by the "*Frolic*" for piratical acts, having on board a cargo of African negroes, showing no colours, and being unprovided with documents calculated to prove her nationality, that she was in an unsound state, and was brought hither to receive the repairs which might appear necessary.

Should Senhor Paulino be in possession of any particular information, of a kind to throw light on the history of the said schooner, his Excellency will oblige the Undersigned by communicating it.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c. &c.

Fourth Enclosure in No. 188.

*Senhor Paulino de Souza to Mr. Hamilton.**Palace of Rio de Janeiro, October 31, 1843.*

THE Undersigned, &c. &c., had the honour to receive the note, which, under No. 63, and in date of the 10th instant, was addressed to him by Mr. Hamilton, &c. &c., respecting the schooner, said by some to be the "*Tartaruga*," and by others the "*Vencedora*."

And as it is stated in the same note, that the said schooner was brought to this place in order to her receiving those repairs which might be necessary, and inasmuch as those words may lead to a doubt whether the said vessel has or has not to be referred for adjudication to the Mixed Commission, the Undersigned deems it right to claim this proceeding, which has already been adopted in other similar cases at the instance of the British Legation, although the schooner in question did not show any flag, and was not provided with papers proving her national character.

Such was the course pursued in regard to the patacho (which proved to be the "*Cæsar*") captured by the British corvette-of-war "*Rover*," which found her abandoned and without papers on board, with 202 Africans, and she (the patacho) was condemned by sentence of the same Commission on the 26th of May, 1838.

The Undersigned avails, &c.

(L.S.) (Signed) **PAULINO JOSE SOARES DE SOUZA.**
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. 188.

*Mr. Hamilton to Senhor Paulino de Souza.**Rio de Janeiro, November 16, 1843.*

SENHOR Paulino, &c. &c., in his note of October 31st, No. 64, to the Undersigned, &c. &c. deems it right to demand, that the "*Vencedora*," otherwise "*Tartaruga*," slave vessel, which at the time of her detention exhibited no colours, and was totally unprovided with papers showing her nationality, be referred for adjudication to the Mixed Commission Court, in conformity with the proceedings heretofore adopted in similar cases, at the instance of Her Majesty's Legation; and his Excellency adduces, as an example, the patacho "*Cæsar*," captured by the "*Rover*," British sloop-of-war, in April 1838.

The Undersigned has the honour to explain to Senhor Paulino in answer, that the "*Cæsar*" was brought into the Mixed Commission Court in circumstances different from those existing at present, and that it is under these altered circumstances that the slaver "*Vencedora*," otherwise "*Tartaruga*," has been carried by the officer commanding Her Majesty's brig "*Frolic*" before the tribunal of the British Vice-Admiralty at the Cape of Good Hope.

The Undersigned avails, &c.

(Signed) **HAMILTON HAMILTON.**
His Excellency Senhor Paulino J. S. de Souza,
&c. &c.

Sixth Enclosure in No. 188.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.**Palace of Rio de Janeiro, October 12, 1843.*

THE Undersigned, &c. &c., has the honour to transmit to Mr. Hamilton, &c. &c., the enclosed petition of Umbelina Felicissima Candida, in which the petitioner complains that her husband, Manoel Jose Madeira, having come as a passenger by the schooner "*Tartaruga*," from Benguela, captured for being

engaged in the Slave Trade, by a British brig-of-war, on the coast of Campos, was nevertheless put on board the English prison-ship in this port, whence he will shortly be sent away in the same schooner, which the same petitioner states is to be tried out of the Empire.

The Undersigned hopes that Mr. Hamilton, taking into serious consideration all that is therein set forth, will hasten to enquire into the alleged facts, upon which he looks to Mr. Hamilton for the necessary explanations, as well as for the return of the enclosed petition, in order that this matter may receive all the consideration and attention which it merits.

The Undersigned avails, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c.

&c.

(Translation.) Sub-Enclosure in Sixth Enclosure in No. 188.

Petition from Umbelina Felicissima Candida to His Majesty the Emperor of Brazil.

SIRE,

UMBELINA Felicissima Candida, wife of Manoel Jose Madeira, declares, that her husband, having come as a passenger in the schooner "*Tartaruga*," from Benguela, this latter was captured by the English brig-of-war "*Frolic*," on the coast of Campos, having Africans on board, the Master of the schooner being killed when the capture was made, it is clear that the imprisonment of the husband of your petitioner in the English prison-ship is quite illegal; and therefore, at the feet of your Imperial Majesty's throne, your petitioner now implores that protection in favour of her husband, Manoel Jose Madeira, which your Imperial Majesty has never failed to afford to your subjects. Sire, the affliction of your petitioner is the more worthy of the Imperial compassion of your Imperial Majesty, because the schooner will leave this port on Sunday, the 24th instant, to be tried by another Mixed Commission, and therefore the husband of your petitioner will have to suffer innocently all the vexation and injury of a voyage and trial out of his country, unless your Imperial Majesty immediately take the necessary measures to prevent his remaining in the confinement which, contrary to every principle of the law of nations, he is actually suffering in this port in an English prison-ship. Your petitioner could not fail to prove her husband's character, of passenger, but the crew through whose means she could establish the fact are in prison, and not allowed communication with any body; and therefore relying upon the generous protection of your Imperial Majesty, she hopes to obtain the release of her husband, and in these terms prays, that your Imperial Majesty may be pleased to grant her petition.

And your petitioner will ever pray, &c.

(Signed)

UMBELINA FELICISSIMA CANDIDA.

His Imperial Majesty the Emperor of the Brazils,

&c.

&c.

&c.

Seventh Enclosure in No. 188.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, October 21, 1843.

UNDER date of the 12th instant, Senhor Paulino, &c. &c., addressed to the Undersigned, &c. &c., a requisition, proceeding from Umbelina Felicissima Candida, the wife of Manoel Jose Madeira, stated to have been a passenger on board the schooner "*Tartaruga*," otherwise "*Vencedora*," from Benguela, captured near Campos by a British brig-of-war, for having on board a cargo of African negroes. The object of the requisition being to obtain the liberation of the aforesaid Manoel Jose Madeira, the Undersigned has the honour to state in answer, that all individuals found on board the vessel in question not belonging to the cargo, with the exception of two who were very ill, were sent to the Cape of Good Hope in Her Majesty's ship "*Conway*" about a month ago, Manoel Jose Madeira being of the number.

In his note of the 10th instant, the Undersigned had the honour to explain to his Excellency the motives for the detention of the schooner, those motives being certain acts constituting piracy, of which she appeared guilty; and it is in consequence of these acts that the individuals who were on board her have been sent before the British Court of Vice-Admiralty at the Cape of Good Hope.

Returning, as requested, the requisition of Umbelina Felicissima Candida, the Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c.

&c.

Eighth Enclosure in No. 188.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.*

Palace of Rio de Janeiro, October 21, 1843.

THE Undersigned, &c. &c., had the honour to receive the note, No. 67, dated the 21st instant, which Mr. Hamilton, &c. &c. addressed to him respecting Manoel Jose Madeira, a passenger on board of the schooner "*Tartaruga*," who had been sent to the British Vice-Admiralty Court at the Cape of Good Hope. And as Mr. Hamilton Hamilton declares in his note, No. 63, of the 10th of the same month, that this schooner was captured near Campos for a piratical act, having on board a cargo of African blacks, it is to be supposed that this is the only pretext for sending the said Madeira to a British tribunal, which proceeding, the said Madeira being a Brazilian subject, is not in any manner justifiable.

Neither the Law of the 7th of November, 1831, nor the Brazilian Criminal Code, declares the crime of importing Africans into the Empire piracy; but they both refer to it in a different manner. The British Government itself, has understood that such a crime, when committed by Brazilian subjects, is not considered as piracy. It is seen from a Despatch, addressed by Lord Palmerston to Mr. Hamilton Hamilton, on the 28th of February, 1838, published among sundry other Parliamentary Papers of that year (and therefore some time since the promulgation of the said Law of the 7th of November, and of the Criminal Code), that the British Government, taking for its basis the 1st Article of the Convention of 1826, demanded that Brazil should make a law, inflicting the penalty of piracy upon the infractors of the Treaty for the abolition of the Slave Trade. About the same time, the above-mentioned Lord Palmerston addressed a note, dated the 26th of March, 1838, to the same effect, to Senhor Manoel Antonio Galvao, then Brazilian Minister in London. It is therefore evident, that the British Government considered it necessary that a law should pass declaring the crime of importing Africans into the Empire piracy. But this law never passed, and therefore such crime cannot be considered piracy.

The Undersigned cannot but observe, that even in the case (not admitted) of the act being considered piracy, no proceeding could take place against Manoel Jose Madeira without the Brazilian and British Mixed Commission having first pronounced sentence with regard to the vessel on board of which he was found. Under these circumstances, the Brazilian subject Manoel Jose Madeira ought not to have been sent to the Cape of Good Hope to be there tried by a foreign tribunal, and it is therefore a rigorous duty of the Undersigned to claim from Mr. Hamilton Hamilton the issuing of the necessary orders, to the end that the process against this individual be transmitted to the Brazilian tribunals, they being the only Courts to which the cognizance of this case belongs.

The Undersigned avails, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

JOSE AGOSTINHO BARBOZA, JUN.,

Interpreter to the Mixed Brazilian and British Commission, and extra Public Translator, duly sworn.

Hamilton Hamilton, Esq.

&c.

&c.

Ninth Enclosure in No. 188.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, November 12, 1843.

THE Undersigned, &c. &c., acknowledging receipt of the note, No. 68, which Senhor Paulino, &c. &c. addressed to him on the 31st ultimo, in the matter of Manoel Jose Madeira, has the honour to subjoin a few observations on some parts of the said note.

Senhor Paulino assumes, perhaps because the preceding communication of the Undersigned was not sufficiently clear and explicit on this point, that the said Manoel Jose de Madeira has been sent to the Cape of Good Hope, in order to his trial before the British Vice-Admiralty Court there. This is not the case. He, as well as the other individuals found on board the "*Tartaruga*," otherwise "*Vencedora*," have been removed thither, in case that when the said vessel shall be carried into the Vice-Admiralty Court for adjudication, their presence may be required there as witnesses, and a means to establish the piratical acts and pursuits in which she was engaged at the time of her detention.

So soon, however, as the adjudication of the vessel shall have taken place, all the foreigners above-mentioned who were on board, and of course Madeira among the number, will be delivered up to their Governments, in order to their being dealt with according to their laws respectively in force, and, therefore, as pirates, wherever those laws shall have declared traffic in African negroes to be piracy.

Into the arguments of Senhor Paulino, tending to establish that Madeira, being a Brazilian subject, is in nowise amenable to a foreign tribunal, the Undersigned is not called upon to enter, there being, as he has just explained, no question of any such arraignment.

But Senhor Paulino contends also, that Slave Trade is not piracy in Brazil; that neither the Law of November 7th, 1831, nor any other part of the Brazilian Criminal Code, so consider it; that the crime of importing Africans into the Empire is not punishable as piracy.

On what his Excellency has here advanced, and which appears too well-founded, the Undersigned cannot but offer the following remark.

By the 1st Article of the Convention of November 23rd, 1826, the Brazilian Government pledged itself to the enactment, three years after the ratification of that Convention, of a law whereby African Slave Trade should be declared illegal in Brazil, and any subject of the Empire implicated in it be deemed to be, and be treated as, a pirate. Senhor Paulino, then, by the argument quoted above, does clearly and distinctly admit and place on record the fact, that the Government of Brazil have departed from the engagements they had solemnly contracted with the Government of Great Britain, in so far as the 1st Article of the Convention of 1826 is concerned: that, notwithstanding the frequent and urgent demands of the British Government for a full and faithful execution of that Convention, more particularly those urged in the very Despatch from Viscount Palmerston of February 28th, 1838, to which his Excellency is pleased to refer, the said 1st Article does, up to the present day, remain altogether a dead letter.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,

&c.

&c.

No. 189.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, November 22, 1843.

(Received January 7, 1844.)

MY LORD,

BEGGING to refer you to my Despatch, Slave Trade, of the 12th August, reporting the refusal of Her Majesty's Consul here to give his attestation as to the validity of certain documents presented at the Consulate by Senhor Manoel Pinto

CLASS B.

da Fonseca, a Brazilian subject, notorious for his indefatigable pursuit of the Slave Trade, I have the honour to transmit herewith, for your Lordship's information, further correspondence relating thereto.

Senhor Paulino, in his reply (Enclosure No. 4) to my note of the 24th October (Enclosure No. 3), is pleased to contest the accuracy of the assumption therein, that the Brazilian Government consider it proper to support Senhor Fonseca in difficulties growing out of his illicit proceedings on the African slave coast; and would substitute for it, that the Imperial Government consider it their most rigorous duty to complain of those unjust proceedings, which may affect the rights of Brazilian subjects who may not have been completely convicted of acts whereby they must forfeit right to the protection of the Government. His Excellency states, however, that the Government are content to await the decision of Her Majesty's Government on the subject.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c. &c. &c.

P.S.—I ought to have added to the above, that the motives by which Mr. Hesketh has been guided in this affair will be reported to your Lordship by that gentleman himself by the present opportunity.

H. H.

First Enclosure in No. 189.

Senhor Paulino de Souza to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, October 16, 1843.

THE Undersigned, &c. &c., has the honour to acknowledge receipt of the note marked No. 51, and dated 30th July last, which Mr. Hamilton, &c. &c., addressed to him, in reply to the note from this Department of State, No. 39, of the 3rd of the same month of July.

The Undersigned has duly weighed the information which Mr. Hamilton has afforded him upon the motives given by Her Britannic Majesty's Consul to the Legation for nullifying the legalization, which he had commenced, of the documents presented by the Brazilian subject Manoel Pinto da Fonseca, and for refusing to certify them with his signature and seal. This certificate being necessary to enable the said Fonseca to demand of Her Britannic Majesty's Government indemnification for the losses which he suffered in the port of Cabinda; and the declaration of that Consul not appearing sufficiently explicit to justify his unusual conduct, the Undersigned requests that Mr. Hamilton will be pleased to inform him what are the reasons which induced the said Consul to question (*a nao convencer-se*) the legality of the said documents, and to refuse to attest them with his signature and seal, as above stated, in order that, in future, such irregularities as the said Consul may have found in the document in question (should they exist) may be avoided.

Trusting to the kindness of Mr. Hamilton for the required information, the Undersigned avails, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c. &c.

Second Enclosure in No. 189.

Mr. Hesketh to Mr. Hamilton.

SIR,

Rio de Janeiro, October 21, 1844.

I HAVE the honour to acknowledge the receipt of your note of yesterday's date, covering the copy of one from the Brazilian Minister of Foreign Affairs, requesting further justification of my conduct, in refusing an attestation which Manoel Pinto da Fonseca, a Brazilian subject, conceived he had a right to exact.

I have most attentively reconsidered my refusal on that occasion, and most respectfully state, that I do not perceive any cause for altering the resolution I then adopted, or for adding anything in explanation of my motives, for I conceive it is to Her Majesty's Government alone that I am in anywise responsible.

I have, &c.

(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

Hamilton Hamilton, Esq.
&c. &c.

Third Enclosure in No. 189.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, October 21, 1843.

THE Undersigned, &c. &c., has the honour to acknowledge the receipt of the note which Senhor Paulino, &c. &c. addressed to him on the 16th instant, with reference to the refusal of Her Majesty's Consul to certify certain documents presented at the Consulate by Senhor Manoel Pinto da Fonseca, a well-known slave dealer.

The Undersigned lost no time in communicating to Mr. Hesketh a copy of his Excellency's note, and he transmits herewith that gentleman's answer.

Mr. Hesketh, adhering to the opinions upon which he acted when refusing to give his certificate, declines to add anything in explanation of his motives, considering himself responsible to Her Majesty's Government alone for the resolution he adopted.

The Undersigned is of opinion, that the illegal pursuits with which Senhor Fonseca is occupied are such as to justify completely the greatest suspicion and circumspection on the part of Her Majesty's authorities in any transactions with that individual. As the Brazilian Government, however, seem to consider the proceedings of the British Consul unusual, and that it is proper in them to support Senhor Fonseca in difficulties growing out of his illicit proceedings on the African slave coast, the Undersigned will, without delay, submit the case to the consideration of Her Majesty's Government.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c. &c.

Fourth Enclosure in No. 189.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.*

Palace of Rio de Janeiro, October 31, 1843.

THE Undersigned, &c. &c., had the honour to receive the note, No. 68, dated the 24th instant, which Mr. Hamilton, &c. &c., addressed to him, relating to the refusal of the British Consul to legalize certain documents which were presented to him by Manoel Pinto da Fonseca.

As Mr. Hamilton declares that he will immediately lay the proceedings of the said Consul before Her Britannic Majesty's Government, the Imperial Government will await its decision.

In the meantime the Undersigned must refute, as he does refute, the following phrase in Mr. Hamilton's note:—"The Imperial Government seems to consider that it is its duty to support Senhor Fonseca in difficulties arising from his unlawful proceedings on the coast of Africa." This phrase is not correct, and the Undersigned will substitute the following for it:—"The Imperial Government considers it its most rigorous duty to complain against those unjust proceedings, which may affect the rights of Brazilian subjects who may not have been duly convicted of acts by which they must lose the right to its protection."

The question is not that which Mr. Hamilton and the British Consul suppose. It is not intended at present to examine whether the said

Fonseca is a slave merchant, nor does the Imperial Government recognise the said Consul as a competent judge to decide it.

The case is as follows, very clear and simple:—Senhor Fonseca wants to present certain documents before British Courts, and it is necessary that the signatures to the same should be attested as true. The person who is authorized to attest the veracity of the signatures, and thus legalize the above-mentioned documents, so that they may be valid in England, is the British Consul. It belongs to the British Courts to which such documents are to be presented, to decide whether they prove anything or not, and whether they are to be accepted and attended to.

The question, therefore, is reduced to this—1st. Whether the British Consul can take upon himself the right of those British tribunals, and prevent any person from duly qualifying himself to petition to, or appear before, the same tribunals. 2ndly. Whether a Brazilian subject, who may have been concerned in the Slave Trade, or regarding whom the said Consul may affirm that he is a slave dealer, (*traficante*.) is, for such reason, deprived of all his present and future rights, and therefore unable to claim that which he may consider just and due.

In the Brazilian Courts of Justice no documents which come from foreign countries are admitted without being duly legalized by the Consuls of the Empire. Thus the refusal of a Brazilian Consul to recognise the signature and to legalize a document of a British subject in England, would disqualify him to claim or demand in Brazilian tribunals whatever he might consider as his right, even if he had none. And thus, by a principle of reciprocity, Mr. Hamilton Hamilton will have no cause to complain in case the Brazilian Consuls in England and her possessions should proceed in a manner similar to that in which the British Consul has acted, of whom nothing more was demanded than that he should declare whether such or such signatures were or were not true, without such declaration affecting in any manner the decision of the tribunals to which Senhor Fonseca might have to appeal, in any cases, either relating to the traffic in slaves, or to any other object.

The Undersigned avails, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

JOSE AGOSTINHO BARBOZA, JUN.,

Interpreter to the Mixed Brazilian and British Commission, and extra Public Translator, duly sworn.

Hamilton Hamilton, Esq.

&c.

&c.

No. 190.

The Earl of Aberdeen to M. Lisboa.

Foreign Office, February 6, 1844.

THE Undersigned, &c. &c., has had the honour to receive the letter which Senhor Marques Lisboa &c. &c., addressed to him, under date of the 27th November last, announcing the appointment of Manoel de Oliveira Santos to be Brazilian Arbitrator in the Mixed British and Brazilian Commission at Sierra Leone.

The Undersigned has now to acquaint M. Lisboa, that this appointment has been announced to Her Majesty's Commissioners at Sierra Leone, who have been desired to receive M. Santos as their colleague, and introduce him in that character to the proper authorities at Sierra Leone. Her Majesty's Commissioners have, at the same time, been directed to treat M. Santos with cordiality and confidence in the execution of their joint duties, and to show to him every suitable attention and respect.

(Signed)

ABERDEEN.

The Commander Marques Lisboa,

&c.

&c.

No. 191.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, December 23, 1843.**(Received February 15, 1844.)*

MY LORD,

I HAVE to acquaint your Lordship, that on the 26th November the British merchant vessel "Earl Grey," chartered for the purpose by the agent of the Colonial Government of Trinidad, left Rio de Janeiro for that island, with 216 liberated Africans on board, being part of the "*Vencedora's*" cargo. Her Majesty's brig "Curlew," which sailed on the same day for England, was to convoy the "Earl Grey" as far as Cape St. Roque. The state of health of the negroes on board her was perfectly satisfactory.

The "Lancashire Witch" also has been taken up to transport another allotment to the same colony; and if it could be made to amount to 364, the quota till then forwarded to each of the two colonies of Trinidad and Demerara would be exactly equal. But the convalescence of many of the negroes captured in the "*Anna*" does not appear advanced sufficiently to permit, prudently, the dispatch of so considerable a number on the day to be fixed for the departure of the "Lancashire Witch."

The last report of sick of all descriptions on board the "Crescent" and the hospital craft gave 225, and the number was on the increase.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

No. 192.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, December 23, 1843.**(Received February 15, 1844.)*

MY LORD,

I HAVE the honour to enclose herewith, copy of a letter I have recently received from Captain Buckle, of Her Majesty's steamer "Growler," senior officer in port, apprizing me of the capture of a slaver on the 11th ultimo, to the northward of Cape Frio, by Her Majesty's brigantine "Dolphin," Lieutenant Hoare commanding.

The prize is a brig of about 180 tons, supposed to be the "*Anna*," but without any colours or papers showing her nationality; and she had on board 572 Africans.

She has been carried for adjudication before the Vice-Admiralty Court at the Cape of Good Hope.

I am sorry to say, the unavoidable absence in the river Plate of so many of the ships-of-war attached to this command, gives great encouragement to the slave traders throughout Brazil; and their endeavours to profit by the circumstance are signally successful.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 192.

*Commander Buckle to Mr. Hamilton.**Her Majesty's steam-vessel "Growler," Rio de Janeiro,
November 15, 1843.*

SIR,

I HAVE the honour to inform your Excellency, that on the 11th instant Her Majesty's brigantine "Dolphin," Lieutenant W. O'Brien Hoare commanding, captured a brig of about 180 tons, off Amaçao, near Cape Busios, having on board 572 Africans, who were brought into this port on the 13th instant. The slave vessel, which is supposed to be the "*Anna*," was perceived

in the forenoon steering towards Macahé, off which Her Majesty's brigantine was cruising. For some time she continued her course, until, on a nearer approach, the "Dolphin's" real character was discovered by her crossing her after-yards and making all sail in chase of the slave vessel, which then hauled off, and finding she could not escape, she steered for Amaçao. On arriving within long gun-shot, the "Dolphin" opened her fire, directing it so as to avoid injuring the Africans; the effect of this soon appeared in the crew of the slaver taking to their boat, and escaping to the shore, without being able to carry any of the Africans with them. She was taken possession of a few minutes after by the boats of the "Dolphin," at about five P.M.; but scarcely had this been done, when the brig took the ground. In order to lighten her, the whole of the Africans were removed to the "Dolphin," and the necessary preparations having been made, she was hove off by great exertions about three A.M. The vessel being very little damaged, the Africans, who were suffering from ophthalmia, dysentery, and emaciation, were re-embarked on board her, and conveyed in safety by the "Dolphin" into this port.

The slave vessel did not show any colours, nor were any papers found on board her, with the exception of a log-book, in a very imperfect state; from which, and other circumstances, it is supposed that she was about 40 days out from Benguela.

Some swords and loaded muskets were found on her deck.

The following is the number and description of the Africans found on board, about 30 having previously died on the passage:—

	Healthy.	Sickly.	Total.
Men . . .	147 . . .	13 . . .	160
Women . . .	36 . . .	4 . . .	40
Boys . . .	213 . . .	78 . . .	291
Girls . . .	71 . . .	10 . . .	81
	<hr/>	<hr/>	<hr/>
Healthy . . .	467	105	572
Sickly . . .	105		
	<hr/>		
Total . . .	572		

I have much satisfaction in being able to state, that none of the Africans were injured by the "Dolphin's" fire. I have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed)

C. H. W. BUCKLE,
Commander, and Senior Officer.

No. 193.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 23, 1843.
(Received February 15, 1844.)

MY LORD,

You will receive by the present packet a communication in detail from Her Majesty's Commissioners of all that has passed recently in the sessions of the Mixed Court, with relation to the culpable procrastination which has occurred on the part of the Brazilian authorities, in delivering to the liberated Africans found on board the condemned slave vessels "*Paquete de Benguela*" and "*Asseiceira*" their tickets of emancipation.

Her Majesty's Commissioners having kept me constantly informed of their ill success in endeavouring to rectify this most irregular proceeding, I considered it expedient to urge the Brazilian Government, in the note to the Minister of Foreign Affairs of which I have the honour to forward a copy, to issue its mandate without delay for bringing into Court the aforesaid liberated Africans, in order to their receiving their respective certificates in the manner provided for by Treaty.

An answer has not yet been returned, and I dare hardly anticipate a favourable one. I have, &c.

(Signed)

HAMILTON HAMILTON.

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

Enclosure in No. 193.

*Mr. Hamilton to Senhor Paulino de Souza.**Rio de Janeiro, December 4, 1843.*

THE Undersigned, &c. &c., has the honour to invite the attention of Senhor Paulino, &c. &c., to the accompanying minutes, and extracts of minutes, as per margin, of late sessions of the Court of Mixed Commission.

The subject matter of the discussions reported in these minutes, is the procrastination so remarkable in delivering their certificates of emancipation to the 592 Africans who composed the cargo of the two condemned slavers "*Paquete de Benguela*" and "*Asseiceira*;" the endeavours by Mr. Samo, Her Majesty's Commissary Judge, to terminate this delay, and the persistence of Senhor C. de Campos, the Brazilian Commissary Judge, that the certificates have already been delivered in due form, and that any further interference of the Mixed Commission in the present *status* of the aforesaid liberated Africans, is inadmissible, and encroaching on the prerogative of the Imperial Crown.

The certificates of emancipation were forwarded, it appears, by the Mixed Commission to the Judge of Orphans, the Brazilian functionary charged with the care and superintendence of the Africans, accompanied by instructions for their distribution among these free persons. The instructions were not complied with; the documents in question being delivered over, not to the Africans themselves, but to the individuals by whom the services of the Africans were hired.

But the 7th Article of the Annex No. 3, to the Convention of July 28th, 1817, states, "and as to the slaves, they shall receive from the Mixed Commission a certificate of emancipation, and shall be delivered over to the Government," &c. Therefore, the letter and spirit of the Convention have, in this instance, been manifestly departed from.

In order to give effect to the instructions of Her Majesty's Government on this irregular mode of proceeding, and to rectify it, so far as possible, Her Majesty's Commissary Judge in session recommended applications in the proper quarter for a declaration of the persons to whom the 592 Africans were delivered; and for an order to produce the said Africans before the Mixed Court, to the end that their respective certificates might be delivered to them personally, as provided for by the Treaty.

But these recommendations of Her Majesty's Commissary Judge were considered inadmissible by his Brazilian colleague, although the latter entered into little or no explanation. But this refusal or reluctance has been since accounted for, by the clear and explicit admission on the part of the Judge of Orphans, that the certificates were all delivered, not to the Africans themselves, but to the hirers of the Africans; so that, neither as concerns those of the "*Paquete de Benguela*," nor those of the "*Asseiceira*," have the provisions of the Treaty been scrupulously fulfilled by the Brazilian Government. The case of the negro woman Serafina is one case in point.

The Brazilian Judge of Orphans justifies the line of conduct he has pursued by reference to the tenor of the Imperial Instructions of October 29th, 1834; but with these instructions the British Government, or their functionaries in this country, have nothing whatever to do directly. Had they been parties to them in any way, as Her Majesty's Commissary Judge remarks, there might be a clear case made out of blame, for the non-observance by the Brazilian Government of some of the provisions of their own decree.

Senhor C. de Campos is pleased to reproach Mr. Samo for an excess of zeal in the difficult duties he has to perform. The Undersigned could have wished to perceive a similar excessive zeal on the part of the Brazilian Commissary Judge in carrying out the purposes and objects for which the Court of Mixed Commission was established. At all events, seeing the strenuous opposition manifested by that Brazilian functionary to the measures proposed by his colleague to rectify the unauthorized procedure adopted by the Judge of Orphans in the delivery of the emancipation certificates intended for the Africans of the two slavers above-mentioned, it becomes the duty of the Undersigned to invite the Brazilian Government to interfere, and to issue an injunction that the aforesaid Africans be forthwith brought into the Court of Mixed Commission, as moved by Her Majesty's Commissary Judge, in order to their receiving their

tickets of emancipation in the manner prescribed by the Article of the Treaty of July 28th, 1817, cited above.

It is in conformity with precise instructions from the Queen's Government, that the Undersigned urges this demand most distinctly on the Brazilian Government. And the Brazilian Government may rest assured Her Majesty's Government will not relinquish their claim to a full and perfect execution, as well in this particular as in all others, of the Slave Trade Conventions existing between the two Crowns.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c.

&c.

No. 194.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 23, 1843.

(Received February 15, 1844.)

MY LORD,

IN addition to preceding communications of mine growing out of the unauthorized acts of the Brazilian Commissary Judge in adjudicating on the "*Dous Amigos*" slaver, I have the honour to transmit for your Lordship's information, copies of a note from the Minister of Foreign Affairs, announcing the decision of the Imperial Government to proceed, without further delay, to the execution of what they allege to be the sentence of the British and Brazilian Mixed Court in the case of that vessel, and of my answer, in which, supporting the opinions advocated in this matter by Her Majesty's Commissary Judge, I remonstrate against the execution of the said award as partial and imperfect.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

First Enclosure in No. 194.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.*

Rio de Janeiro, November 28, 1844.

THE Undersigned, &c. &c. having communicated to his colleague in the Department of Justice the state of the question now pending in the case of the "*Dous Amigos*," transmitting to him, at the same time, the sentence by which the Mixed Commission decreed the delivery of that Brazilian brig to its proprietor, her detention having been irregular,—it has been announced to him, by a Despatch from that Department, of the 23rd instant, that, under that date, the said sentence had been passed to the Chancery of the Department of the Empire, a decision which Her Imperial Majesty's Government were compelled to take, it being impossible to delay any longer the transmission of it without causing serious loss to those interested in the vessel, and that solely on account of the British Commissary Judge's persistence in not signing the sentence pronounced by the majority of the said Commission.

The Undersigned, in making known this decision of the Imperial Government to Mr. Hamilton, avails, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c. &c.

Second Enclosure in No. 194.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, December 7, 1843.

THE Undersigned, &c. &c., has received the note, No. 80, of the 28th November, by which Senhor Paulino, &c. &c. announces the deter-

mination of the Brazilian Government to carry into execution, without further loss of time, what is therein alleged to be the sentence of the British and Brazilian Mixed Commission in the case of the "*Dous Amigos*," Brazilian vessel, suspected of Slave Trade transactions.

Her Majesty's Commissary Judge has from the first contested the legality of the decision come to by the Brazilian Commissary Judge on this matter, as being directly at variance with the regulations enacted for the government of the Mixed Commission; and he has most consistently, therefore, resisted every endeavour, on the part of the Brazilian authorities, to carry that decision into effect.

The object of this legitimate opposition has not been attained.

The communication from the Minister of Foreign Affairs, which the Undersigned has now under consideration, announces the resolution taken by the Brazilian Government to uphold the informal procedure of the Brazilian Commissary Judge—a measure whereby that Government indentify themselves most unequivocally with that procedure, and adopt with it all the consequent responsibilities.

Under these circumstances, the Undersigned could not but regard himself as guilty of a dereliction of a most imperative duty were he to abstain from pressing on the Brazilian Government directly, and in the most strenuous and urgent manner, his remonstrances, in the name of his Government, against the execution of the aforesaid most partial and imperfect award.

Besides, this question, in all its phases, has been progressively made known to the Queen's Government; and, looking to the very adverse opinions held here respecting it, it would seem not less courteous than correct, to await the judgment which that Government may come to on the points at issue.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c. &c.

No. 195.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 23, 1843.

(Received February 15, 1844.)

MY LORD,

WITH reference to my Despatch, Slave Trade, of the 22nd ultimo, but more particularly to the Enclosure therein, No. 9, which is a note addressed by me to the Minister of Foreign Affairs, explaining the circumstances under which the Brazilian subject Manoel Jose Madeira had been sent to the Cape of Good Hope with the "*Vencedora*" slaver, being a party found on board her when captured by Her Majesty's ship "*Frolic*," I have the honour to lay before you the copy of an answer from Senhor Paulino to that communication.

His Excellency is pleased to contend, that, if the person in question could not be legally transferred to that British colony, in order to his being tried before the Vice-Admiralty Court there, still less could he be removed thither to serve as testimony in the process of the "*Vencedora*;" that for the British authorities here to arrogate such power over a Brazilian subject is to wound deeply the rights and independence of Brazil; and that, if the power be admitted in the case of Madeira, it follows, that it must equally hold good in regard to any other subject of the Empire.

His Excellency also protests against my assumption, that Brazil has deviated from her engagements towards Great Britain, as relates to the 1st Article of the Convention of 1826; and he cites, in great detail, all the laws promulgated by the Government to put down Slave Trade, and the pains and penalties which, with that view, they impose; but his Excellency does not adduce any one instance whatever, wherein even the most inconsiderable of those penalties, and amid cases of daily, almost of hourly, occurrence, has been inflicted on the guilty.

In my rejoinder, also enclosed, I combat the arguments employed by Senhor Paulino, in his endeavour to substantiate the illegality of the measures of which Madeira has been the object; and I point out, likewise, his Ex-

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cellency's reticence or omission of any fact proving the execution, or the operation, of the several laws and ordinances which he has quoted.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c. &c. &c.

First Enclosure in No. 195.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.*

Palace of Rio de Janeiro, November 28, 1843.

THE Undersigned, &c. &c. had the honour of receiving the note, No. 76, which, under date of the 12th of the present month, Mr. Hamilton, &c. &c., addressed to him, relating to the case of Manoel Jose Madeira, and is now made aware of the interpretation he is to give to the former note from Mr. Hamilton upon that subject, dated 21st of last month, No. 67.

The Undersigned, however, begs leave to observe to Mr. Hamilton, that if Manoel Jose Madeira, as a Brazilian subject, could not be taken to the Cape of Good Hope, in order to be adjudged there by the British Vice-Admiralty Court for the crime of having imported Africans (in case of his having committed the same), much less could he be forcibly taken from his country and put on board of a British vessel for that colony, only because, as Mr. Hamilton says in his note, his presence there might, perhaps, be required. According to the opinion which the Undersigned entertains of Mr. Hamilton's correct judgment, he cannot omit to repel the supposition that Mr. Hamilton be disposed to maintain that the British authorities can, without deeply wounding the rights and the independence of Brazil, seize a Brazilian subject, and convey him by force hundreds of leagues across the ocean to a British colony, only because his presence there might, perhaps, be necessary, either for giving testimony, or for elucidation. If this right be admitted in the case of Manoel Jose Madeira, it follows in regard to any other subjects of the Empire. The Undersigned persuades himself that Mr. Hamilton will not fail to admit the applicability of these reasons, and to hasten the transmission of the necessary orders to the effect that the said Madeira be restored to his country.

The Undersigned protests against the inference which Mr. Hamilton endeavours to draw from his note of the 31st of October last, namely, that the Undersigned admits that the Government of Brazil has deviated from the engagements to which it was solemnly bound to the Government of Great Britain, as relates to the 1st Article of the Convention of 1826. This assertion, which assuredly does not proceed from the Undersigned, but from Mr. Hamilton, might apply, if the Imperial Government had not promulgated the Law of the 7th November, 1831, which decrees very heavy penalties on the importers of slaves into the Empire. The obligation enjoined by the 3rd Article of the Convention of the 28th of July, 1817, was met by the Alvara, of the 26th of January, 1818, which inflicted upon such importers the penalty of the loss of the slaves, of the confiscation of the vessels, and of five years' transportation to Mozambique, besides a fine on the Captain or Master, the Mate, and the supercargo of the vessel. Notwithstanding, however, this Alvara, another Law was promulgated, comprehending even a greater number of the persons engaged in this criminal traffic, and imposing upon them the punishment of imprisonment for a period of from three to nine years, a fine of 200 milreis for each slave, besides the expenses of their re-exportation. A Government which thus proceeds cannot be accused of failing in its engagements.

The Undersigned avails, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c. &c.

Second Enclosure in No. 195.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, December 19, 1844.

SENHOR Paulino, &c. &c., in his note, No. 79, of the 28th ultimo, which relates to the case of M. J. Madeira, when contesting the principle on which that person has been removed to the Cape of Good Hope, is pleased to assert that he was taken forcibly from his country for that purpose. If his Excellency would have this assertion interpreted according to the letter, it is an erroneous assertion. Madeira was taken from a vessel on the high seas, conveying a cargo of negroes from the coast of Africa—a vessel which exhibited no colours, and was provided with no document indicating her nationality—a vessel, in a word, guilty of acts of piracy—piracy, at least, by virtue of Conventions between Great Britain and Brazil, if not so by Brazilian law.

But if his Excellency by this assertion would imply, that as a Brazilian subject Madeira is not liable to a suspicion of being engaged in piratical acts when found on board a piratical vessel, and therefore ought to be accounted free from all the risks and responsibilities attaching to such piratical practices, that inference appears equally faulty. A piratical vessel belongs to no nation whatever; and the crew of such vessel, until she be adjudicated, do, in like manner, belong to no nation; but the adjudication effected, then the persons composing the crew regain their nationality, though burdened with the obligation to purge their criminality before the tribunals of their respective countries.

In the same note Senhor Paulino, repudiating the idea that Brazil has deviated at all from the engagements by which she is bound solemnly to Great Britain for the suppression of Slave Trade, enumerates, with much detail, the various legal acts promulgated by the Government in the fulfilment of those engagements, as well as the pains and penalties which they impose; but his Excellency does not bring forward any one single instance wherein the heavy penalties, as they are called, awarded by the Law of the 7th of November, 1831, to the importers of slaves into the Empire, have been enforced. He cites no example whatever where loss of the slaves imported, where confiscation of the vessels employed in the contraband, where transportation to Mozambique of the guilty parties, where fine, where imprisonment, &c. &c.—all pains and penalties decreed by the Alvara of the 26th January, 1818, and by other laws and ordinances,—have ever been executed.

It is one thing to enact laws, it is another to execute them; and certainly those portions of the Brazilian code which have been quoted by his Excellency are not known by their fruits.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,

&c.

&c.

No. 196.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, February 27, 1844.

I HAVE referred to Her Majesty's Advocate-General your Despatch of the 22nd November, 1843, and its Enclosures, containing an account of the case of the schooner "*Vencedora*," and of your correspondence with the Brazilian Government upon it.

The Queen's Advocate has expressed his opinion, that if the vessel in question hoisted no flag, and was destitute of papers indicating her nationality, as stated in your Despatch, she might very properly have been sent to the Cape of Good Hope, there to be adjudicated upon by the Vice-Admiralty Court, under the Act of the 2 & 3 Vict. cap. 73.

But the Queen's Advocate has observed that, adverting to the letter of Lieutenant Cumming, the captor, bearing date the 12th October last, and

addressed to Captain Willis, the commander of Her Majesty's ship "Frolic," he finds it stated by Lieutenant Cumming, that he directed the musket-shots to be fired a-head of the vessel, which she answered by *hoisting Portuguese colours*, and that he searched for papers which were carefully taken care of. Captain Willis also, in his letter of the 17th of the same month says, that the "*Vencedora*" *hoisted Portuguese colours*; and adds, that she had on board a Brazilian ensign much worn. Captain Willis further mentions the fact of papers being found on board.

Considering that it would thus appear that the vessel not only had colours, but that she actually hoisted them before the capture was effected; considering also that she was furnished with papers, although such papers might not, in the opinion of Captain Willis, be sufficiently conclusive to afford her a claim to the protection of either Brazil or Portugal, the Queen's Advocate reports, that he cannot, especially without knowing the nature or contents of any of the papers found on board the "*Vencedora*," take upon himself to say, that the case should not have been carried for adjudication before the proper Mixed Commission Court, rather than before the British Vice-Admiralty Court at the Cape of Good Hope.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 197.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, February 27, 1844.

I REFERRED to Her Majesty's Advocate-General your Despatch of the 19th October last, on the subject of the demand made by Senhor Antonio J. Gomes Moreira, for the restitution of a negro named André, now on board Her Majesty's ship "Crescent," at Rio Janeiro.

It appears from the report of the Queen's Advocate, that if the negro André proved to be, according to the law of Brazil, the property of Senhor Moreira, the latter has a right to demand possession of him wherever he can find him, within the jurisdiction of Brazilian courts of law; and, consequently, that if André were to land at Rio de Janeiro, or elsewhere within the Empire of Brazil, the claim of Senhor Moreira could not properly be resisted; but that, inasmuch as the right of the owner to the slave revives only upon the return of the latter to the country of his former servitude, and Senhor Moreira himself states, "that the jurisdiction of the Empire does not reach so far" as is requisite for effecting the object of Senhor Moreira, Her Majesty's Government cannot properly comply with his demand.

You will embody the substance of this Despatch in a note to the Brazilian Government.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 198.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, March 6, 1844.

I HAVE received your Despatches of the 12th August and the 22nd November, 1843, respecting the refusal of Mr. Hesketh to attest the signature of a Brazilian notary.

I have referred the papers on this case to Her Majesty's Advocate-General, and have now to transmit to you a copy of the instruction which, in accordance with the opinion of that officer, I have this day addressed to Mr. Hesketh upon the subject.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 198.

The Earl of Aberdeen to Mr. Hesketh, March 6, 1844.

(See No. 236.)

No. 199.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, January 27, 1844.*

(Received March 14.)

MY LORD,

You will herewith receive an extract from a letter of the British Vice-Consul at Santos, on Slave Trade, as connected with that notorious port, together with my correspondence with the Brazilian Minister of Foreign Affairs and the Envoy of the United States, on the cases particularly alluded to therein. Mr. Proffit, it will be seen, entered into a great deal of unnecessary comment in the answer with which he favoured me.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 199.

(Extract.)

*Mr. Whitaker to Mr. Hesketh.**Santos, December 15, 1843.*

THIS port continues to be the great rendezvous of slave vessels and slave dealers, who resort to it in consequence of the facilities and protection afforded by the local authorities. Several vessels are now ready for sea, and others in progress of fitting out for the coast of Africa, with provisions, water, and other necessary apparatus for conveying negroes to this and neighbouring ports.

A small vessel, reported to have landed upwards of 200 negroes in this neighbourhood, entered yesterday under American colours, and reported as such at the Custom House; and I have been informed that it is the future intention of the slave dealers to resort to the American flag, in order to nullify the efforts of British cruisers, who are not allowed to examine the papers of American vessels.

Second Enclosure in No. 199.

*Mr. Hamilton to Senhor Paulino de Souza.**Rio de Janeiro, December 30, 1843.*

THE Undersigned, &c. &c., has the honour to transmit to Senhor Paulino, &c. &c., for the information of the Imperial Government, the accompanying extract of a letter, dated Santos, 15th instant, showing that the Slave Trade is being pursued there most actively at present, under the culpable protection afforded by the local authorities; and that it is the purpose of the participators in the contraband to resort to the American flag, the better to conceal their nefarious practices.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,

&c.

&c.

Third Enclosure in No. 199.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.**Palace of Rio de Janeiro, January 12, 1844.*

THE Undersigned, &c. &c., had the honour to receive the note, No. 94, which, under date of the 30th of last month, Mr. Hamilton, &c. &c., addressed to him, communicating the extract from a letter received from Santos, in which it is said that the traffic in Africans is carried on there with activity under the protection of the local authorities, the traffickers making use of the flag of the United States of America for this purpose.

With reference to that note, the Undersigned issued most positive orders to the President of the Province of St. Paul's, to the end that he immediately institute enquiries, and inform the Imperial Government, with regard to such facts, making use in the meantime of all the means within his attributes to repress them, if they be true, and soliciting from the Imperial Government, for the same purpose, those measures which belong to it.

The Undersigned will take an opportunity of communicating to Mr. Hamilton all that occurs on this subject, and avails, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.
&c. &c.

Fourth Enclosure in No. 199.

Mr. Hamilton to Mr. Proffit.

SIR,

Rio de Janeiro, January 8, 1844.

ACTING in the interests of humanity, and in conformity with the salutary views of my Government, and not less, I am persuaded, with those of the Government whom you represent, for the suppression of Slave Trade, I take the liberty of transmitting herewith for your Excellency's information, an extract from a letter of Her Majesty's Vice-Consul at Santos, dated the 15th ultimo, showing that the slave merchants at that port, in the active pursuit of their contraband commerce to the coast of Africa, have already resorted, and that it is their purpose to do so in future, to the flag of the United States, for the better concealment and success of their illegal and nefarious practices.

I have, &c.

(Signed) HAMILTON HAMILTON.

The Consul of the United States,
&c. &c.

Fifth Enclosure in No. 199.

*Mr. Proffit to Mr. Hamilton.**Legation of the United States,*
Rio de Janeiro, January 11, 1844.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 8th instant, transmitting an extract of a letter from Her Majesty's Vice-Consul at Santos. I am very happy that your Excellency is well persuaded of the salutary views and upright intentions of the Government of the United States as regards the suppression of the Slave Trade; and I am convinced that conformity to the views of the Government your Excellency represents, and a feeling of humanity alone dictated the note with which I have been honoured. I shall at all times sincerely thank your Excellency for information on subjects interesting to my Government, but frankness compels me plainly to say, that I cannot perceive any *information* in the extract to which my attention is called; nor can I find anything in the letter of Her Majesty's Vice-Consul "showing that the slave merchants at that port, in the active

pursuit of their contraband commerce to the coast of Africa, have already resorted, and that it is their purpose to do so in future, to the flag of the United States, for the better concealment and success of their illegal and nefarious practices."

I beg your Excellency's excuse for saying, that if the *extract* shows anything, it is not that the flag of the United States has been already used by the slave dealers at Santos, but that "Her Majesty's Vice-Consul has been *informed* that it is the *future* intention of the slave dealers to resort to the American flag," &c. Her Majesty's Vice-Consul does not say how he learned the *future* intentions of the slave dealers, neither does he say what person or persons *informed* him. The *extract* therefore gives no means whereby we may judge of the credit due to the information. He does not even state under what colours are sailing the several vessels ready for sea, and fitting out for the coast of Africa, as is stated by Her Majesty's Vice-Consul. To my mind, the language of the *extract* is much too vague and uncertain to convey important information. Her Majesty's Vice-Consul also says, "A small vessel, reported to have landed upwards of 300 negroes in this neighbourhood, entered yesterday, under American colours, and reported as such at the Custom House," &c. The small vessel *thus reported* to have landed negroes is not described. He does not say whether it was a brig, brigantine, schooner, or sloop. The names of the vessel and Captain are not given, notwithstanding the vessel reported at the Custom House, and all these material facts could have been easily ascertained. Her Majesty's Vice-Consul does not say from whence the 300 negroes reported to have been landed were brought. And from anything that appears in the *extract*, the negroes, if landed at all, may have been natives of Brazil, and transported coastwise.

Her Majesty's Vice-Consul at Santos further says, "This port continues to be the great rendezvous of slave vessels and slave dealers, who resort to it in consequence of the facilities and protection afforded by the local authorities," &c.

This part of the letter is very plain, and directly points to the alleged protectors of the slave dealers. They are not Americans, but subjects of the Government of Brazil, and in such a case it does not become me to make suggestions to your Excellency. I have, however, no doubt that so grave a charge, properly preferred and well authenticated, would meet the prompt attention so characteristic of the Brazilian Government.

I shall forward to my Government copies of your Excellency's note and the *extract* from the letter of Her Majesty's Vice-Consul at Santos.

I have, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) GEORGE H. PROFFIT.

No. 200.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, January 27, 1844.

(Received March 14.)

MY LORD,

I HAVE the honour to enclose the statement of Mr. Hobart, Mate of Her Majesty's brigantine "Dolphin," reporting his arrival in this port with three empty slavers, detained in the vicinity; namely, the "Zulmira" brigantine, "Maria da Gloria" brigantine, and the "Maria Thereza" schooner, and that they were unprovided with documents to prove their nationality.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure in No. 200.

Mr. Hobart to Captain Sir T. Pasley.

Rio de Janeiro, January 14, 1844.

SIR,

I HAVE the honour to report to you my arrival in this port in charge of the three vessels, supposed names in the margin ("Zulmira" brigantine, "Maria

da Gloria" brigantine, and "*Maria Thereza*" schooner), detained by Her Majesty's brigantine "Dolphin," for having been illegally engaged in the Slave Trade.

I beg to state, in reference to these vessels, that they none of them have any papers or documents authorizing them to hoist the flag of any nation, and that consequently they come under the jurisdiction of the British Court of Vice-Admiralty. I have moreover to state, that according to my orders I have placed all documents referring to these vessels into the hands of Mr. Hesketh, Agent and Proctor to the "Dolphin," that he may proceed as the interest of the captors requires.

I have, &c.

(Signed)

AUGUSTUS HOBART,

Mate, in charge of Prizes.

Captain Sir T. Pasley, Bart.

&c.

&c.

No. 201.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, January 27, 1844.

(Received March 14.)

MY LORD,

IN obedience to the instructions conveyed to me in your Despatch, Slave Trade, of the 5th April of last year, that in case I should not have received from the Brazilian Minister of Foreign Affairs, when that Despatch should arrive, a satisfactory explanation of the charge brought by Senhor Aureliano against Her Majesty's naval service, imputing to a British cruizer the capture, in the vicinity of Ubatuba, of a vessel with slaves on board, and the sale by the captors of a portion of them, I should recall the subject to the attention of the Brazilian Government, and require that the President of the Province of St. Paul's be made to apologize for the calumnious report furnished by him to that Government, I addressed to Senhor Paulino, on the 6th June, the note of which I have the honour to enclose a copy.

After a delay of several months—a delay against which frequent remonstrances had been made by me to little purpose, I received the accompanying answer, already alluded to in my Despatch, No. 93, of last year, of the general series.

In the first part of this communication, his Excellency endeavours to prove, that the accusation of selling the slaves having been found inexact, it had not been renewed in Senhor Aureliano's second note, dated November 18 (see my Despatch, Slave Trade, of the 22nd December, 1842), or, in other words, that it was abandoned. He contends, indeed, that the said note is not susceptible of any other interpretation, the Despatches from the President on which it was founded containing no allegation as to the sale of Africans by a British ship-of-war.

But the President's Despatches which are here alluded to, were communicated to me for the first time in Senhor Paulino's note, now under comment; and they could not guide me, therefore, in any inferences to be drawn from Senhor Aureliano's note of November 18. Whatever interpretation, however, of the President's Despatches, or of Senhor Aureliano's second note, may be the most warrantable, certainly that note does not present any specific retractation of the calumny.

Quitting this topic, Senhor Paulino resorts, in the latter part of his note, to recrimination, entering somewhat irrelevantly, as it would appear, into the subject of grievances long endured by the inhabitants of the coast of St. Paul's from British cruizers—grievances which are exhibited at great length in the documents annexed to the President's Despatches, but are, for the most part, trifling, and reported in a lame and inconclusive manner.

The communication I have since made to the Government on this subject has not yet been answered.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 201.

*Mr. Hamilton to Senhor Carneiro Leao.**Rio de Janeiro, June 6, 1843.*

THE Undersigned, &c. &c., duly communicated to his Government the note which he addressed to the Brazilian Government on the 12th January last, in reply to certain statements of the Minister for Foreign Affairs respecting the alleged capture of a vessel with slaves on board, by a British cruizer, in the vicinity of Ubatuba, and the sale by the captors of a portion of the negroes from on board her.

Her Majesty's Government, having approved entirely of the note in question, have, with reference to the matter it treats of, written to the Undersigned to the following effect—That Her Majesty's Government were anxious to believe that, before the present instruction should arrive at Rio de Janeiro, the Brazilian Minister for Foreign Affairs would have given to the Undersigned such an explanation of the charge brought forward against Her Majesty's naval service as the Undersigned should judge satisfactory, accompanied by an expression of regret at the misrepresentation which gave rise to it. But, in the contrary case, should this expectation not have been realized, (as unfortunately it has not,) that the Undersigned is then instructed to recall, as he now does, the attention of the Brazilian Government to the subject, and to require, in the name of Her Majesty's Government, that the Governor of the Province of St. Paul's be made to apologize for the calumnious report furnished by him to his Government at Rio de Janeiro.

In deferring thus to the orders addressed to him by Her Majesty's Government, the Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor H. H. Carneiro Leao,
&c. &c.

Second Enclosure in No. 201.

Senhor Paulino de Souza to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, December 18, 1843.

THE Undersigned, &c. &c., has the honour to reply to the note which Mr. Hamilton, &c. &c., addressed to one of his predecessors, under date of the 6th of June last, No. 37, relating to the capture, in the neighbourhood of Ubatuba, of a vessel employed in the traffic in Africans.

The complaint made by Mr. Hamilton is based on the circumstance, that an unbecoming act, viz. that of having sold captured Africans, had been imputed to the British navy.

The Undersigned will, however, observe to Mr. Hamilton, that the circumstance of the sale was mentioned only in the confidential note from Senhor Aureliano, of the 11th of October. Now, in that note it is not affirmed that the vessel which captured the slaver and caused the said sale to be made was English, and much less that it was a vessel-of-war. It is only stated that the vessel "was captured by a ship said to be English." The crew of a vessel may declare themselves to be of a particular nation, without being so.

In the note, No. 78, of the 18th of November of last year, written after information had been received upon the subject, the circumstance of the sale of Africans is not mentioned, because it was found to be inexact. The words of this note—"information from the President of the Province, 'which confirms the existence of the fact above mentioned'"—refer to the preceding phrase, "of a vessel with Africans on board, which had been captured by a ship said to be English," having been brought to that town; and adds further on, that this ship was an English brig-of-war.

Neither could any other interpretation be given to the note, No. 78, of the 18th of November of last year; because it is not said in any part of the information given by the President of the Province of St. Paul's, (which information served as a basis for that note,) as contained in his Despatches of the 2nd of November, 1842, and of the 20th of January, 1843, (copies of which, as also of the documents

to which they refer, are hercunto-annexed,) that an English ship-of-war had sold Africans.

Consequently, there is no foundation for the complaint contained in Mr. Hamilton's note.

That which is collected from the information which accompanies the Despatches from the President of St. Paul's is, that the British cruizers have also landed on the coast of that province, committed violent acts there, and entered private houses, &c. without the least consideration for the territory or the authority of a nation which is considered as a friend. The Undersigned, however, does not believe that Mr. Hamilton wishes to demand satisfaction for these complaints, so just, but always unattended to. Other nations have complained in a more energetic manner of insults and similar violent acts committed by the British cruizers. Among other examples, the Undersigned might point out that contained in the notes addressed, under date of the 11th of September, and the 2nd of December, 1840, by the Baron da Torre de Monçorvo to Lord Palmerston, who was then Minister, and did not consider it necessary to demand satisfaction, inasmuch as that diplomatist had used the only expedient within his reach against force.

The Undersigned avails, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c. &c.

Sub-Enclosure 1 in Second Enclosure in No. 201.

(Translation.)

President Torres to Senhor Coutinho.

Palace of the Government of St. Paul's,

November 2, 1842.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I HAVE to inform your Excellency of the capture of a vessel, with slaves on board, on the coast of Ubatuba, by a ship which was supposed to be a pirate, according to the report made by the Brigadier Military Commandant of that town, in a Despatch, a copy of which I transmit to your Excellency; and having received a letter, a copy of which I also enclose, from the Commander of the brig-of-war "*Iriy*," anchored in the port of Santos, whom I had ordered to reconnoitre the said ship, it is my duty to inform your Excellency, that the vessel which made the capture is an English brig-of-war.

God preserve your Excellency!

(Signed)

JOSE C. P. D'ALMEIDA TORRES.

The Most Illustrious Senhor Almeida Coutinho,

&c.

&c.

Sub-Enclosure 2 in Second Enclosure in No. 201.

Senhor Cabral to President Torres.

The brig "Iriy," Santos, October 28, 1842.

IMMEDIATELY on the receipt of your Excellency's Despatch, dated the 7th instant, I proceeded to the port of St. Sebastian, where I arrived on the 13th, and requested the Municipal Judge to give me a pilot; but as I could not obtain one, there being none in the place, I directed my course to the Ilha das Portas, to get such information as might enable me the better to execute my commission. I learned that a vessel, with Africans on board, had been captured by an English brig-of-war, which was cruising on that coast, but that no offer of the sale of Africans had ever been made there, neither was there the least suspicion that the capturing brig was any other than of war, inasmuch as she was already well known in those parts. Under these circumstances I proceeded, in obedience to your Excellency's orders, to cruize, keeping in sight of the coast, between the point of Ilha Grande and that of St. Sebastian, and there I remained until the 24th, without anything having occurred; and as at this time I had only six days' provisions and very little water on board, I commenced my return, touching at Point Canas at St. Sebastian, to get some water, of which I was in great need, and then continued my passage to this port, where I anchored this morning at nine o'clock. Herewith I enclose to your Excellency a return of the present

state of the crew of this brig, and a list of the vessels I have boarded during my cruize.

God preserve your Excellency!

(Signed) FRANCISCO LUIZ DA GAMA ROSAS,
Lieutenant Commander.

Department of the Government of St. Paul's, November 2, 1842.

(Signed) JOSE CHRISTINO DA COSTA CABRAL.

(True copy.)

ANTONIO J. C. DO AMARAL,
In absence of the Under-Secretary of State.

His Excellency the President of the Province,
&c.

Sub-Enclosure 3 in Second Enclosure in No. 201.

President Torres to the Secretary of State.

Palace of the Government of St. Paul's, January, 1844.

IN compliance with the Despatch No. 5, of the 13th of December last year, in which your Excellency orders me to proceed to make further and most minute enquiries, for ascertaining whether the ship which captured the vessel with Africans on board, which was the subject of my Despatches on the 27th of September, and the 2nd of November last, did in fact belong to the British squadron, or whether she was a pirate, and using the English flag, had made the capture referred to,—I have the honour to transmit to your Excellency, in the enclosed Despatch from the Brigadier Military Commandant of Ubatuba, and those which accompany it, the information which I have been able to obtain; and from it your Excellency will perceive that that which I stated in those said Despatches is true.

God preserve your Excellency!

(Signed) JOSE C. P. D'ALMEIDA TORRES.

The Most Excellent Secretary of State for Foreign Affairs.

&c. &c.

Sub-Enclosure 4 in Second Enclosure in No. 201.

The Military Commandant to President Torres.

Military Commandant's Office, at Ubatuba,

MOST ILLUSTRIOUS AND EXCELLENT SIR,

January 16, 1844.

IN compliance with your Excellency's orders, contained in your Despatch of the 27th of last month, requiring me to give a better explanation of that which I stated in my Despatch to your Excellency of the 17th of September, of last year, relating to the capture of a vessel with Africans on board, taken near the shores of this municipality, I have the honour to lay before your Excellency the information forwarded to me by Ensign Joao Pereira Seite, the officer whom I charged to go to that place, in order to hear the inhabitants thereof, and to report to me with the greatest minuteness.

In reference to this information, I became more convinced of the truth of that which I related to your Excellency in my above-mentioned Despatch of the 17th of September; and if the English Commodore said, and certified, to the most Excellent Senhor Minister of State for Foreign Affairs, that none of the cruizers belonging to the English squadron were at that time in the neighbourhood of this municipality, I believe that it was only so stated as an excuse, or if not, he must have been deceived by the Commander who was cruising at that time.

Most Excellent Sir, it is my duty to state to your Excellency, that neither months, nor even weeks pass, during which some of the English cruizers do not act in an unjustifiable manner on the shores of this municipality. From the copy which I have the honour to transmit to your Excellency, and which was forwarded to me by the French Vice-Consul in this town, you will learn

the truth of that which I state, and by the said Despatch of the Ensign Joao Pereira Seite, the disregard and little respect with which the English treat the Brazilian nation will be seen. Finally, I have the honour to transmit to your Excellency the original Despatches, which, at my request, were sent me by the Municipal Chamber of this town, and by the ex-Justice of the Peace, Luiz Antonio Pereira, referring to what had occurred respecting the English vessels.

God preserve your Excellency!

(Signed) FRANCISCO DE PAULA MACEDO,
Brigadier, and Military Commandant.

His Excellency the President of the Province,
&c. &c.

Sub-Enclosure 5 in Second Enclosure in No. 201.

Ensign Seite to the Military Commandant.

MOST ILLUSTRIOUS AND EXCELLENT SIR, *Ubatuba, January 13, 1844.*

IN order to fulfil the commission with which your Excellency was pleased to charge me on the 9th of the present month, I proceeded to the places called Saccos das Bauanas, Praia da Lagôa, and Ilha dos Portos, districts in this municipality, to make enquiries of the inhabitants so as to obtain some exact information of what occurred in August of last year, respecting a vessel with Africans on board, and an English cruizer; and I received the following particulars from the persons residing there.

That on the 21st of August of last year, at daybreak, they heard the report of guns fired at a short distance to seaward, and on going out to their terraces and looking attentively, they saw two vessels close to each other near the shore, between the islands of Victoria and Busios; the former being in this municipality, and the latter in that of St. Sebastian; and a few minutes having elapsed, they observed three boats making for the shore with all possible speed; and one having arrived before the others at the beach of the trade, between Paraias Simao and Lagoa, all the people jumped out, and left the boat at the mercy of the waves; at this time the crews of the other boats reached the shore, and chased that of the one which arrived first, who, seeing this, escaped into the woods, when the latter, finding their plans frustrated, commenced firing pistols, thus terrifying not only those who had run away but also the inhabitants of these shores, and returned to the place where they had left the two vessels, taking the boat which had been abandoned with them. Some of the inhabitants having afterwards spoken with the persons who had taken refuge in the woods, and asked them the cause of their flight, they replied, it was to escape from those two boats, which belonged to an English vessel, and wished to capture them; which they certainly would have succeeded in doing, had they not abandoned their vessel and reached the shore with the speed which they did. I also enquired of the inhabitants whether or not they had asked the name of the English vessel and of that captured; they answered that they had not, but that they supposed the English vessel to be the same which entered the port of Rio de Janeiro with a brig as a prize, on the 3rd of September of last year, as is seen in the "Journal do Commercio," of that date, wherein the name of the Commander of the English vessel is given, who makes a declaration to the effect that he had found a brig in the waters of St. Sebastian, with upwards of 300 Africans on board, abandoned by her crew, and without documents to show whence she came or whither she was bound.

On my arrival at Ilha dos Portos, Charles Grace informed me, that a brig, with the English flag flying, entered that port in the beginning of September of last year, and that as she belonged to the same nation as himself, he went on board, and observed that the guns were not polished, as in other English vessels, of war; he therefore supposed she was a pirate using the English flag, so that under its protection the crew might obtain at their pleasure whatever they wished; and as a further motive for suspicion, he observed that among the said crew there were very few Englishmen, the greater part being people of different nations; and he further stated, that she sailed on the 6th of September of the same year. He also told me, that a corvette called the "Daphne,"

Commander Onslow, entered that place in December of last year, and sailed again on the 29th of that month.

Several of the inhabitants of that island informed me that the sailors of the corvette referred to landed, and wandered about the shores doing great damage in the places through which they passed, viz., pulling up Indian corn, taking pine apples, and many other things, and that, going to the Prainha, they covered Joaquim Jose de St. Anna's door with letters made after their own fashion, and they did the same on the door of Antonio Jose da Silva Guimarae's house, and then proceeded to the Praia Vermelha; on arriving at the door of the house belonging to Firmino Jose d'Aranjo, and not finding him at home, they wished to enter, and violate the asylum of his family, which they certainly would have done if the members of it had not sought refuge; they then went to Praia Grande, and seeing some Bahia cocoa-nut trees in the front of the house, belonging to Joao Valentine de Oliveira, they approached them, and ate those they choose, leaving a great many strewed about the ground; they then went to a post which is on the beach in front of the said house, and some of them commenced firing at it with pistols, while others ran about the beach naked; being tired of committing these and other unjustifiable acts, they returned to the Praia, and crossing a river where some clothes, belonging to the house of Reginaldo Antonio de Oliveira, were, they took a lady's dress and a pair of man's trowsers, which circumstance being communicated to the said Reginaldo, he went immediately on board the corvette, where they delivered up the dress, and paid him a dollar for the trowsers.

This is all I have to inform your Excellency of, relating to the commission with which I was charged; but I must also make known to your Excellency, that on my arrival at Praia da Lagoinha, also belonging to this municipality, Antonio Jose de Moraes reported to me, that some time since, the English coming in a launch to that beach, jumped on shore, and went to his dwelling-house armed with pistols and asked for his family; but as the members of it had hidden themselves as soon as they saw these people disembark, he replied, that he did not know where they were; then the sailors, after having examined all the rooms in the house as well as the kitchen, and not finding any one, cooked some salt fish which was in the said kitchen for the support of himself and family, after which they went to the launch.

God preserve your Excellency!

(Signed)

JOAO PEREIRA SEITE,

Ensign, charged with the Commission.

His Excellency the Military Commandant,

&c.

&c.

Sub-Enclosure 6 in Second Enclosure in No. 201.

Senhor Lelandiere to M. Robilliard.

MR. VICE-CONSUL,

Ponta Grossa, January 10, 1843.

I HAVE received the letter which you did me the honour to write to me upon the subject of what occurred near my house at Ponta Grossa, on the 25th of December last, and I will now reply thereto.

While I was absent, and my wife and children were alone in the house with the blacks of the establishment, there appeared, during the day, a launch, which had come from seaward, and had visited several Brazilian vessels. At night, between 9 and 10 o'clock, one of the little blacks, who had gone down to the water-side, saw the said launch coming to disembark the crew at my landing-place, and went to tell the overseer (a black), who immediately informed my wife thereof, and she ordered him to go and find out what it was. The black, accompanied by all the others of the house, went to the beach, to the place where my fishing-nets are kept, and, after having asked a blessing, as is the Brazilian custom, demanded of the three white men who were on shore, what they wanted, &c.

As he obtained no answer, my wife, who was in the terrace which overlooks the place for speaking to people, asked what they wanted, and received for reply, in Portuguese, "Nothing, Madam." She then begged them to retire,

telling them that that was not a proper hour for landing. The same voice which had previously answered in Portuguese then spoke to her in English, in a tone which appeared to be a threat. Upon which she ordered them, in an imperious manner, to retire, which order the three Englishmen immediately obeyed.

The launch then went and anchored at the distance of two or three musket shot from the house, and remained there all night, the crew making a continual noise; at daybreak she went away.

The black women, on first hearing about the launch, fled with their children to the woods, and remained there all night; the men, armed with hedging-bills with long handles, slept on the terrace near my wife's bed-room; but all was quiet.

I have, &c.

(Signed) S. VIGNERON JOSE LELANDIERE.

M. Robilliard,
&c. &c.

Sub-Enclosure 7 in Second Enclosure in No. 201.

The Municipal Chamber to the Military Commandant.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

Ubatuba, January 13, 1843.

THE Municipal Chamber of this town received the Despatch from your Excellency of the 10th instant, in which you require information in regard to the insults and violence which, perchance, the inhabitants of this municipality may have suffered from the English cruizers of war, to which this Chamber, in faith of the truth, has to reply in the following manner:—The audacity of these English cruizers has been such that, in 1839, a brig-of-war entered this port, and, sailing close to the front of the town, so as to be almost aground on the flats near the shore, proceeded to the anchorage at Ponta Grossa, where the smacks employed in the coasting trade, laden with coffee, were at anchor, and commenced a rigorous search on board of them, saying that they wished to see whether there were any free Africans there; and, after having put the terrified mariners to flight, some officers, armed with swords, as well as some soldiers, landed on the beach at the town, and entering it, they passed through every part, going in at the street-doors of several private houses and coming out at the back, without giving any explanation to the local authorities; and, further, they began shooting small birds in the gardens of the town, firing without considering that some one might be wounded by the contents of their muskets, as it was a public road. This same English brig-of-war, leaving the port of the town, anchored again off the estate belonging to Lieutenant José da St. Cruz Lustosa, and, hoisting out a launch, a great many Englishmen landed on the estate of the said Lieutenant, and closely interrogated the slaves as to whether there were any contraband Africans there. Since that occasion, large launches, armed with muskets, swords, and pistols, have continued to appear during the subsequent years, going up and down, and landing on the beaches, putting the inhabitants thereof to flight; and some time after this several other launches came and continued the practice of treating the Brazilian nation with disregard and contempt! In fine, Most Excellent Sir, it may be affirmed, without fear of contradiction, that, in truth, it is continually receiving insults from the English cruizers, inasmuch as, besides that which has been above stated, they have latterly landed on the Ilha dos Portos, in this district, and also on the estates to the southward of that island, firing pistols (as the inhabitants of those places affirm) to frighten the people, so that they might be enabled to enter the estates, and make whatever enquiries they thought proper.

Finally, the Chamber will conclude by saying, that it is an incontestable truth that the English vessels-of-war which are in the habit of cruising in the waters of this district have violated the right which is given to them by the Treaties, by landing and entering the property of the citizens, armed, and making minute inquiries, and by committing many other acts which they are not permitted to do.

This is all the Chamber has to communicate to your Excellency for the present.

God preserve your Excellency!

(Signed) ANTONIO EGIDIO DA CUNHA, *President*.
LADISLAO A. DE MENDONCA, *Secretary*.

His Excellency the Military Commandant,
&c. &c.

Sub-Enclosure 8 in Second Enclosure in No. 201.

Senhor Pereira to the Military Commandant.

MOST ILLUSTRIOUS AND EXCELLENT SIR, *Ubatuba, January 16, 1843.*

IN reply to the Despatch from your Excellency of this date, I have to state as follows:—That, during the time in which I served as Justice of the Peace, officers and seamen of the different ships of war of Her Britannic Majesty landed at different times; and that, in many parts of this municipality they offered insults, used threats, and committed many other acts which are incompatible with the upright conduct of officers of a friendly nation; all which has been made known to His Majesty the Emperor, through the most excellent Government of the Province. This is all which appears to me necessary to state to your Excellency.

God preserve your Excellency!

(Signed) LUIZ ANTONIO PEREIRA.

(A true copy.)

ANTONIO J. C. DO AMARAL,
In absence of Under-Secretary of State.

His Excellency the Military Commandant,
&c. &c.

No. 202.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 1, 1844.
(Received April 14.)

MY LORD,

IN obedience to your Lordship's Despatch, Slave Trade series, of July 4, 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 at and near Rio de Janeiro, under contracts with Her Majesty's Legation, for the half-year ending 31st December, 1843, and am happy to be able to add, that with one or two exceptions therein specified, they appear to be quite satisfactory.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 202.

Mr. Coats to Mr. Ouseley.

SIR,

Salt Works, Itaguahy, August 5, 1843.

I AM sorry to have to inform you, that one of the female African apprentices, named Maria Naçao Benguela, received from on board the "*Flor de Loanda*" slaver, died this morning after three weeks' severe illness of fever and cold, which brought on inflammation in the chest, and ended in consumption. This woman occasionally complained of cold and cough, which always yielded to medicine until the last attack.

Her body was interred in the burying ground of Itaguahy, and, if necessary, I can get a certificate of her interment. She was married to one of my black men called Francisco.

H. C. Ouseley, Esq.
&c. &c.

I am, &c.
(Signed) ROBERT COATS.

Second Enclosure in No. 202.

Certificate of Mr. Coats.

Salt Works, Itaguahy, December 20, 1843.

AT the request of Hamilton Hamilton, Esq. &c. &c. I, the undersigned Robert Coats, do certify and attest, that the male child and six female African apprentices, received by me from on board the "*Flor de Loanda*" slaver, are all in good health, and all of them are employed in my establishment.

(Signed) ROBERT COATS.

(Translation.)

Third Enclosure in No. 202.

Surgeon's Certificate.

Juliepa Estate, January 1, 1843.

THE Undersigned, Surgeon, Licentiate in Medicine of the Faculty of Rio de Janeiro, Medical Officer at the Manufactory of Powder, and Surgeon in the Army, &c. do hereby attest that, at the requisition of Major Julio Frederico Koëller, I examined the sanitary state of the free Africans, Jeronimo, Pedro, Carlos, Carlotta, Carolina, and Joanna, confided to him by the British Legation, and I found them well treated, and in the enjoyment of good health: the first and the last, however, still continuing in the state of debility which is habitual to them, owing to their constitution.

(Signed) ANTONIO JOAQUIM LOPES LIRA.

Fourth Enclosure in No. 202.

Rio de Janeiro, January 3, 1844.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed at Rio to Mr. Charles Lukin.

Names.	Ages.	Occupations.	Remarks.
	years.		
Eliza . . .	16	House service . .	Rather indolent; a son named Joao.
Maria . . .	25	..	Sent with her husband and children to Cape of Good Hope.
Fanny . . .	17	House service . .	Well behaved; son Jose.
Louisa . . .	18	House service . .	Well behaved; a daughter.
Gabriel . . .	36	..	Sent with his wife Maria and children to Cape of Good Hope.
Francisco . .	34	Gardener, &c. . . .	Well behaved.
Joao . . .	36	Out-door work . .	Well behaved; but at times lunatic.
Domingos . .	31	General service . .	Idiotical; thought more knave than fool.
Diogo . . .	21	House and general service	Able to gain his livelihood.

Mr. Lukin is quite satisfied with the conduct of the above, excepting Gabriel and Maria, sent with their three children to the Cape of Good Hope (*see* Mr. Hamilton's Despatch, No. 31, S. T. S. of September 16, 1843); and Domingos, almost useless.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. John Young.

Thereza . . .	15	House service . .	Industrious and well disposed.
Carlotta . . .	14	House service . .	Good tempered, but giddy.
Carlos . . .	12	House service . .	Active and clever.
Antonio . . .	13	House service; cook .	Quiet good boy.

Carlos and Carlotta accompanied Mr. Young to England. (*Vide* Mr. Hamilton's Despatches, Nos. 18 and 19, S. T. S., 1843.)

REPORT of African from "*Flor de Loanda*," Slaver, Apprenticed to Senhor Lopes Gama.

Names.	Ages.	Occupations.	Remarks.
Marianna . . .	years. 17	Nurse	Well disposed useful girl.

His Excellency's family perfectly satisfied with her conduct.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. J. H. Dickenson.

Bob	14	General service . . .	Slightly deformed.
Betsy	14	Nursemaid	Transferred to Mrs. Lefevre.
Rose	15	House servant	Clever active girl.

Mr. Dickenson is satisfied with the above. Betsy has accompanied Mrs. Lefevre to England. (*Vide* Mr. Hamilton's Despatch, No. 23, S. T. S. of July 20, 1843.)

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. Robert Coats.

Francisca . . .	31	Out-door work . . .	Married; a daughter.
Maria	34	..	Died August 5, 1843. (<i>See</i> Enclosure No. 1.)
Rose	25	Out-door work . . .	Married; a daughter.
Anna	16	Out-door work . . .	Married.
Caterina	51	Out-door work . . .	Married.
Joanna	16	Out-door work . . .	Unmarried.
Sabina	13	Out-door work . . .	Unmarried.
Jose	5	..	An infant when received.

Mr. Coats is satisfied with the above, whom he would willingly engage as free servants at expiration of apprenticeship.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Major Koëller.

Geronimo	31	Out-door work . . .	Always unhealthy.
Carlos	15	Out-door work . . .	Health, &c. good.
Pedro	15	Out-door work . . .	Health, &c. good.
Joanna	21	House servant	Health, bad.
Carlotta	21	Washes and picks coffee.	Health, conduct, &c. good.
Carolina	19	House service; picks coffee.	Health, conduct, &c. good.

The above were among the most unhealthy of those distributed from the "*Flor de Loanda*." They have all recovered except two, who apparently will never entirely get over the effects of disease, ill-treatment, &c. on the voyage.

REPORT of African from "*Flor de Loanda*," Slaver, Apprenticed to Mr. Maize.

Jose	17	House servant	Good useful boy.
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At Mr. Maize's request, Mr. Hamilton consented that this boy should accompany his master to the Cape of Good Hope.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mrs. Moke.

Victoria	12	Washes, makes her clothes, &c.	
Alexandrina . . .	12	Washes, makes her clothes, &c.	Health and conduct good.
Gertruda	11	Washes	Health and conduct good.
Angela	11	Washes	Health and conduct good.
Thereza	10	Washes	Health and conduct good.
Julia	10	..	Died last November.

Mrs. Moke satisfied with conduct of the above.

REPORT of Africans from "Flor de Loanda," Slaver, Apprenticed to the Rev. T. T. Champnes.

Names.	Ages.	Occupations.	Remarks.
Charles Jimbatch	years. 17	House servant and gardener, &c.	Clever and active.
Rosa Jimbatch	18	House servant; washes, &c.	Clever and active.

Mr. Champnes quite satisfied with the above.

REPORT of Africans from "Flor de Loanda," Slaver, Apprenticed to Mr. Charles Tross.

Rosa	16	House servant . .	Conduct, &c. good.
Francisco . . .	31	..	Returned to the Legation by Mr. Tross.

Mr. Tross's family satisfied with Rosa. Francisco remains for the present in the service of Mr. Ouseley. (See last Report.)

REPORT of African from "Flor de Loanda," Slaver, Apprenticed to Dr. Lee.

Rita	18	House servant	
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Transferred, with Mr. Hamilton's sanction, to Dr. Lee's brother-in-law, Mr. James's family, who are quite satisfied with her conduct. She lost her female child on the 27th November last.

The above Africans have been personally visited and spoken to by the Undersigned, with the exception of eight in Report of Africans in service of Mr. Robert Coats, six in service of Major Koëller, and the woman Betsy, in Report of Africans in service of 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 made to Her Majesty's Legation respecting their health and conduct are very satisfactory; they themselves are generally quite contented with their present situations, and most of their employers would willingly engage them as free servants at the expiration of their apprenticeship.

(Signed) H. C. OUSELEY,
Attached to Her Majesty's Legation.

Fifth Enclosure in No. 202.

Rio de Janeiro, January 10, 1844.

NOMINAL LIST of FREE AFRICANS now in the service of the Misericordia Hospital, from on board the captured Slaver "Flor de Loanda," showing their Names, Nations, supposed Ages, and Occupations.

Names.	Nos.	Nations.	Ages.	Occupations.	Remarks.
Joao	1	Benguela . . .	19	Boatman . . .	Health and conduct good.
Samuel	2	Cabinda . . .	25	Ditto	Ditto.
Bruno	3	Cabinda . . .	27	Ditto	Ditto.
Gastão	4	Benguela . . .	29	Quarryman . .	Master workman.
Camillo	5	Cabinda . . .	31	Ditto	Ditto.
Jose	6	Benguela . . .	27	Boatman . . .	Health and conduct good.
Leandro	7	Benguela . . .	31	Servant in Asylum	Ditto.
Pedro	8	Cabinda . . .	25	Boatman . . .	Ditto.
Pedro	9	Bayaca	26	Mason	Ditto.
Joaquim	10	Cabinda . . .	19	Servant in Infirmary	Ditto.
Antonio	11	Benguela . . .	19	Ditto	Ditto.
Luiz	12	Benguela . . .	31	Ditto	Ditto.
Cosmé	13	Cabinda . . .	26	Quarryman . .	Master workman.
Jeronimo	14	Cabinda . . .	31	Cook	Health and conduct good.
Joao	15	Cabinda . . .	25	Boatman . . .	Ditto.
Manoel	16	Cabinda . . .	15	Service of employés	Ditto.
Francisco	17	Cabinda . . .	15	Ditto	Ditto.
Joao	18	Cabinda . . .	15	Ditto	Steals, and runs away, &c. is now employed at hospital preparing lime.
Leonardo	19	Benguela . . .	21	Stone-cutter . .	Health and conduct good.
Braz	20	Cabinda . . .	19	Mason	Ditto.
Gaspar	21	Benguela . . .	17	Ditto	Ditto.
Matheos	22	Benguela . . .	31	Quarryman . .	Ditto.
Thomas	23	Cabinda . . .	19	Stone-cutter . .	Ditto.
Lauriano	24	Benguela . . .	21	Mason	Ditto.
Timotheo	25	Cabinda . . .	19	Stone-cutter . .	Ditto.
Januario	26	Benguela . . .	31	Quarryman . .	Ditto.
Antero	27	Benguela . . .	19	Mason	Ditto.
Adao	28	Benguela . . .	19	Stone-cutter . .	Ditto.

NOMINAL LIST OF FREE AFRICANS, &c.—*continued.*

Names.	Nos.	Nations.	Ages.	Occupations.	Remarks.
Christovao . . .	29	Cabinda . . .	23	Mason . . .	Health and conduct good.
Salvador . . .	30	Cabinda . . .	23	Quarryman . . .	Master workman.
Bernardo . . .	31	Benguela . . .	31	Domestic . . .	Health and conduct good.
Marcos . . .	32	Benguela . . .	19	Ditto . . .	Ditto.
Nicolao . . .	33	Cabinda . . .	19	Ditto . . .	Ditto.
Esmeria . . .	34	Cabinda . . .	23	Cook . . .	Daughter dead.
Generosa . . .	35	Benguela . . .	24	Washerwoman . . .	Died January 20, 1843.
Esperança . . .	36	Benguela . . .	27	Ditto . . .	Sons named Antonio and Olavis.
Engracia . . .	37	Cabinda . . .	26	Ditto.	
Antonia . . .	38	Cabinda . . .	21	Servant in Asylum	
Lina . . .	39	Cabinda . . .	21	Washerwoman.	
Manoel . . .	40	Cabinda . . .	31	Land-tiller . . .	Health and conduct good.
Nuno . . .	41	Benguela . . .	25	Carter . . .	Ditto.
Theodoro . . .	42	Benguela . . .	19	Mason . . .	Ditto.
Ambrosio . . .	43	Benguela . . .	19	Ditto . . .	Ditto.
Alexandre . . .	44	Benguela . . .	19	Land-tiller . . .	Ditto.
Anastasio . . .	45	Cabinda . . .	19	Ditto . . .	Ditto.
Jacintho . . .	46	Benguela . . .	17	Carter . . .	Recovered bad effects of punishment inflicted on him by the Police. (<i>See last Report.</i>)
Euzebio . . .	47	Benguela . . .	17	Ditto . . .	Health and conduct good.
Paulo . . .	48	Benguela . . .	19	Land-tiller . . .	Ditto.
Martinio . . .	49	Cabinda . . .	15	Ditto . . .	Ditto.
Rufino . . .	50	Cabinda . . .	19	Mason . . .	Ditto.
Joao . . .	51	Benguela . . .	35	Washes . . .	Ditto.
Januario . . .	52	Benguela . . .	25	Quarryman . . .	Master workman.
Antonio . . .	53	Cabinda . . .	19		Prisoner for murder.
Felipe . . .	54	Benguela . . .	31	Land-tiller . . .	Health and conduct good.
Bernardo . . .	55	Angola . . .	17	Shepherd . . .	Ditto.
Jose . . .	56	Benguela . . .	14	Land-tiller . . .	Ditto.
Caetano . . .	57	Benguela . . .	17	Mason . . .	Master workman.
Francisco . . .	58	Benguela . . .	21	Stone-cutter . . .	Health and conduct good.
Luiz . . .	59	Angola . . .	17	Land-tiller . . .	Ditto.
Raimando . . .	60	Angola . . .	21	Blacksmith . . .	Ditto.
Francisco . . .	61	Benguela . . .	21	Shepherd . . .	Ditto.
Joaquim . . .	62	Cabinda . . .	19	Land-tiller . . .	Ditto.
Ritta . . .	63	Rebolo . . .	35	Gardener . . .	Two sons dead, one now, Felipé
Antonia . . .	64	Cabinda . . .	31	Ditto . . .	Lost a daughter; has in charge Generosa's mulatto son Manoel.
Thereza . . .	65	Cabinda . . .	31	Ditto.	
Louiza . . .	66	Cabinda . . .	25	Washerwoman.	
Catharina . . .	67	Cabinda . . .	27	Ditto . . .	Two black sons, Joaquim and Maria.
Anna . . .	68	Benguela . . .	21	Gardener.	
Maria . . .	69	Benguela . . .	17		Died February 8, 1843.
Pedro . . .	70	Cabinda . . .	37	Hospital servant .	Sight improved, wishes to learn a trade.
Joaquim . . .	71	Benguela . . .	21	Ditto.	
Simplicio . . .	72	Benguela . . .	21	Ditto.	
Justino . . .	73	Benguela . . .	21	Ditto.	
Sabino . . .	74	Benguela . . .	21	Ditto . . .	Wishes to learn a trade.

All the above Africans, excepting the two women Generosa and Maria, deceased, and the man Antonia, still suffering imprisonment for murder, have been individually seen and spoken with by the Undersigned. They are all in good health, and are well treated and clothed; and, with the exception of Joao, marked No. 18. in the above List, their conduct has been most satisfactory, and they are all much improved since the date of the last Report (July 16, 1843).

(Signed)

ROBERT HESKETH,

Her Britannic Majesty's Consul.

H. C. OUSELEY.

Attached to the Legation.

No. 203.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 24, 1844.

(Received April 14.)

MY LORD,

THE enclosed correspondence relates to the detention of the Portuguese slave brig "*Caçador*," effected on the 21st of January in Brazilian waters, by

the pinnacle of Her Majesty's sloop "Frolic," at the request of Brazilian authorities.

This detention, curious from the circumstances under which it was effected, becomes still more remarkable by the fact, that instructions have been issued for bringing the vessel to trial before the civil tribunals of the Empire, as well as for the apprehension of the Africans who had been landed from her; as for proceedings against the persons implicated in the illegal transactions.

The detention was called for by Senhor Bulhoes, the Chief of Police *ad interim*, while the late Administration was yet in office; but the measures by which the vessel is to be brought into Court, &c. proceed from the new Cabinet, and being the first steps that Cabinet has taken in Slave Trade matters may augur, I trust, the adoption of a practical line of policy better calculated to restrain, if not to do more, the piratical career allowed so unreservedly to the dealers in human flesh by the two preceding Administrations.

For the particulars of the "*Caçador's*" detention, and the proceedings consequent thereon, I beg reference to the Enclosures.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 203.

Mr. Whitaker to Mr. Hamilton.

(Extract.)

Santos, January 22, 1844.

MY Despatch of the 20th instant, accompanying official correspondence with the President of this province and local authorities of Santos, I trust will have reached your Excellency in due time.

During the night of the 18th instant, the Portuguese brig "*Caçador*," 27 days from Angola, landed upwards of 600 slaves on Vergueiro's estate Peréque. Sir Thomas Pasley being in my office at the time of receiving the above report, lost no time, on his return to his ship, in dispatching a boat from Her Majesty's sloop "Frolic" to intercept the slaver, before entering the Bertioga river, but was too late; the officer, however, deemed it convenient to continue his pursuit, and succeeded in coming up with the slaver before reaching this harbour, when the Portuguese crew leaped overboard and abandoned her.

This occurrence being reported in town excited great indignation, and several armed boats were immediately sent by the authorities to retake her; the British officer, however, receiving a written declaration from the Brazilian officer that he proceeded in virtue of his Excellency the President's orders, the "Frolic's" boat then retired.

I regret to add, that the boats sent by the authorities of Santos had positive orders to use violence in case of resistance.

Second Enclosure in No. 203.

Captain Sir T. Pasley to Mr. Hamilton.

*Her Majesty's ship "Curaçoa," Rio de Janeiro,
January 26, 1844.*

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 25th instant, enclosing a copy of one from Her Majesty's Vice-Consul at Santos, reporting the seizure of the "*Caçador*" slaver, in the Bertioga river, by the pinnacle of Her Majesty's sloop "Frolic," in obedience to my orders, on which subject your Excellency requires information.

I have therefore the honour to state, that in that report of Mr. Whitaker's there is an omission of a very important fact, indeed, the most important fact in the transaction, being, as it was, the sole cause of it, namely, that at the time mentioned by Mr. Whitaker, when he received intelligence in his office of the slaver having landed Africans near Peréque, the Chief of Police of the province was present, and requested me, through Mr. Whitaker, to send immediately round to the place, and seize the vessel. I did not hesitate to accede to his

request, and, on my return to the anchorage, the "Frolic's" pinnace was sent by my orders to seize the vessel if possible, and the instructions given were, that "if taken in Brazilian waters she was to be given up to the Brazilian authorities." I beg leave to request your Excellency's attention to the fact, that it was solely in consequence of the request of the Chief of Police that I ordered the vessel to be seized, and that my desire and intention in so doing was to cooperate with the authorities, and not to oppose or interfere with them, which, I think, is quite evident from her being ordered to be delivered up to them if taken in their waters. I also beg to state distinctly, that if the Chief of Police had not requested me to take such measures, I should on no account have given orders to interfere with a vessel in Brazilian waters.

Mr. Whitaker, by omitting the part of the proceeding the most necessary to be reported, has given a colour to my conduct the very reverse of the true; and I am quite at a loss to account for such an omission, as no one could be so well aware of the fact as Mr. Whitaker himself, he being the interpreter between the Chief of Police and myself, and conveyed the request of that functionary to me in his presence. The consequence of this has been, that he has sent an account which conveys an impression not only erroneous and unfaithful, but one diametrically opposite to the true nature of the transaction, and is a proceeding, on the part of Mr. Whitaker, which, without some explanation from that gentleman, I forbear to comment on.

I should add, that when I sailed from Santos, on the 20th instant, the boats had not returned, and the result I now know only from Mr. Whitaker's report.

I have, &c.

(Signed)

THOMAS SABINE PASLEY,

Captain, and Senior Officer.

Hamilton Hamilton, Esq.

&c.

&c.

Third Enclosure in No. 203.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, January 30, 1844.

On the 22nd instant, Her Majesty's Vice-Consul at Santos addressed to the Undersigned, &c. &c. a letter, of which extract is enclosed, acquainting him that upwards of 600 negroes had been landed at Senhor Vergueiro's estate of Peréque, in the night of the 18th instant, from the Portuguese brig "Caçador," and that the brig was subsequently intercepted by a boat of Her Majesty's brig "Frolic," in the Bertioga river, while on her way to Santos, under instructions from Sir Thomas Pasley, commanding Her Majesty's corvette "Curaçoa."

Having called on Sir Thomas Pasley for further information on the subject, the Undersigned has received from that officer the communication which he has the honour to transmit in copy to Senhor Paulino, &c. &c. in explanation of a proceeding to which, it appears, a very false colouring has been given at Santos.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,

&c.

&c.

Fourth Enclosure in No. 203.

Commander Willis to Mr. Hamilton.

SIR,

Her Majesty's sloop "Frolic," Santos bay, January 30, 1844.

I HASTEN to lay before your Excellency all the information in my power relative to the case of the "Caçador," Portuguese slave brig, seized by the pinnace of Her Majesty's sloop under my command, on the 21st instant, in consequence of a request from Don Carlos Antonio de Bulhoes Ribeiro, Chefe de Policia interino desta Provincia, then the chief authority at Santos, and which brig was given up to the authorities of that city. The accompanying copies of

letters, enclosed herewith and referred to herein, will, I trust, elucidate the following statement.

On Friday, the 19th of January, Sir Thomas Pasley, Bart., Captain of Her Majesty's ship "Curaçoa," and senior officer present, stated to me, that he had that day been requested by Don Carlos Antonio de Bulhoes Ribeiro, *Chefe de Policia interino desta Provincia*, chief authority at Santos, to seize a slave brig, which had landed the previous evening at Peréque bay upwards of 600 negroes; and also that Don C. A. de Bulhoes Ribeiro further expressed his determination to seize, on the part of the Brazilian Government, the said negroes so landed from the "Caçador;" in consequence thereof, and of orders from the senior officer, the "Frolic's" pinnace was dispatched the same afternoon in chase of the slave brig; the pinnace was in charge of Mr. A. Luckraft, Mate, with a Midshipman, 12 seamen, and three marines.

Being dangerously ill at the time, and with both hands maimed, I could only, and in few words, verbally direct Mr. Luckraft, "that if he found the said brig within the territorial jurisdiction of the Brazilian Empire he was to lose no time in bringing her to this anchorage, that I might immediately deliver her over in a proper manner to the Brazilian authorities." The pinnace returned on the 21st instant, and Mr. Luckraft's report, contained in the enclosed letters marked A. and B., together with their Enclosure marked C., will explain his proceedings. On receipt of Mr. Luckraft's report, I immediately wrote to Don C. A. de Bulhoes Ribeiro the letter marked D, enclosing a copy of Mr. Luckraft's first letter marked A., and dispatched them early on the morning of the 22nd by Lieutenant Tremlett, Second Lieutenant of this sloop, who speaks the Portuguese language fluently. Accompanied by the British Vice-Consul, he waited on Don C. A. de Bulhoes Ribeiro, and presented my letter. Lieutenant Tremlett's letter of that date, marked E., will convey to your Excellency *his* (Don C. A. de Bulhoes Ribeiro's verbal reply) witnessed by the British Vice-Consul. On that same day, the 22nd, Don C. A. Bulhoes Ribeiro departed accordingly, in all haste, for Santo Paulo, having acknowledged to the British Vice-Consul that his *real* reason for leaving Santos with his family so suddenly was "*that his life was in danger while he remained in Santos.*" Having heard on the 23rd that the Sub-Delegado Don Joao Octavio Nebias, then become the chief authority at Santos (and a notorious slave dealer), had stated that the "Caçador" should never be delivered to a Mixed Commission Court, and that other steps should be very shortly taken with regard to her in one of their own courts, I considered it incumbent upon me to take some immediate step to place on record a remonstrance to any illegal proceeding being taken with regard to the said Portuguese slave brig; I therefore wrote the two letters herewith enclosed, marked F. and G., together with the copy mentioned in the latter: to these communications I have received no reply. I have the honour to state, that no effort whatever has been made (*vide* enclosed letter marked H.) up to the date hereof to seize the negroes landed on the 18th instant at Peréque bay; on the contrary, I have ascertained that a messenger was sent from one of the authorities at Santos to Peréque to give a hint to remove the negroes to another barracoon, where they have since been daily and openly selling; and a present of five of them has been accepted by the Sub-Delegado Don Joao Octavio Nebias, the chief authority at Santos! Authenticated copies of the papers found on board the "Caçador," and which prove her to be Portuguese, are now making out, and I trust to bring them with me very shortly to Rio de Janeiro. Although the "Caçador" was only seized by the "Frolic's" pinnace in the Bertioga passage on Sunday the 21st instant, an entry in the Custom House books at Santos, dated Saturday the 20th, exists, stating the "Caçador" to have arrived in ballast leaky and in distress. I beg also to inform your Excellency, that I have received private information from the British Vice-Consul, that a document is concocting, under the auspices of the Sub-Delegado Don Joao Octavio Nebias, and falsely sworn to by the crew of the "Caçador" (who jumped overboard!!) to accuse the officers and men who were employed in the "Frolic's" pinnace to seize that vessel, of having robbed her of money, plate, and various other articles. I need hardly assure your Excellency of the entire falsehood of this infamous accusation, and of the readiness and anxiety of the officers and men to come forward and make oath to that effect.

I have, &c.

(Signed) W. A. WILLIS, *Commander.*

Sub-Enclosure 1 in Fourth Enclosure in No. 203.

Mr. Luckraft to Commander Willis.

*Her Majesty's sloop "Frolic," Santos bay,
January 21, 1844.*

SIR,

IN obedience to your orders of the 19th instant, I proceeded in the pinnace belonging to Her Majesty's sloop "Frolic," under your command, in search of a vessel said to have landed slaves in the bay of Peréque.

Upon my arrival there, I found that a brig had the previous day disembarked upwards of 600 negroes.

Not finding the vessel there, I proceeded up the Bertioga, and this day, about six A.M., I observed a vessel being towed down a creek by a small boat. The moment the people on board perceived my boat, they jumped overboard, and the boat towing let go the vessel, which drifted on shore. I went on board, and found several proofs (as per margin) of her being a vessel engaged in the Slave Trade.

About five hours after boarding the vessel, a boat with two officers and a civilian came on board, the officer demanding possession of the vessel in the name of the Imperial Government. Not being fully convinced of the authentic nature of the authority under which they acted, from my ignorance of the Portuguese language, and from the imperfect knowledge of the English tongue displayed by the individual who acted as interpreter, I demurred giving up the vessel for some time. The officers went away, and returned again. During this second interview, being accompanied by another and better-qualified interpreter, they succeeded in convincing me that they acted under the orders of the proper authorities, and I delivered up to them the vessel.

I have, &c.

(Signed) ALFRED LUCKRAFT, *Mate.*

Commander W. A. Willis,
&c. &c.

Sub-Enclosure 2 in Fourth Enclosure in No. 203.

Mr. Luckraft to Commander Willis.

*Her Majesty's sloop "Frolic," Santos bay,
January 23, 1844.*

SIR,

I HAVE the honour to inform you that, in obedience to your orders to me of the 19th instant, I proceeded in the pinnace of Her Majesty's sloop under your command in search of a slave vessel supposed to be off Peréque bay.

On my arrival off that place, I perceived several large water-casks floating out of the bay, and a still greater number on the beach. Finding no vessel at anchor, I stood close to the shore, whereupon a canoe with M. Fletcher (the reputed owner of the adjacent property) in her, came alongside. On my making enquiry, he acknowledged that a brig had, on the previous day, disembarked there upwards of 600 negroes, and that her name was the "Caçador." He likewise stated that she had proceeded to Rio de Janeiro.

Thinking from the evident hurry in which she must have discharged her cargo, that she had received intelligence of a British man-of-war's boat being in pursuit, I lost no time in proceeding in the direction of the Bertioga, which I was induced to do from having fallen in with several casks, staves, &c., floating from that direction. One of the casks I picked up.

Proceeding up the Bertioga, and still meeting with floating casks, staves, &c., I had no doubt that she had recently passed. Not being acquainted with the proper channel, I anchored after dark, and remained so until the next morning; when I again proceeded in pursuit, having obtained a fisherman in a canoe to act as guide. At about six A.M. I got sight of the mast-heads of a brig over the land, and a short time afterwards, I perceived her, towed by a small boat down a creek. The moment that the people on board perceived my boat, they jumped overboard, and the boat which was towing let go the vessel, which drifted on shore. I went on board, and found several proofs (as

per margin) of her being a vessel engaged in the Slave Trade. I then took possession of her, and hoisted an English ensign and pendant.

On going below, I found one of her crew lying ill in bed, which had prevented his leaving the vessel with the others. He made me to understand that she was the "*Caçador*," a Portuguese brig, and that she had landed a cargo of negroes in Peréque bay. I also found in her cabin a Portuguese ensign.

After some exertions, I succeeded in getting the vessel afloat, and anchoring her in a safe position, where I waited a change of tide to take her off the town of Santos. Whilst still at anchor, and after having had possession of the vessel for upwards of five hours, a boat with two officers and a civilian came alongside, and demanded the vessel in the name of the Imperial Government. Not being convinced that they acted under authority, and the person who acted as interpreter possessing a very imperfect knowledge of the English tongue, I refused to give up the vessel. The officers went away and returned again, and, being this time accompanied with a better-qualified interpreter, they succeeded in convincing me that they acted under the direction of the Brazilian authorities. I was informed by the last interpreter that the vessel which I had seized was the "*Caçador*," and measured 311 tons, according to the Brazilian standard. I then gave up the vessel to these officers; left her, together with my crew, and proceeded to the residence of the British Vice-Consul at Santos, to give him information of what had taken place, and to ask his advice on the subject. He informed me, that I had delivered her up to the lawful authorities; and he further expressed himself to the effect, that he was sorry I had given her up, as my keeping possession of her would have led to the settlement of the question, whether we were justified in seizing a vessel under the like circumstances. In his opinion, we were perfectly justified; and so firmly was he convinced of this, that if the Commander of the "*Frolic*" demanded the vessel (which, in his, the Consul's opinion might be justly done), he, the Consul, would demand her of the authorities.

I then proceeded on board Her Majesty's sloop under your command, and delivered to you the papers found by me on board the detained vessel.

I have, &c.

(Signed) ALFRED LUCKRAFT, *Mate.*

Commander *W. A. Willis*,
&c. &c.

(Translation.) Sub-Enclosure 3 in Fourth Enclosure in No. 203.

Demand of the Brazilian Government for restoration of the "Caçador."

*The brig "Caçador," Bertioga river,
January 21, 1844.*

MOST ILLUSTRIOUS SIR,

IN virtue of orders received from the Government of this province, dated the 21st instant, I come to fetch this brig, it having come to its knowledge that it is reported she landed Africans on the coast.

(Signed) MANOEL MOREIRA DA SA,
First Lieutenant, Commander.

Sub-Enclosure 4 in Fourth Enclosure in No. 203.

Commander Willis to Don Ribeiro.

*Her Majesty's sloop "Frolic," Santos bay,
January 21, 1844.*

SIR,

I do myself the honour to inform you that, in consequence of your request to Captain Sir Thomas Pasley, Bart., of Her Britannic Majesty's ship "*Curaçoa*," that he would send a force to seize the slave brig which had landed slaves in Peréque bay on the morning of the 19th instant, I sent on the evening of that day, by direction of Captain Sir Thomas Pasley, one of the armed boats of His Britannic Majesty's brig under my command to perform the duty you had requested, with directions that, if he (the officer) found the vessel within the territorial jurisdiction of the Brazilian Empire, he was to

bring the vessel to this anchorage, in order that I might immediately have the satisfaction of delivering her up to you precisely in the state she might have been in when seized, and to place her entirely at your disposal.

The officer having this night returned, has presented to me a report, a copy of which I do myself the honour to enclose herewith, as it may be useful in such legal steps as you may think proper to take for her condemnation. And I beg to add, that the officers or men employed in the service (seizure) shall always be available for any testimony you may require on the subject. I also enclose herewith all the papers found on board the "*Caçador*" slave brig, which the officer has delivered to me. Having now laid before you this full and complete account of the seizure of the "*Caçador*" with the unreserved candour so desirable to exist between the authorities representing both nations,

I have, &c.

(Signed) W. A. WILLIS, *Commander*.

Don Carlos Antonio de Bulhoes Ribeiro,
&c. &c.

Sub-Enclosure 5 in Fourth Enclosure in No. 203.

Lieutenant Tremlett to Commander Willis.

Her Majesty's sloop "Frolic," Santos bay,
January 22, 1844.

SIR,

IN pursuance to your directions, I this morning waited on Don Carlos Antonio de Bulhoes Ribeiro, Chefe de Policia of this province, accompanied by William Whitaker, Esq. Her Majesty's Vice-Consul, and presented him your letter (with its Enclosures) respecting the seizure of the Portuguese slave brig "*Caçador*."

After his having perused them, I requested him to state to me his view of the proceedings, to which he replied, that his opinion had already that morning been given to the Vice-Consul, "that we could not exercise any authority or jurisdiction within the Brazilian territories."

Upon this I begged to make it distinctly understood to him, that your sole object in seizing the vessel was to assist the Imperial authorities (in compliance with their solicitation to Sir Thomas Pasley), and afterwards to have put them in possession of her, which was prevented by the authorities presenting themselves on board and demanding the brig, upon which the officer in charge surrendered to them, thereby carrying out your intentions on the subject.

Senhor de Bulhoes then desired me to express his thanks to you, Sir, for the steps which had been taken, also that he would write you a letter to the same effect; but regretted his being at present prevented from doing so, as he was on the point of leaving for St. Paulo, and further, that time would be required to consider it.

I have, &c.

(Signed) S. S. TREMLETT, *Lieutenant*.

Commander W. A. Willis,
&c. &c.

Sub-Enclosure 6 in Fourth Enclosure in No. 203.

Commander Willis to Senhor Mello.

Her Majesty's sloop "Frolic," Santos bay,
January 24, 1844.

SIR,

I HAVE the honour to acquaint your Excellency, that by an arrangement between Don Carlos Antonio de Bulhoes Ribeiro and the second Lieutenant of Her Britannic Majesty's sloop "*Frolic*," under my command, all the papers found on board the Portuguese brig "*Caçador*" (engaged in the Slave Trade) by the officer belonging to the "*Frolic*," who seized that vessel in consequence of a request from the Brazilian authorities to Sir Thomas Pasley, Bart., Captain of Her Britannic Majesty's ship "*Curaçoa*," should remain in the hands of Her Britannic Majesty's Vice-Consul at Santos, until called for by Don Carlos An-

tonio de Bulhoes Ribeiro, for the purpose of her legal condemnation. I have the honour to repeat to your Excellency my acquiescence in that arrangement; and I have to inform you, that since the 21st instant my health has sufficiently rallied to enable me to very carefully peruse and examine the "*Caçador's*" papers, which I find so unequivocally to prove her (the "*Caçador*") to be a Portuguese vessel engaged in the Slave Trade, Portuguese colours being also the only colours found on board her; that it now becomes my duty, as the senior British naval officer here present, and therefore representative of the British flag at this port, to call upon you, the President and chief authority of the province of St. Paulo, in the most solemn manner, to lose no time in causing the Portuguese brig "*Caçador*," engaged in the Slave Trade, and having landed upwards of 600 negroes at Perêque bay, on or about the 18th instant, to be taken to a proper Mixed Commission Court for her adjudication, agreeably to, and in conformity with, existing Treaties. I have also to inform you, that I have caused authenticated copies to be taken of the "*Caçador's*" (Portuguese slave brig) papers, for the information of his Excellency Her Britannic Majesty's Minister at Rio de Janeiro.

I have, &c.

(Signed) W. A. WILLIS, *Commander*.

His Excellency Manoel Felizardo de Souza e Mello,
&c.

&c.

Sub-Enclosure 7 in Fourth Enclosure in No. 203.

Commander Willis to Mr. Whitaker.

Her Majesty's sloop "Frolic," Santos bay,
January 24, 1844.

SIR,

I HAVE the honour to enclose herewith to your care an official letter of this day's date to his Excellency the President of the Province of St. Paulo, which letter, as the post in this country is very uncertain, and as I am informed you are about to set out for St. Paulo, I request you will deliver yourself into the hands of the President.

I have also enclosed herewith a correct copy of the above-mentioned letter, which I request you will be pleased to deliver to the chief authority at Santos, assuring him that the original has been forwarded to the President.

I have, &c.

William Whitaker, Esq.
&c.

(Signed) W. A. WILLIS, *Commander*.

Sub-Enclosure 8 in Fourth Enclosure in No. 203.

Mr. Whitaker to Commander Willis.

(Extract.)

Santos, January 26, 1844.

I HAVE the honour to acknowledge the receipt of your several Despatches, dated 23rd, 24th, and 25th instant, which I have carefully perused over, and beg to assure you that, in accordance with your request, everything compatible with my public duty shall be strictly adhered to. Yesterday being a feast day, the Delegado and Public Offices were closed, but I have now transmitted to the Delegado a copy of your Despatch to the President of the province, with a communication of my own, to which I trust he will reply. I have no hesitation in stating, that the Delegado will do everything to impede the course of justice in the affair of the "*Caçador*," as he did in all the proceedings respecting the barbarous attack on the 5th instant; and if I had no better hopes of obtaining redress than through him, I would not trouble him with a single communication on official matters.

The papers belonging to the apprehended Portuguese brig "*Caçador*," are in progress of copying, and shall be delivered to the proper authority at maturity, and the whole affair connected with the above papers and said prize shall have my utmost support; but, believe me, that the present Delegado, who is interested in every slave vessel (this is my opinion) that comes into this harbour, will consider it his duty to protect the importers of slaves, and to advise them how to proceed to avoid being apprehended; his public conduct is a corroboration

ration of this assertion; and no attempt has yet been made by any authority in Santos to seize the slaves landed at Peréque.

Thus far have I been able to develop the various questions contained in your several Despatches up to this date, and having determined, in consequence of the important communications I daily expect from Her Majesty's Minister at Rio de Janeiro, to postpone my visit to St. Paulo, you will therefore find me ready to attend to any communication relative to public service which you may deem expedient to transmit to me.

Fifth Enclosure in No. 203.

Mr. Whitaker to Mr. Hamilton.

(Extract.)

Santos, January 31, 1844.

SENHOR Bulhoes is also the bearer of other instructions relative to the Portuguese brig, "*Caçador*," which vessel landed upwards of 600 negroes on the night of the 18th instant in Peréque bay. In my Despatch No. 11, dated 22nd instant, I mentioned to your Excellency those circumstances which had come to my knowledge respecting that vessel; but having stated on that occasion that Sir Thomas Pasley, Bart. had received information in my office, I omitted to mention, that such information was afforded him by Senhor Bulhoes, who verbally requested Sir Thomas to endeavour to capture the slave vessel.

This timely correction should form a part of my aforesaid Despatch, in order to afford your Excellency the means of forming a true and faithful idea of this most scandalous affair, which will frequently be brought under your Excellency's notice, in consequence of the subsequent conduct of the local authorities, who have not only made false reports to the President in their official capacities, affirming that said vessel had been retaken from the "*Frolic's*" boat's crew by force, and that a scrupulous examination had taken place, which led to a conclusion that the brig "*Caçador*" was navigated in a legal manner; that no slaves, or anything indicative of the traffic, existed; on the contrary, her papers were correct; and, while every individual in Santos knows the price for which such false reports and certificates were obtained, these infamous public men exult in their depravity, and find false witnesses to criminate the officers of the "*Frolic*," whom they accuse of having plundered the vessel of money and other articles.

I beg to suggest to your Excellency the necessity of urging the Minister Senhor Paulino to nominate a proper qualified person as Juiz Municipal for Santos. This important situation is occupied by a merchant, who is not only a slave dealer in all its branches, but has a brother a Deputy in the General and Provincial Assembly, whose position gives great protection to him and others. The man I allude to is Joao Octavio Nebias, Juiz Municipal and Delegado de Policia.

I continue to receive from his Excellency the President the strongest assurances of his good wishes, and intentions to comply with the various requests I have addressed to him on every subject connected with my public duty; but I regret being compelled to add, from a moral conviction, that all his measures will prove abortive.

I have deemed it necessary to make this a confidential communication, fearful, that by giving it publicity, my personal safety could not be warranted. I am well aware that Her Majesty's servants ought to have the greatest freedom allowed them in their official communications, but such is the actual state of this Empire, and particularly this part of it, that the life of a British subject is continually in danger; and it is incumbent on me to be discreet in a place where almost every individual is interested in the Slave Trade, and I am the only one to oppose them.

Sixth Enclosure in No. 203.

Commander Willis to Mr. Hamilton.

*Her Majesty's sloop "Frolic,"
February 5, 1844.*

SIR,

I HAVE the honour to lay before your Excellency, in continuation of my letter of the 30th ultimo, a further statement regarding the case of the Portuguese

slave brig "*Caçador*," seized by the "Frolic's" pinnace in compliance with a request from the Brazilian authorities to that effect.

The enclosed copies of letters, marked J. K. L. M., will inform your Excellency of the satisfactory position we now occupy as regards that seizure; and not only the admission of the Brazilian authorities that the seizure was made at their request, but also the certainty of the brig's condemnation as a slaver.

It only remains for me to explain to your Excellency, that this desirable result has been in a great measure owing to the fortunate circumstance of my officers and men employed in the pinnace being repeatedly sent (unsolicited) to confront and give evidence against the several infamous and false witnesses who, I privately heard, were being examined by the Chief Judge; this I considered I had a perfect right to do, as the statement of one of my officers was the basis upon which the accusations were conducted by the Brazilian Court. The result, notwithstanding the open and shameless perjury committed by those interested in the brig and her cargo of slaves, was so overpowering against them, that the Chief Judge not only thought proper to address the letter marked M. to me, but also desired the British Vice-Consul at Santos "to assure me, that the evidence of my officers and men, and the suggestions I had afforded him, were so fully conclusive against the vessel, that I might be under no apprehension but that she would be condemned, and that he would take care she was so; that for the present the brig would remain in the hands of the authorities until his report should be forwarded through the President of the Province to the Supreme Government, when the brig would be sent to Rio de Janeiro."

The infamous Delegado of Police, Don Joao Octavio Nebias, who received the bribe of the five slaves, who has endeavoured so constantly to throw insult upon the British, and who studiously avoided bringing forward evidence against the ruffians who committed the assault on the 5th ultimo, has sent in his resignation as Delegate of Police, having been told by Don C. A. Bulhoes "that his conduct was a disgrace to his country, and that he was totally unworthy of the position he held."

Trusting that your Excellency may consider the various steps I have taken in this affair as beneficial to the public service,

I have, &c.

(Signed) W. A. WILLIS, *Commander*.

Hamilton Hamilton, Esq.
&c. &c.

Sub-Enclosure 1 in Sixth Enclosure in No. 203.

Senhor Mello to Commander Willis.

(Translation.)

MOST ILLUSTRIOUS SIR,

Palace of Government of Santo Paulo,
January 27, 1844.

I HAVE the honour to acknowledge the receipt of your Despatch of the 24th instant, in which you demand the delivery of the brig "*Caçador*," said to be Portuguese, for the purpose of being adjudicated by the competent Mixed Commission; and in reply I have to inform you, that the said brig having been captured on the requisition of the Brazilian authorities, and delivered by you to the same, as is seen by the Despatch you addressed to Don Carlos Antonio de Bulhoes Ribeiro, Chief of Police *ad interim*, and the said Chief of Police having already begun to take cognizance of the case, I cannot possibly accede to your demand, but I am going to lay an account of what has occurred before the Imperial Government, and await its decision. In the meantime the brig is detained, causing no kind of impediment to her final adjudication.

I avail, &c.

(Signed) M. FELIZARDO DE SOUZA E MELLO.

Commander Willis,
&c. &c.

Sub-Enclosure 2 in Sixth Enclosure in No. 203.

Mr. Whitaker to Commander Willis.

SIR,

Santos, January 31, 1844.

I HAVE the honour to inform you, that Mr. Bulhoes, Chief of Police, returned last night from St. Paulo, bringing with him instructions relative to the three prisoners and others suspected of having perpetrated the assault on the 5th instant, which, together with the suspected vessels, are to be sent, by order of the Executive Government, to the Conservatorial Court at Rio de Janeiro.

Mr. Bulhoes has also important instructions relative to the Portuguese brig "*Caçador*," which he intends to embargo immediately, notwithstanding the false official assurances transmitted by the Delegado, and other local authorities, to the President of the province in which they affirm to have made the most scrupulous examination on board the said brig, and to have found *her* and *her papers* to be perfectly legal, without the least appearance of having conveyed any other article or object but sand-ballast.

I am requested by Mr. Bulhoes to inform you, that Mr. Luckraft, another officer, and two men that were present when the "*Caçador*" was boarded, will be required in Court to-morrow at four o'clock, for the purpose of corroborating and testifying the statement transmitted to you by the aforesaid officer, and which will form the basis of the present proceedings.

I regret not being permitted to take a copy of the various communications fabricated and sent to his Excellency the President, relative to the conduct of the boarding officer and men on board the "*Caçador*," but be assured that the whole shall be placed in a proper light before the Executive Government. Mr. Bulhoes, in the process now instituted, demanded the papers found on board the "*Caçador*," which I personally took to him; and, after examining them carefully, he returned those which I now have the honour to transmit to you, as being of no avail in Court, but the others, of which I subjoin a specification, he retained, and promised to furnish me with certified copies, which I, in due time, will transmit to you.

I have, &c.

(Signed) WILLIAM WHITAKER,
British Vice-Consul.

Commander Willis,
&c. &c.

Papers left with Don Ribeiro, which he considers useful in Court, and of which he promised to furnish me with certified copies, namely,—

1. Official letter from the Custom House of Loanda to Benguela (blank).
2. Articles of the Portuguese brig "*Caçador*."
4. Passport of Jose Martins dos Santos.
6. Latitude and longitude daily from port of departure to the 17th instant.
10. A form of protest commenced on board the "*Caçador*," in which it is stated that the vessel was in distress, without provisions and water, but takes to Peréque bay and Bertioga entrance, instead of coming to the nearest port.

Without Nos.—Another form of protest.

A description of slaves, commenced but not finished.

Brazilian officer's report, at Bertioga entrance, of the vessel being a Portuguese vessel from Angola in ballast.

Sub-Enclosure 3 in Sixth Enclosure in No. 203.

Commander Willis to Don Ribeiro.

*Her Majesty's sloop "Frolic," Santos bay,
February 2, 1844.*

SIR,

BEING most desirous in every way in my power to forward your views in the promotion of justice regarding the case of the Portuguese slave brig "*Caçador*," I have the honour to enclose herewith, for your information and

consideration, the outline of some further important evidence which my officers have made known to me, and I have also again sent the officers and four men who attended on the 1st instant, to be at your disposal for further examination.

I do myself the honour to add, that if you consider it absolutely requisite, I will, notwithstanding any personal inconvenience I may suffer, remain until Monday night, to afford further time for additional testimony to be brought forward, otherwise I shall put to sea at daylight to-morrow. I beg to add, that it will afford me gratification to take any Despatches you may have to send to Rio de Janeiro.

I have, &c.

(Signed)

W. A. WILLIS, *Commander.*

Don Carlos Antonio de Bulhois Ribeiro,
&c.

&c.

Sub-Enclosure 4 in Sixth Enclosure in No. 203.

Additional Evidence of the Officers and Crew of the sloop "Frolic."

THE officer (supposed to be the Commander of a Brazilian man-of-war, lying at Santos), to whom the "*Caçador*" was delivered up by Mr. Luckraft, mate, as well as the interpreter, who accompanied him, Mr. Luckraft, over the brig "*Caçador*," most fully concurred with Mr. Luckraft that there was abundantly sufficient evidence most amply to prove that she had very recently landed slaves.

Of course the evidence of those gentlemen was translated into English by the interpreter to Mr. Luckraft. The Brazilian officer, as well as the interpreter could be recognised, if required, both by Mr. Luckraft and Mr. Stratton; the latter gentleman can also recognise the Custom House officer who formed one of the party that examined the brig "*Caçador*" in company with Mr. Luckraft, previous to the brig being delivered up to the Brazilian authorities. William Waldron and William Kirk, part of the "*Frolic's*" boat's crew that seized the "*Caçador*," will be able to identify the man that was found on board, and who acknowledged the brig to be the "*Caçador*," and that she had recently landed slaves at Peréque bay. Several of the boat's crew heard the conversation that passed between Mr. Luckraft and Mr. Fleucheur (the resident at Peréque bay), that *he*, Mr. Fleucheur, acknowledged her to be the brig "*Caçador*" that had recently landed slaves.

Mr. Luckraft, as well as several of the boat's crew, will be able to recognise one of the crew of the "*Caçador*," who jumped overboard from that vessel. This man held on by a rope astern, and, as soon as possible, went on shore in a canoe; he likewise acknowledged her to be the "*Caçador*" that had recently landed slaves in Peréque bay. William Waldron and William Kirk, seamen, as well as the officers who were examined yesterday, can likewise testify to the articles found on board the Portuguese brig "*Caçador*,"—that proved her to be a slaver. "*Caçador*" is stated by the Master and crew to have put into Bertioaga on account of being in distress and leaky. In distress she could not be, because it is clear that she is remarkably well found in masts, yards, sails, and rigging, and has a variety of provisions on board. Leaky she is not, because she has made no water during the whole time she has been in Santos harbour.

But should they persist in stating the "*Caçador*" to have been leaky, how is it possible she could have brought sand-ballast from the coast of Africa? as every seaman knows perfectly well that a *leaky* vessel with *sand*-ballast will pump out her sand with the water before it has been a week on board.

Sub-Enclosure 5 in Sixth Enclosure in No. 203.

(Translation.)

Don Ribeiro to Commander Willis.

MOST ILLUSTRIOUS SIR,

Santos, February 3, 1844.

I RECEIVED your letter of this morning, accompanying the information you were enabled to obtain regarding the brig "*Caçador*."

The process which I have instituted in this case is in a state of great forward-

ness. I examined only three of the witnesses you sent me, who were quite sufficient. I am not in want of the others, and have no need whatever of your vessel, therefore you may sail to-morrow if you think proper. I do not avail myself of your offer to carry my Despatches, because my communications are addressed to the President of this province, and not to the General Government at Rio de Janeiro.

It only remains for me to thank you for the information you have given me, as well as for your assistance regarding the process of the brig "*Caçador*;" and should you require my assistance for any public service, I shall be ready at any time.

Wishing you a complete and early re-establishment of your health, as well as a quick passage,

I remain, &c.

(Signed)

CARLOS A. RIBEIRO,

Chief of Police, *ad interim*.

Commander Willis,
&c. &c.

Seventh Enclosure in No. 203.

Mr. Hamilton to Senhor França.

Rio de Janeiro, February 8, 1844.

WITH reference to the note which the Undersigned, &c. &c. addressed to the Ministry of Foreign Affairs on the 30th ultimo, under No. 6, relating to the capture of the Portuguese slave brig "*Caçador*," he has the honour to communicate herewith for the information of Senhor França, &c. &c. now presiding over that Department, copy of a letter just received from Commander Willis, commanding Her Majesty's sloop "*Frolic*," covering various documents explanatory of that proceeding.

It is the duty of the Undersigned to invite his Excellency's particular attention to the statements contained in this correspondence touching the character and conduct of Senhor Joao Octavio Nebias, Sub-Delegate of Police, and Chief Authority at Santos; and he would fain hope and believe, that such flagrant delinquency as this public officer appears to be guilty of, will receive from the justice of the Imperial Government the notice and chastisement it so richly deserves.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c. &c.

Eighth Enclosure in No. 203.

Senhor França to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, February 19, 1844.

THE Undersigned, &c. &c., has the honour to acknowledge the receipt of the notes, Nos. 6 and 8, and the documents accompanying them, which, under date of the 30th January last, and the 8th of the present month, Mr. Hamilton, &c. &c., addressed to him relating to the capture of the Portuguese brig "*Caçador*," in the river Bertioga, by a boat from Her Majesty's brig "*Frolic*," by order of the Commander of Her Majesty's corvette "*Curaçoa*," and at the request of the Chief of Police *ad interim* at Santos.

The Undersigned having examined this correspondence, and the Despatch and documents addressed to him on this subject by the President of the Province of St. Paul's, has to acquaint Mr. Hamilton, in reply to his two above-mentioned notes, that in virtue of Article II. of the Instructions given to the Brazilian and English cruizers, annexed to the Additional Convention to the Treaty of the 22nd of June (January), 1815, upon the traffic in slaves, the

necessary orders have just been sent to the President referred to for the brig "Caçador" to be adjudicated by the ordinary courts of justice of the country, and also that he take proper measures for the capture of the Africans imported by the "Caçador," and that the persons concerned in this affair and considered criminal, be proceeded against according to law.

The Undersigned avails, &c.

(Signed) ERNESTO FERREIRA FRANÇA.

Hamilton Hamilton, Esq.
&c. &c.

Ninth Enclosure in No. 203.

Mr. Hamilton to Senhor França.

Rio de Janeiro, February 20, 1844.

THE Undersigned, &c. &c., has the honour to acknowledge receipt of the note which Senhor França, &c. &c., addressed to him yesterday, respecting the "Caçador" slaver.

By this communication his Excellency announces, that the requisite instructions have been issued by the Brazilian Government for bringing the "Caçador" for trial before the ordinary tribunals of the country; and that adequate measures are also being taken for the apprehension of the Africans disembarked from her, and, at the same time, for proceeding against the individuals who have been guilty of this contraband act.

The Undersigned derives great satisfaction from this announcement, but there is much, in a moral point of view, dependent on the issue of the process, and the Undersigned desires most cordially it may prove such as shall vindicate alike the law and the authorities of Brazil.

The Undersigned takes advantage of the present opportunity for laying before his Excellency another communication, with documents annexed, connected with the detention of the "Caçador," which he has received from the officer commanding the "Frolic," and which will be found, he thinks, to throw additional light on points which appear still somewhat obscure.

The Undersigned avails, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c. &c.

No. 204.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 27, 1844.

(Received April 14.)

MY LORD,

IN obedience to the instructions conveyed by your Despatch, Slave Trade, of the 5th July of last year, that I should remonstrate with the Brazilian Government on the defective manner in which Brazil has carried out her engagements with Great Britain for the suppression of the Slave Trade, I sent in to the Ministry, on the 1st September last, the note which I have the honour to forward in copy; and, on the 11th of last month, I received from Senhor Paulino, after his attention had been called repeatedly to the subject, the communication by which it is accompanied.

The paper is altogether unsatisfactory. It professes to be an answer to the charges brought against the Government; but, meeting few of them openly, and evading others altogether, it seeks to rebut by recrimination; the acts of injury and oppression imputed by it to British cruisers, being often inaccurate, either as to particulars or to inference. It is only the Conventional engagements between the two countries that his Excellency attempts to discuss in any great detail; and here, likewise, a most glaring inaccuracy occurs.

Alluding to Senhor Lopes Gama's Counter-Project, communicated to Mr.

Ouseley by Senhor Aureliano, August 26th, 1841, Senhor Paulino states as follows:—"This Counter-Project was not even discussed with the Imperial Government, or with its Plenipotentiary. Instead of a regular discussion of its contents, the Undersigned received a menacing note from Mr. Hamilton." It would appear from this averment that Her Majesty's Government are considered by the Brazilian Government as wholly responsible for the failure which awaited the Counter-Project of Senhor Lopes Gama; when it is notorious, that the draft of the Counter-Project, *as modified* by Her Majesty's Government, was returned by me to Senhor Aureliano, April 11th, 1842, and that, after a protracted delay—that is, on October 17th, of the same year,—the document was sent back to me by his Excellency, the Brazilian Government rejecting it, without reservation of any kind, as well for the special motives set forth by his Excellency at some length, as, also, because that Government was of opinion no other provisions were required to effect an entire extinction of the contra-band traffic than what were actually in operation.

Commenting on that paragraph of my note of September 1st, 1843, which intimated that Her Majesty's Government might have recourse to other and more stringent measures for the suppression of the traffic, Senhor Paulino observes, that he is at a loss to conceive any which could go further than those applied up to the present time.

And subsequently, after adverting to a passage of the letter addressed by your Lordship to the Admiralty, May 20th, 1842, his Excellency declares, that the Imperial Government is not disposed to acquiesce in, or to sanction, any measure imposed by force, and without its full and free concurrence, and which is against the clear and express stipulations of the Treaties; that it will not hesitate to enter into negotiations, but claims respect for the rights of Brazil as an independent nation; that it is willing to discuss whatever question may concern its own interests; but that its adherence to the provisions of new Conventions must be a voluntary, not a compulsory act; and that if the threats held out by Great Britain should be realized, the Imperial Government will surrender only to force; and will protest, in the face of the whole world, against the violation of its rights, and the outrages of which it may be the object.

On the general tenor of this note it will be for your Lordship's judgment to decide; but it has appeared to me expedient not to permit the accusations brought so directly against Her Majesty's naval service in Brazilian waters to remain on record, erroneous as, for the most part, they really are, without some early attempt at correction; and, as little, the mis-statement made regarding the negotiations, to pass without note or stricture; and it was under this feeling that I sent to the Minister of Foreign Affairs, a few days ago, the reply, of which copy is enclosed.

I likewise forward to your Lordship herewith, in order to facilitate reference, a memorandum of the several Despatches which have passed, bearing on the questions brought under review by the Minister of Foreign Affairs.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 204.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, September 1, 1843.

HER BRITANNIC Majesty's Government have had under consideration the several representations which have reached them from Brazil respecting the conduct of the constituted authorities of the Empire, 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

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to their demands for a fulfilment of these obligations, to a jealousy 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 duties 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 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," in May 1841, 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, a few days after, 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; and, again, for the imprisonment, in the month of April 1842, of the crew of a boat belonging to Her Majesty's ship "Rosa," under circumstances analogous, in many respects, to the former.

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 in June 1842 on a boat of Her Majesty's sloop "Fantome," which was fired upon while at anchor near Isla Grande, and had a man wounded; 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 brig "Curlew," last November; and the most flagrant affair of the "*Leopoldina*" slaver, at Macahé, in the same month, when the Brazilian authorities there 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,—preferring to see those laws and engagements openly violated, than to accept the co-operation which was proffered by the Commander of Her Majesty's brig, in the 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 given by the local authorities, as transmitted in Senhor Aureliano's note of the 6th December last, as well as to the complaint which that Minister professed to found upon it, Her Majesty's Government think it unnecessary to allude, otherwise than as one among many cases in which they 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 to treat it, as piracy.

But 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 Government.

Towards the end of April last there were landed publicly, near Pernambuco, almost within sight indeed of the city, from the "*Temerario*," a vessel belonging to that port, 816 out of 913 unfortunate beings who had originally been pressed into her, 400 of the number being actually marched into Pernambuco. And then, but not till 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—to send 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.

Through the streets of this capital, parties of bozal negroes are conducted openly at mid-day, and depôts of them are established therein, where they are offered for public sale. At no period has the Brazilian Slave Trade been so

extensively carried on as throughout the current year, as it is at the present moment, even in Rio de Janeiro itself.

In a note from Her Majesty's Legation to the Brazilian Government, No. 23 A., and dated April 7th, an account is given of the arrival of no less than 39 slave vessels between November 1842 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 on 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 as are here exposed cannot be passed over by Her Majesty's Government without notice, or 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 the years 1840 and 1841, the Administration did for a time show an intention to fulfil the obligations of the Treaty, the importations immediately and steadily decreased; while now, that a contrary disposition has unfortunately been evinced, the unavoidable absence of the British cruisers from the Brazilian coast has been followed by an increased activity in the trade, and one so immediate and 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 Brazilian 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 Crowns, 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 to suppress only 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 made by this Legation, under the instructions of Her Majesty's Government, to Senhor Aureliano in the month of April last year; 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 distinctly to declare 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 Her Majesty's Government from the Government of Brazil; and if the Brazilian Government still decline to enter with Great Britain into formal arrangements calculated to give full effect to the declared intentions of the parties to that Convention 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 on Her Majesty by the 1st Article of the said Convention of the 23rd of November, between Great Britain and Brazil.

It is under instructions from the Queen's Government that the Undersigned, &c. &c. has the honour to lay the foregoing observations before Senhor Paulino, &c. &c.; and inviting the Imperial Government to give them the serious consideration which their importance calls for,

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Paulino de Souza,
&c.

&c.

Second Enclosure in No. 204.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.**Palace of Rio de Janeiro, January 11, 1844.*

THE Undersigned, &c. &c., received the note, No. 58, which, under date of the 1st of September last, Mr. Hamilton, &c. &c., addressed to him. The purport of that note is to declare to the Imperial Government, that that of Her Britannic Majesty does not intend that the obligations imposed by the Convention of 1826 shall remain unfulfilled for want of the co-operation so often and in vain (says Mr. Hamilton) claimed by the British Government; and that, if Brazil refuse to enter into a formal arrangement with Great Britain in order to carry into effect the desire manifested by the parties in that Convention for the total and final abolition of the traffic in slaves, Her Majesty will by herself, and with Her own resources, take such measures as she may deem suitable to attain completely the object of the obligations imposed on Her by the 1st Article of the above-mentioned Convention between Great Britain and Brazil.

The Undersigned is under the absolute necessity of making a cursory examination of the basis upon which so extraordinary a declaration rests. In order to justify it, Mr. Hamilton commences by enumerating the presumed injuries which the officers and seamen of Her Britannic Majesty's cruizers have received from the Brazilian authorities, and thus reproduces in detail the occurrences with the boats of the ships of Her Britannic Majesty, "Clio," "Rose," "Fantome," "Curlew," and the case of the ship "*Leopoldina*" at Macahé. Each of these subjects has undergone an extensive discussion, and with regard to some it has been closed. The Undersigned might refer to those discussions as they stand, but there is one observation which cannot be passed *sub silentio*.

These disagreeable occurrences, which no one deplures more than the Imperial Government, took place contemporaneously with violations of the Treaty subsisting between the Empire and Great Britain. Article II. of the Instructions of the 23th of July, 1817, forming an integral part of the Convention of that date, stipulates as follows:—"No merchantman or slave ship can, *on any account or pretence whatever*, be visited or detained whilst in the port or roadstead belonging to either of the two high contracting powers, or within cannon-shot of the batteries on shore; but in case suspicious vessels should be found so circumstanced, *proper representations may be addressed to the authorities of the country, requesting them to take effectual measures for preventing such abuses.*" This Article is the indispensable guarantee of the independence of the territory of the Empire; without it the latter would not exist; and as often as it be violated, that independence will be also violated. The clear and evident meaning of this Article certainly is, that the police and the repression of the traffic in the interior, on the coasts, and in the territorial seas of Brazil, belong to its authorities; the interference of the British cruizers ceases at the point within cannon shot of the batteries on shore. These stipulations of the Treaty have been constantly violated; the English cruizers continually detach armed boats, which assume the police of the territorial seas, land armed on the shores, visit and endeavour to detain vessels, even under the batteries of the forts, and to ascertain whether there be Africans in the houses and the establishments on the coast. These proceedings must necessarily excite the national susceptibilty, and rouse the feelings even of those who are not interested in the traffic; hence highly disagreeable collisions must result; and yet, in the opinion of Mr. Hamilton, the Imperial Government and the Brazilian authorities have the blame of these conflicts. The Treaty and the independence of the territory of the Empire are violated; and because those authorities dare to resist such proceedings, the Imperial Government ought to give satisfaction.

Mr. Hamilton, in his note, threatens new measures; but the Undersigned, speaking with sincerity, cannot conceive others which would extend further than those practised up to this time.

If the Imperial Government did not wish indeed to avoid whatever might embitter the discussions which are now before the British Government, cherishing moreover the sincere desire to do everything on its part in order to preserve relations of amity between the two countries, the Undersigned would enter upon a circumstantial analysis of many injuries received from the British cruizers, and for which no real satisfaction has been given to the Imperial

Government. The Undersigned limits himself to referring to those which occur to him while writing these lines. The following recur to his memory.

The shot fired from the brig "*Ganges*," which killed the unhappy Joao Soares de Bulhoes, on his return from the island of Paqueta, on board of the Brazilian steamer "*Especuladora*," on the 21st of April, 1839.

The shot fired from on board of the corvette "*Orestes*," at the Brazilian steamer "*Paquete do Sul*," within this port.

The shot fired by the frigate "*Stag*," at a slave belonging to Boaventura Jose da Veiga, passing in a boat within this port.

The imprisonment of Jose Lazare de Oliveira, a Brazilian citizen in an English prison-ship, within a port of the Empire.

The occurrence in the waters of this province between the national patacho of war, "*Patagonia*," and an English ketch, the "*Sparrow*."

The visit practised by an English steamer under the batteries of the fort of Santa Cruz in this port, upon a Brazilian canoe and smack, obliging a national brig to go about.

The insult to the Brazilian brig-of-war "*Tres de Maio*," which had the national flag flying, by an English launch, which fired two shots at her, and the use of insulting language.

The breaking open by the officer Christie of the Imperial seal affixed to a Despatch addressed by one Brazilian authority to another, in order to see what it contained.

The attempt made by a boat of the "*Partridge*" to detain the brig "*Leopoldina*," within the port of Macahé, and under the batteries of the fort, being a place of registry.

The attempt made by a launch and armed boats of the "*Curlew*" to seize the ship "*Amizade Constante*," within the river Bertioga.

Finally, the Undersigned will add another fact, which has just occurred, and is about to be discussed, namely, the landing of the armed crew of an English cruizer on the shore of the Armaçao dos Buzios, about four and a half leagues from Cape Frio. That crew landed armed, and prevented any Brazilian from approaching the place, and took possession of a brig under Portuguese colours, having Africans on board, and carried away. Such was the rapidity with which this was effected, that in fact there was no resistance.

On some of these occasions Africans have been seized, but this single advantage cannot justify the clear and manifest violation of the Treaties; nor can the Imperial Government believe that that of Her Britannic Majesty adopt the principle that the end justifies the means, and that it is of little importance to violate the most holy and the most solemn obligations if 400 or 500 more Africans be captured.

If the British cruizers respected the independence of the territory of the Empire, and the Treaties which guarantee it, and if from such observance there should result a greater importation of Africans, Mr. Hamilton would have reason to address to the Undersigned the note to which the latter has the honour of replying, as well as to claim the adoption of new stipulations which might put a stop to that importation. But this has not happened, inasmuch as the British cruizers take into their own hands the powers which they think suitable, and use them *de facto* and by force. Hence arise collisions, for which the Imperial Government is always blamed, and for which it is always threatened.

It is not therefore the Imperial Government which has a settled purpose of disregarding or eluding the solemn obligations of the Treaty. In the midst of the difficulties which must necessarily attend the extinction of the traffic, in a country the population of which has been accustomed for ages scarcely to possess any other riches except those drawn from the earth by the labour of slaves, it laments that the imprudent and violent proceeding of the British cruizers accumulates new embarrassments, and excites sympathy for the traffickers by the feeling of offended national self-love.

The Undersigned does not deem it advisable to accept the comparative discussion which Mr. Hamilton proposes to originate, in regard to the different Administrations of the Empire, as relating to the question of the traffic. That discussion, besides being very personal, would be both misplaced and highly disagreeable. He, however, will observe, that hitherto no Brazilian Administration have refused to adopt, by agreement with Great Britain, measures for rendering the suppression of the traffic more effective. And if no measure has

been agreed upon up to the present time, it arises from the nature of the propositions made on behalf of Great Britain. The Undersigned will also observe, that one of the former Administrations to which Mr. Hamilton refers also declined to admit the additional Articles as they are drawn up, as also the Convention proposed by Mr. Ouseley on the basis of the memorandum of Senhor Candido Baptista, and which was declared to Mr. Ouseley, in notes dated the 20th and 26th of August, 1841.

Mr. Hamilton cites, in the first place, the Convention proposed by order of Viscount Palmerston, in the month of August 1840. The discussion of that Convention was interrupted by the proposition made by Senhor Candido Baptista de Oliveira, then Minister for Foreign Affairs, as is seen by the Despatch from Mr. Ouseley to Viscount Palmerston, of the 9th of August, 1839, and which is at page 339, of the Correspondence with Foreign Powers relating to Slave Trade. Class B. 1840.

Further, Mr. Hamilton certainly cannot fail to admit, that the principal stipulations of that project of a Convention are in course of execution, without the acquiescence of Brazil having been deemed necessary.

The 1st Article provides, that the Mixed Commission, established according to the stipulations of the Convention of 23rd November, 1826, be abolished. Now the Commission established in this city is becoming so *de facto*, because many vessels, the cognizance of whose detention belonged to it, according to the Treaty, and to the demands of the British Legation itself, have been and are taken before British Courts of Admiralty or Vice-Admiralty. This subject, however, will be the theme of a claim which the Undersigned will have the honour to lay before Mr. Hamilton.

Another Article of the same Convention provides, that the Africans taken on board of captured vessels shall be under the charge of the English Government, and sent to some British colony or establishment. The reason given, in the preamble of this Convention of 1840, rests upon the inconvenience to Brazil arising from the introduction of free blacks into its territory. That stipulation was indispensable for abrogating the provision (in vigour) of the 7th Article of the Regulation for the Mixed Commissions of the 28th of July, 1817, forming a part of the Convention of the same date, and which determines that those Africans shall be consigned to the Government of the country in which the Commission issuing the sentence resides, to be employed as servants or free labourers.

Now, Mr. Hamilton is well aware, having several times declared most solemnly to the Undersigned, that all the Africans captured by the British cruizers are at the present time sent to the British colonies, on the ground that they are (now) very ill-treated in Brazil. Thus the proposal of Viscount Palmerston is also in course of execution, in manifest violation of the 7th Article of the Regulation above cited, forming part of a Treaty.

In the second place, Mr. Hamilton cites the additional Articles to the Convention of 1826, signed in this city on the 27th July, 1835, by Messrs. Alves Branco and Fox. These Articles remained for ratification, which, at that period, depended upon the approval of the General Legislative Assembly, in virtue of the 20th Article of the Law of the Regency of 14th June, 1831. That Convention was one of those which could have neither force nor execution without being ratified; notwithstanding which, its principal provisions have been carried out on the part of Great Britain. The opinions and decisions of the British Judges of the Mixed Commission, and the captures made by the English cruizers, are more than sufficient to attest this.

That Convention was not ratified, doubtlessly, for the same reasons as those which would actuate the Imperial Government in not ratifying it now; and the Undersigned will repeat them, with the greatest frankness and sincerity.

By the Convention celebrated between Portugal and Great Britain on the 15th of March, 1823, it was declared in the 1st Article, "That if there shall be *clear and undeniable proof* that a slave or slaves of either sex has or have been put on board a vessel for the purpose of illegal traffic, in the particular voyage on which the vessel be captured, then, *and on that account*, according to *the true intent and meaning* of the stipulations of the above-mentioned Convention, such vessel shall be detained by the cruizers, and finally condemned by the Commissioners."

In that Convention Great Britain recognised and declared the true spirit

and intention of the stipulations of the Convention of the 28th July, 1817, a spirit and intention which certainly was not followed and maintained in the additional Articles of the 27th July, 1835, inasmuch as these additional Articles, after entering into a long and minute enumeration of the things and circumstances which ordinarily classify those vessels which are employed in the traffic, state further, "If any of these circumstances be proved they shall be considered as *primâ facie* proofs of the employment of the vessel in the traffic of slaves, and therefore the vessel shall be condemned and declared to be a good prize, provided that satisfactory proofs, on the part of the Master or owners, be not given that the vessel, at the time of her detention or capture, was engaged in some lawful speculation."

Thus, at the same time that, in the additional Articles signed with Portugal, the necessity for a clear and undeniable proof of the vessels having landed slaves was agreed upon, it was deemed sufficient for Brazil should there be a suspicion or *primâ facie* proof that the vessels were intended for the traffic in Africans; one only of the circumstances enumerated in the additional Articles being all that was required to ensure condemnation! This would always be the case, when these vessels could not give satisfactory proofs that they were employed in lawful commerce; but these satisfactory proofs were not defined, and were left entirely to the arbitration of some tribunal, which, the Mixed Commissions being abolished, would not be Brazilian, but solely British. Brazil would thus place its limited and almost extinct merchant navy in the hands, the Undersigned will not say of the British Government, but of some tribunals whose members, to prove their zeal, might go beyond their instructions, and not have the impartiality which is indispensable. The proceeding of the present Commissary Judge in the Brazilian and English Mixed Commission established in this city is an exuberant proof of this; and the Undersigned will prove it with facts if Mr. Hamilton insists upon it.

The weighty considerations which counselled the non-ratification of those Articles in the terms in which they were conceived, gained greater force, considering the interpretation given by a British Commissary Judge, Sir George Jackson, of the Brazilian and British Mixed Commission established in this city, to the Convention of the 23rd of November, 1826; an interpretation upon which he based his sentences in that tribunal, and which it does not appear, at least to the Imperial Government, was reproved by that of Great Britain, to whom it was submitted, as is seen by the Despatches addressed to Lord Palmerston on the 22nd of June and the 23rd of September, 1839, and the documents which accompanied them, and which are printed in the correspondence with British Commissioners relating to the Slave Trade, Class A., 1839, 1840, pages 235 and 259.

According to this interpretation, the doctrine of the additional Articles in question is in the Convention of the 23rd of November, and is of no other use than to give "greater clearness to engagements already existing, and to obviate the possibility of any such doubts," &c.

Such are the principles which have dictated the sentences of the British Judges of the Mixed Commission.

This interpretation, which, by the very extensive and entirely arbitrary latitude it gives to the words made use of in the 3rd Article of the Convention of the 23rd of November, 1826, *mutatis mutandis*, would put an end to all the restrictive clauses in the former Treaties, that is, to all the guarantees conceded by them to Brazilian subjects and ships, was not announced to the Imperial Government, was not discussed by it, was not accepted by it; and yet it has been imposed and executed, with manifest violation of the principles of the right of nations, because neither of the contracting parties has a right by itself alone, and independently of the other, to interpret a Treaty according to its own wishes. And this rule is still much more applicable when an interpretation which goes to such an extraordinary length as that which the Undersigned has just mentioned is treated off.

Notwithstanding all these motives, none of the Administrations of the Empire declined to treat with the British Government upon the means for rendering the Treaty for the abolition of the Slave Trade more effective, on condition, however, of not annoying the licit commerce, and the non-delivery of Brazilian subjects to foreign tribunals, and that proper guarantees be given for the property of Brazilian subjects. This has been declared to the British Legation

in various notes; for instance, in that which was addressed to Mr. Ouseley on the 8th of February, 1841.

In order to enter into negotiations upon this subject, and to define clearly the stipulations of the Convention of the 23rd of November, 1826, a Brazilian Plenipotentiary, the Senator Senhor Caetano Maria Lopes Gama, was appointed, as agreed upon between Senhor Aureliano de Souza e Oliveira Coutinho, then Minister, and Mr. Ouseley, as is seen by a note from the latter, dated the 4th of March, 1841.

The conferences between the two commenced on the 20th of August, 1841, notwithstanding that Mr. Ouseley did not present full powers to treat; and, after having insisted that his Project should be adopted, he required that the Brazilian Plenipotentiary should present a Counter-Project. This Counter-Project was transmitted to Mr. Ouseley by Senhor Aureliano de Souza e Oliveira Coutinho, with the note of the 26th of August, 1841.

That Counter-Project embraced and included the following:—1st. The additional articles signed by Messrs. Alves Branco and Fox, on the 27th of July, 1835. 2nd. The proposal presented by Mr. Ouseley, which accompanied his note of the 23rd of August, 1840. 3rd. The addition proposed by him, to the end that the vessels condemned for being engaged in the traffic should be broken up and sold in separate parts.

The differences which were most remarkable between this said Counter-Project and the Articles, proposal, and addition referred to, are only the following.

By the additional Articles, it is sufficient, as a *prima facie* proof of the vessel being engaged in the traffic in slaves, and for her condemnation, that the existence of one of the circumstances enumerated in the same Articles (and also the Counter-Project) be verified; as, for example, finding irons, chains, handcuffs (may be half-a-dozen), or two boilers of an ordinary size.

By the Counter-Project, the existence of one of these circumstances is not sufficient; it is necessary that all, or a great number of those enumerated, as well in it as in the additional Articles, should be found.

And, in truth, no vessel is prepared to go to the coast of Africa to fetch 200, 300, or 400 Africans with only a dozen irons and two boilers of an ordinary size.

The Counter-Project provides, in Article 10, "That no vessel shall be detained, notwithstanding that a large quantity of boards, or of any other pieces of wood, empty cases, or cases filled with articles for commerce, as also the goods and merchandize mentioned under Nos. 9 and 10 of the Article (rice, farinha, cotton goods, &c.), be found on board, when such vessel is bound from one port in Brazil to another in the same territory, or to any other port, not being the coast of Africa where the Slave Trade can be carried on."

By the additional Articles, this vessel would be detained and condemned, the coast navigation of the Empire being delivered to the good or bad will of the British cruisers.

By the establishment of Mixed Commissions, Brazilian subjects and property are adjudicated by British conjointly with Brazilian Judges. Mr. Ouseley's proposal does not want this; it requires that Brazilian interests be adjudicated by British tribunals, established out of the Empire.

The Counter-Project, however, retains the Mixed Commissions, and to facilitate and hasten the sentences creates two more, one at Demerara, and another at the Cape of Good Hope.

These are the most notable differences between the additional Articles, the proposal and addition of Mr. Ouseley, and the Counter-Project.

This Counter-Project was not even discussed with the Imperial Government or with its Plenipotentiary.

Instead of a regular discussion of its contents, the Undersigned received a menacing note from Mr. Hamilton.

It is not, however, on account of any of the motives which Mr. Hamilton points out in this note that the Imperial Government has declined to adopt the different proposals made to it by that of Great Britain. The Imperial Government is not disposed to give its sanction and acquiescence to that which has been done without it, by force, and against the clear and express dispositions of the Treaties. It does not hesitate to treat upon the subject in question, but it claims that the rights of Brazil, as an independent nation, be respected;

it desires to discuss that which may be for its advantage, and that the conditions of new Conventions be accepted by, and not imposed upon it.

The Undersigned will remind Mr. Hamilton of the words of Lord Aberdeen in his letter to the Lords Commissioners of the Admiralty, dated Foreign Office, 20th of May, 1842. Reproving the proceedings of some of the British cruizers, he said, this proceeding "cannot be considered as sanctioned by the law of nations or by the provisions of any existing Treaties; and that however desirable it may be to put an end to the Slave Trade, a good, however eminent, should not be attained otherwise than by lawful means."

If this solemn declaration, so pregnant with justice, and so characteristic of an enlightened and powerful nation, does not apply to Brazil, and if the threats of Mr. Hamilton should be realized, the Imperial Government will only surrender to force, and will protest before the world at large against the violation of its rights, and the outrages practised upon it.

The Undersigned does not disown that the traffic has been carried on with greater or less activity according to the alternate gains which offer at different epochs, but it certainly has not come to the point stated by Mr. Hamilton of bozal negroes being conducted through the streets of this capital in open day, and of their being depôts where they are exposed for public sale. The Imperial Government is not aware of these facts; and it would have been better if the person who gave Mr. Hamilton such information, had also communicated it to the Imperial Government, which has at its disposal the means necessary for investigating, and suppressing them if true, and to detect such information when false.

The Undersigned doubts whether the number of Africans illegally imported amount to what Mr. Hamilton states it to be; and a proof of this exaggeration is the extraordinary high, and still increasing, price for slaves in this province.

Regarding the facts mentioned by Mr. Hamilton relating to the province of Pernambuco, the Undersigned has requested information thereon from the President of that province, in order to take suitable measures; and he avails himself, &c. &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Third Enclosure in No. 204.

Mr. Hamilton to Senhor França.

Rio de Janeiro, February 22, 1844.

THE Undersigned, &c. &c. has received, and will transmit to his Government, the answer returned on the 11th ultimo by Senhor Paulino, then Minister of Foreign Relations, to the representations which, acting on the instructions of his Government, the Undersigned had the honour to address to the Government of His Imperial Majesty, September 1st, 1843, on the manifold instances in which that Government had departed from the letter and spirit of the Slave Trade Conventions between the two countries,

On the general tenor of this communication it will be for the Queen's Government to pronounce; but the Undersigned considers it his duty not to delay addressing to Senhor França, &c. &c. the few cursory observations on the many charges adduced therein by Senhor Paulino, in his endeavour to establish similar delinquency on the part of Great Britain; but, more especially, to correct a statement respecting some late negotiations between Her Majesty's Legation and the Brazilian Government, which appears greatly at variance with what did really occur.

His Excellency enumerates the following as some among the many injuries received from British ships of war, and for which no real satisfaction has been given to the Imperial Government.

1. "The shot fired from the brig '*Ganges*,' which killed the unhappy Joao Soares de Bulhoes, on his return from the island of Paqueta, on board of the Brazilian steamer '*Especuladora*,' on the 21st April, 1839." This unfortunate event was occasioned by the Master of the steamer attempting, on his return from a pleasure excursion up the bay, to run on board the "*Ganges*," a vessel then recently captured on her way from the coast with a cargo of negroes, and who were not yet removed from her, the Master having previously announced in

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the most public manner his intention to do so. The sentry, however, by firing had entirely misconstrued the instructions which had been given to him.

2. "The shot fired from on board of the corvette 'Orestes,' at the Brazilian steamer '*Paquete do Sul*,' within this port." This shot, it was said, was fired at sunset, April 27, 1839; but after an accurate investigation made by the Commodore commanding Her Majesty's ships, it was pronounced and reported to the Brazilian Government, that no foundation whatever existed for the said accusation.

3. "The shot fired by the frigate 'Stag' at a slave belonging to Boaventura Jose da Veiga, passing in a boat within this port." This individual was wounded, not by a shot from the "Stag," but by one from a captured slave vessel, which he was attempting to board one night in July, 1840, in the hope of abstracting negroes. He was immediately removed into the "Stag," however, and remained there till a cure was completely effected.

4. "The imprisonment of Jose Lazaõ de Oliveira, a Brazilian citizen, in an English prison-ship within a port of the Empire." This individual was found on board the "*Dois de Fevereiro*," slave vessel, captured in 1841 by the British brigantine "Fawn."

5. "The occurrences between the national patacho of war '*Patagonia*' and an English ketch in the waters of this province." This collision between Her Majesty's ketch "Sparrow" and the patacho in question, in June, 1842, occurred from the "*Patagonia's*" omitting the customary form employed by ships of war to denote their quality, namely, keeping her colours flying.

6. "The visit practised by an English steamer under the batteries of the fort of Santa Cruz in this port, upon a Brazilian canoe and smack, obliging a national brig to go about." Her Majesty's steam-frigate "Ardent" did certainly, on May 3rd, 1842, visit a Brazilian vessel which she suspected of being engaged in Slave Trade, and was borne out in her suspicion; but as certainly the visit was not made till the vessel was without the stipulated distance from batteries. She did not visit, however, as is alleged, either a sumaca or canoe.

7. "The insult to the Brazilian brig-of-war '*Tres de Maio*,' which had the national flag flying, by an English launch, which fired two shots at her; and the use of insulting language." This affair occurred in June, 1842; and the launch belonged to Her Majesty's ship "Alfred." The officer in command of the launch had been reprimanded, and satisfaction been offered in the most ready manner to the Government, before any complaint on the subject was received from that Government; and when complaint did arrive, a more decided act of reparation was immediately offered; but the Commander of the "*Tres de Maio*" declined it, declaring himself satisfied; and the Government adhered.

8. "The breaking open by the officer Christie of the Imperial Seal affixed to a Despatch addressed by one Brazilian authority to another, in order to see what it contained." The Despatch, so called, opened in November, 1841, by the officer of Her Majesty's ship "Rose," deputed by Captain Christie to visit the Brazilian brig "*Bom Fim*," was nothing but the ship's manifest, a document which, as its name imports, and the usage of the sea service requires, ought to be kept open for inspection. Moreover, the sealed packet in question was known to cover the manifest of the "*Bom Fim*," and was presented by the Master of the vessel to the visiting officer as doing so.

9. "The attempt made by a boat of the 'Partridge' to detain the brig '*Leopoldina*,' within the Port of Macahé, and under the batteries of the fort, being a place of registry." The object of the officer in command of the "Partridge's" boats, which drove on shore at Macahé the slave brig "*Leopoldina*," was not to detain that vessel himself, but to induce the local authorities to seize her, and to apprehend both the cargo of Africans and the crew. The requisition was attended to, in so far as to take temporary possession of the vessel, but in no other respect; while the officer, though carrying out his instructions in the most temperate and pacific manner, was threatened and grossly insulted.

10. "The attempt made by a launch and armed boats of the 'Curlew' to seize the ship '*Amizade Constante*' within the Bertioga river." No such attempt was made by the "Curlew's" boats. The instructions issued by Lieutenant Foote, in November, 1842, to the two boats he sent in search of a slaver which had recently landed a cargo of negroes in that quarter, imported that they should descend the Bertioga river; that if the vessel should be found out of gun-shot of the batteries, she should be detained; but not be detained

in the contrary case. Such a vessel was discovered in the river ; and, in consequence, no detention took place. While, on the other hand, the boats, when proceeding to join the "Curlew," were prevented, by the fort commanding the mouth of the river, from leaving it for that purpose.

And 11th and last. "The recent landing of the armed crew of an English cruizer on the shore of the Armaçao dos Buzios, about four and a half leagues from Cape Frio, and the taking possession of, and taking away, a brig under Portuguese colours, which the cruizer had driven on shore," &c. &c. This occurrence having since been made the subject of a special, but not very definite, representation to Her Majesty's Legation, and the Undersigned having called on the naval officer in command here for a report on the subject, has been informed, that no English brig-of-war was near that part of the coast at the time mentioned ; neither does it appear that any other English ship-of-war was concerned in the occurrences mentioned in the representation in question.

These observations have been judged advisable, for the purpose of correcting inaccuracies and supplying deficiencies apparent in the different allegations adduced by Senhor Paulino against Her Majesty's naval force on this station,—allegations which, in their present form, are calculated to produce erroneous impressions regarding the affairs to which they respectively relate.

The other objectionable assumption in Senhor Paulino's note, to which the Undersigned adverted above, is comprised in the following passage, where his Excellency is alluding to the Counter-Project of Senhor Lopes Gama, which was communicated to Mr. Ouseley by Senhor Aureliano, August 26th, 1841 :— "This Counter-Project was not even discussed with the Imperial Government or with its Plenipotentiary. Instead of a regular discussion of its contents, the Undersigned received a menacing note from Mr. Hamilton."

This most unwarrantable statement can only be intended to induce a belief that the non-discussion of this Counter-Project ought to be attributed altogether to the British Cabinet, when it is a fact most notorious, and to be proved by reference to the correspondence which passed between Her Majesty's Legation and the Department of Foreign Affairs, that the said Counter-Project was returned by the Undersigned to Senhor Aureliano so far back as April 11th, 1842 ; that the draft thus returned had inserted in the text the few modifications deemed expedient by the British Cabinet ; and that it was accompanied by the expression of "a sincere hope that the provisions contained in the supplementary Articles, as then submitted to Senhor Aureliano, might meet with the hearty concurrence of the Brazilian Government ; and that the Undersigned might be enabled to conclude the compact in that form without much difficulty or delay." And it is further most notorious, that after a prolonged delay, (that is, on October 17th of that year,) and after repeated solicitation on the part of the Undersigned that Senhor Aureliano would accelerate the ulterior discussions, the Counter-Project was sent back to him by his Excellency, the Brazilian Government declining, unreservedly, to adopt it, both for special motives explained at some length, and because that Government were of opinion, that no other provisions were required to extinguish effectually the contraband traffic than what were actually in operation.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c.

&c.

Fourth Enclosure in No. 204.

Memorandum.

DESPATCHES to and from the Foreign Office which treat of the occurrences brought forward as charges against Her Majesty's naval force on the Brazilian station in Senhor Paulino's note of January 11th, 1844.

Mr. Ouseley to Viscount Palmerston :—

No. 31, dated May 7, 1839.

35, „ May 9, 1839.

95, „ December 6, 1839.

19, „ April 14, 1840.

21, „ May 20, 1840. Slave Trade.

31, „ March 13, 1841.

Viscount Palmerston to Mr. Ouseley :—

No. 14, dated August 7, 1839.

11, „ April 8, 1840.

Mr. Hamilton to the Earl of Aberdeen :—

No. 56, dated June 15, 1842.

The Earl of Aberdeen to Mr. Hamilton :—

No. 22, dated September, 28, 1842.

Mr. Hamilton to the Earl of Aberdeen :—

No. 69, dated August 13, 1844.

13, „ February 22, 1842. Slave Trade.

4, „ February 9, 1843. „

22, „ July 18, 1843. „

The Earl of Aberdeen to Mr. Hamilton :—

No. 13, dated June 3, 1842. Slave Trade.

6, „ May 3, 1843. „

Mr. Hamilton to the Earl of Aberdeen :—

No. 52, dated December 22, 1842. Slave Trade.

3, „ January 18, 1843. „

12, „ April 20, 1843. „

20, „ July 18, 1843. „

The Earl of Aberdeen to Mr. Hamilton :—

No. 17, dated October 17, 1843. Slave Trade.

Mr. Hamilton to the Earl of Aberdeen :—

No. 21, dated July 18, 1843. Slave Trade.

25, „ August 12, 1843. „

The Earl of Aberdeen to Mr. Hamilton :—

No. 17, dated October 17, 1843. Slave Trade.

No. 205.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 27, 1844.

(Received April 14.)

MY LORD,

THE accompanying correspondence relates to the capture of a schooner launch, said to be Brazilian, and called the "*Maria Theresa*," off the island of Porcos, on the 30th December last, as was reported to your Lordship in my Despatch, Slave Trade, of the 27th ultimo.

The detention of the launch was effected by Her Majesty's brigantine "*Dolphin*," Lieutenant Hoare commanding, under the authority of the Act 2 & 3 Vict. cap. 73, for Slave Trade practices, and being without any papers necessary to establish her nationality, or entitle her to the protection of any particular flag.

The detention is protested against, and restitution is demanded, on the ground that the launch was engaged in the legal coasting trade of the country, having a permit from the competent authorities for the purpose, and being, at the time of her detention, at anchor, distant from the estate of her proprietor about 500 fathoms.

There are discrepancies, of course, between the different reports. By the captor it is stated, the launch was under sail; by the owner, that she was lying at anchor: by the former party, that the "*Dolphin*" waited at anchor off Porcos for the exhibition of her papers full 60 hours, so willing was he to restore her should any documentary evidence of a satisfactory nature be presented; by the latter, that the "*Dolphin's*" commanding officer refused to receive on board either the Master of the launch or her papers.

From the small size of the launch it is hardly possible she can have been employed on the middle passage; but she may serve very effectually for landing

negroes brought over in other vessels, and this, perhaps, may have been the extent of her contraband engagements. At all events the captor, refusing to give her up to her owner, has carried the case for trial to the Court of Vice-Admiralty in British Guiana.

The weak point in this affair appears to be, the capture having been effected in the territorial waters of Brazil. But the Act of Parliament quoted above is silent as to any particular distance from the shore within which the captures there authorized might not be made, and the captor therefore considers his capture to be legal. With a view, however, to remove all uncertainty on the subject, when the same case is so likely to occur again, it may not be unadvisable, perhaps, to obtain the opinion of Her Majesty's law officers.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 205.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.*

Palace of Rio de Janeiro, January 19, 1844.

THE Undersigned, &c. &c. has the honour to lay before Mr. Hamilton, &c. &c. the petition and documents annexed thereto, from the Brazilian subject Antonio Jose da Graça, a Lieutenant-Colonel in the National Guard; as also the enclosed copy of a Despatch which, under date of the 2nd instant, was addressed to the President of the Province of St. Paul by the Municipal Judge and Delegate of Police of the town of Ubatuba, relating to the irregular and violent conduct of Commander Hoare, of the English brig-of-war "Dolphin," towards the launch "*Maria Thereza*," rigged as a schooner, the property of that Brazilian subject, which was at anchor at the distance of 500 fathoms from his estate, and with a permit from the Receiving Office of Ubatuba had pipes of rum on board, she being destined for that town, in order to complete her cargo for the city of Santos.

From these papers it is seen that the launch in question was engaged in lawful coasting trade, and that without any justifiable grounds she was considered a good prize, and brought, with her men on board, to this port by the Commander of the said brig, against which act the representations of the interested party were entirely without effect, and the intervention of the Brazilian authorities disregarded.

The Undersigned, therefore, deems it his duty to remonstrate against this act, practised by an English cruiser, so strange, arbitrary, and offensive to the national dignity; and he trusts that Mr. Hamilton will interfere in such a manner that the launch so detained be restored without delay to her owner, Antonio Jose da Graça; the Undersigned protesting from this moment against this prize being sent out of the Empire, as is said to be the intention of the captor.

The Undersigned, requesting Mr. Hamilton to return the petition and documents annexed thereto, takes this opportunity, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

(Translation.) Sub-Enclosure 1 in First Enclosure in No. 205.

Senhor Pereira to President Torres.

MOST ILLUSTRIOUS AND EXCELLENT SIR, *Ubatuba, January 2, 1844.*

As Municipal Judge and Delegate of Police I cannot omit to report to your Excellency the proceedings of a brig-of-war of the English nation in the port of this town, to the end that they may be laid before the Imperial Government, through your Excellency, for it to order the measures it may deem necessary for the cessation of similar attacks upon the dignity of the Brazilian nation.

Antonio Jose da Graça, Lieutenant-Colonel in the battalion of National Guards, is the owner of a launch called "*Maria Thereza*," which is employed in the coasting trade, carrying coffee to Rio, bringing back merchandize on freight, and taking his agricultural produce to St. Sebastian and Santos.

This launch came from the port of Rio de Janeiro on the 13th; she was searched by the brig-of-war, and as nothing suspicious was found on board, she was allowed to pass. She landed her cargo and was manifested, and with the permission obtained from the Receiving Office started for the port of the estate of her owner, distant two leagues from this town, to take on board some pipes of rum, and return to this port to complete her cargo and clear out for Santos. The brig-of-war sent a boat, which, on finding the pipes of rum, captured the launch, and towed her to the place where the brig was. The owner, knowing this circumstance, sent a canoe with the Master, who was on shore, and his clerk, to take the papers in order that they might be aware of the illegality of the capture; the Commander, however, hauling down the Brazilian and hoisting the English flag, presented his crew armed, made the canoe keep off, and, pointing to the English flag, declared the launch to be a good prize, and would not allow the Master to board her. The owner having protested for the losses, petitioned for a copy of the protest, and ordered it to be served upon the Commander, who, having read it, threw the paper down, called the officer of justice a negro, &c. and said that he did not recognise the authority, and that he would neither pay attention to the order nor to the Judge. This proceeding is similar to what has been frequently practised by other Commanders of vessels of war of that nation, who allow their crews to land, and injure the plantations of the inhabitants, and who do not obey the authorities, but visit ships at anchor, and make seizures of vessels on the coast and within the bays, regardless of the Treaties, and of the right of nations, thus insulting the nationality.

In reporting that which has occurred with respect to this launch in the port of this town I do no more than my duty.

God preserve your Excellency!

(Signed)

JOAO GONCALVES PEREIRA,

Municipal Judge, Delegate ad interim.

(A true copy.)

ANTONIO J. C. DO AMARAL,

In absence of Under-Secretary of State.

Most Illustrious Senhor President of this Province,

&c.

&c.

Sub-Enclosure 2 in First Enclosure in No. 205.

(Translation)

Petition of Lieutenant-Colonel Graça.

SIRE,

Rio de Janeiro, January 14, 1844.

ANTONIO Jose da Graça, Lieutenant-Colonel of the National Guard, and Agriculturist in the municipality of Ubatuba, in the province of St. Paul's, comes before Your Imperial Majesty and says, That he, the Petitioner, is the owner of the launch called "*Maria Thereza*," rigged as a schooner, which he has possessed for a long time. This launch, according to the certificates of different authorities, and to the documents which he has in his possession, has been continually employed in his service, and in the coasting trade between Rio de Janeiro, Santos, and intermediate ports. In December last, the Petitioner obtained a license from the Collecting Office Ubatuba, as he had often done before, for the launch to proceed to his estate of Perequenerim, a short distance from Ubatuba, to receive some of his own manufactured rum, and carry it to Santos. The launch took this rum on board, and was at anchor on the 30th of December, about 500 fathoms, or less, from the estate, waiting the sea-breeze to proceed on her voyage, when a boat with armed men on board, belonging to the English brig-of-war "*Dolphin*," Commander Hoare, boarded her (the launch), and, notwithstanding the declarations of the crew, detained her, hoisted the English flag, declared the men on board to be prisoners, and brought her to Rio de Janeiro.

The Petitioner has to observe, that he was on shore on his estate, with some of the persons belonging to the vessel, and as soon as he saw what had occurred he ordered the Captain to proceed on board with all papers, passports, licenses, muster-roll, &c. &c. belonging to the launch, so that the Commander, examining them and finding his mistake, might release her. Commander Hoare,

however, would not attend to anything, would not allow the Master of the launch to come alongside, and with threats obliged him to return on shore.

The Petitioner protested at Ubatuba against these acts, and against the detention, and has already done the same in this capital, in the British Conservatorial Court, for all losses, damages, and indemnities.

The Petitioner expected, however, that on the arrival of the detained launch in this port, as she was Brazilian, and had her men on board to prove her nationality, and having been, moreover, detained, not only against the express letter of the existing Treaties between Brazil and Great Britain, which only authorize the detention of vessels which may have slaves on board for the traffic, but also within 500 fathoms from the coast of Brazil, and consequently in the territorial seas of the Empire, that he (the captor) would submit the case to the cognizance of the Brazilian and British Mixed Commission for its adjudication, in conformity to the existing Treaties. Up to the present time four days have elapsed, and the captor has not appeared in the Commission, which he ought to have done in 24 hours after his arrival; the Petitioner is moreover informed that the captor, under a pretext of not finding papers on board, notwithstanding he found the crew, does not intend to bring the launch for adjudication, but on the contrary, intends to keep possession of her by force, and without a sentence, from the simple fact of the detention, when she had men on board, and was at anchor in a port of Brazil, in communication with the shore, and therefore neither the Master nor the papers were on board.

Such proceedings, Sire, cannot be tolerated by the energetic and worthy Government of Your Imperial Majesty; and the Petitioner comes to add to this petition the documents to which he refers, viz. passports, muster-rolls, certificates, &c. &c., the whole of which he has in his possession for his defence before the Court, to which its adjudication shall be subject; and therefore he prays, that Your Imperial Majesty will cause representations to be immediately addressed to Her Britannic Majesty's Plenipotentiary, demanding that the launch be either delivered to the Petitioner, or submitted for adjudication to the Brazilian and English Mixed Commission, in conformity to the Treaties; Your Imperial Majesty's Government issuing at the same time orders to the forts, not to allow the departure of the launch before her adjudication.

(Signed) JOAO M. P. DA SILVA, *Advocate.*

Sub-Enclosure 3 in First Enclosure in No. 205.

Passport.

SUBSTANCE of the passport No. 2,282, signed by the Minister of Marine, Joaquim Jose Rodrigues Torres, for the launch "*Maria Thereza*," Captain Joaquim Antonio dos Santos, for Ubatuba, the property of Antonio Jose de Graça, dated September 18, 1843. This passport has two *vistos* on the back—one dated Santos, October 13, 1843, declaring the vessel about to proceed to Ubatuba; and the other, dated Rio de Janeiro, December 4, 1843, declaring the vessel about to sail for the same port with Manoel Francisco Rodrigues das Chagas as Master.

Sub-Enclosure 4 in First Enclosure in No. 205.

Extract from the Register of the launch "Maria Thereza," No. 223, dated August 31, 1837.

It declares her owner to be Antonio Jose da Graça, resident at Ubatuba; that she is of 31 tons burthen, one deck, two masts, schooner rigged, square stern, length 39 feet and $\frac{3}{10}$ Brazilian measurement, depth of hold 5 feet and $\frac{4}{10}$, built at Ubatuba; and it has five different endorsements on the back, declaring the names of the different Captains she has had, the last being Francisco Rodrigues das Chagas.

Sub-Enclosure 5 in First Enclosure in No. 205.

(Extract.)

Muster-roll.

THE muster-roll of the launch "*Maria Thereza*," No. 1,094, for Ubatuba, cleared out with five men, the Captain, Francisco Rodrigues das Chagas, having proved himself to be a Brazilian subject, resident at Ubatuba.

- Crew.—No. 1. Master, Brazilian.
 2. Boatswain, Portuguese.
 3. Sailor, ditto.
 4. Sailor, ditto.
 5. Black slave, belonging to Antonio Jose da Graça, called Felicio.

Visited by the police on the 21st November, 1843.

Has an endorsement on the back, declaring that the launch proceeds to the ports of the municipality with the same crew, dated 22nd of December, 1843.

(Signed by the Administrator and Clerk.)

Sub-Enclosure 6 in First Enclosure in No. 205.

(Extract.)

Revenue Office License.

To the Most Illustrious Senhor Administrator of the Revenue Office.

Ubatuba, December 22, 1843.

ANTONIO Jose da Graça, a planter, residing at Perequenerim, in the district of this town, says, that having entered and unloaded his schooner, "*Maria Thereza*," which arrived in this town from Rio de Janeiro on the 18th instant, and as he requires to load the same again for Santos with rum, and wishes to send some of his own manufacture, he prays, Sir, that you will allow him to send the said schooner, with the crew she brought from Rio de Janeiro, from the port of this town to his estate, where, after receiving the rum which he has there ready, she will proceed to this town to finish loading and clear out; and, as what the petitioner prays for is just, considering the loss and risk it would cause him to have his pipes of rum brought down from his estate in canoes, he begs that you will grant him the required license.

(Signed) ANTONIO JOSE DA GRACA.

Granted, the Master signing the term of his muster-roll.

(Signed) ANTONIO SOUZA, Administrator.

The muster-roll of the crew of the launch, "*Maria Thereza*," has been registered and signed by the Master in the respective book.

(Signed) DOMINGOS JOSE DUARTE, Clerk.

Sub-Enclosure 7 in First Enclosure in No. 205.

Petition of Senhor Graca.

To the Most Illustrious Senhor Administrator of the Revenue Office.

ANTONIO Jose da Graça, a Brazilian citizen, merchant, &c, resident in this town, says, that his schooner, "*Maria Thereza*," having been captured by a launch belonging to the English brig-of-war at anchor at the island of Portos, in the district of this town, he requires, so as to be enabled to defend his property, that you will certify—1st. Whether the said schooner is or is not employed in the coasting trade from this port to Rio de Janeiro, as well as for St. Sebastian and Santos. 2nd. Whether the same schooner has been cleared out with rum for the port of St. Sebastian and Santos. 3rd. How many voyages the schooner has made in the present year. And as your certificate is required, he prays, &c.

(Signed) ANTONIO JOSE DA GRACA.

*Board of Revenue Certificate.**Board of Revenue, Ubatuba, January 2, 1844.*

We, the Administrator and Clerk of the Board of Revenue, &c., at Ubatuba, certify and swear, that with regard to the first question in the above petition, it is true that the launch "*Maria Thereza*," Master Francisco Rodrigues das Chagas, and owner Antonio Jose da Graça, both domiciliated and established in this municipality, has (since the 1st of December, 1838 until the present) been constantly employed in the coasting trade between this port, Rio de Janeiro, Santos, and St. Sebastian, having always made her voyages within the proper time, and her clearances have always been regular. With regard to the 2nd question, it is true that the said launch has been cleared for the same ports, sometimes with *cana rum* from her owner's own manufactory in this municipality, and from which voyages she has always returned with the same regularity. As to the 3rd query, the said launch was cleared by this Administration during the last year, 1843, for the following ports: for Rio de Janeiro, on the 7th February; for St. Sebastian, on the 16th of March; for Rio de Janeiro, on the 4th of May; for St. Sebastian, on the 29th of May; for Rio de Janeiro, on the 4th of August; on the 30th of September for Santos; on the 6th of November for Rio de Janeiro.

The present being required, we have passed it and sealed it with the Imperial seal.

(L.S.)

(Signed)

ANTONIO SOUZA, *Administrator.*
DOMINGOS JOSE DUARTE, *Clerk.*

Sub-Enclosure 8 in First Enclosure in No. 205.

Petition for Registry of Rum Manufactories.

To the Most Illustrious Senhor Administrator of the Board of Revenue.

ANTONIO Jose da Graça, proprietor and owner of agricultural establishments says, that he requires that the Clerk of the Board pass him a certificate, declaring in what year the registration of rum manufactories in this municipality took place, in conformity to the Provincial Law, and moreover, whether his manufactory has been registered, and paid the respective duties.

(Signed)

ANTONIO JOSE DA GRACA.

Let it be passed.

Ubatuba, January 4, 1844.

(Signed)

ANTONIO SOUZA, *Administrator.*

Sub-Enclosure 9 in First Enclosure in No. 205.

(Extract.)

Certificate of Registry of Rum Manufactories.

Ubatuba, January 4, 1844.

I, DOMINGOS Jose Duarte, Clerk of the Board of Revenue, in the town of Ubatuba, &c. certify, that on reference to the book which serves for registry of sugar and rum manufactories, at page 12, the petitioner, Antonio Jose da Graça's manufactory, situated on the beaches of Perequererim, distant two leagues from this town, is registered, and the same registration took place in 1839, by virtue of the Provincial Law of the 23rd of March, 1839, and the Regulation of the 16th of April; the above registry was ratified in 1841, &c., said Graça having paid all the duties which are established for such manufactories, &c.; nothing further was contained in the said book, &c.

(Signed)

DOMINGOS JOSE DUARTE, *Clerk.*

Sub-Enclosure 10 in First Enclosure in No. 205.

Certificate of License to Manufacture Rum.

Ubatuba, January 4, 1844.

ANTONIO Jose da Graça, has a license to manufacture in his manufactory on the beach of Perequererim in this Municipality, in the present financial year
CLASS B.

of 1843 to 1844, and for which he has paid the tax of 4,000 in conformity to the 1st Article of the Provincial Law, No. 8, of the 6th March, 1840, and the above sum is charged to the Collector.

(Signed)

ANTONIO SOUZA, *Administrator.*
DOMINGOS JOSE DUARTE, *Clerk.*

Sub-Enclosure 11 in First Enclosure in No. 205.

Certificate of Capture.

Island of Portos, January 1, 1844.

WE the undersigned, merchants and planters resident in this island of Portos, within the district of Ubatuba, certify upon oath, that on the 29th of December of last year, the English brig-schooner-of-war "Dolphin" entered and anchored in this port on the 30th of the same month and year, as the national schooner, "Maria Thereza," belonging to Lieutenant-Colonel Antonio Jose da Graça, of this municipality, was proceeding from the port of his manufactory to the town; and as she was making for the Boqueirao of this island, a launch with armed men belonging to the above-mentioned brig-schooner-of-war, captured her, hauled down the Brazilian flag, and in its place hoisted the English flag, and sailing and tacking during the afternoon, came to anchor alongside of the said brig-schooner-of-war, where she has been detained up to this time.

In faith of which, we pass the present.

(Signed by seven persons.)

Certified by a Notary Public.

(Extract.) Sub-Enclosure 12 in First Enclosure in No. 205.

BILL of anchorage dues of the "Maria Thereza," dated Villaigagnon, 5th of December, 1843, for 10 days, for Ubatuba, declaring her to have entered on the 21st of November, 1843.

(Extract.) Sub-Enclosure 13 in First Enclosure in No. 205.

A CERTIFICATE from the Post Office, dated 7th of December, 1843, declaring, that the vessel proceeded for Ubatuba without a mail.

Sub-Enclosure 14 in First Enclosure in No. 205.

Senhor Monte to Senhor Graça.

(Extract.)

Santos, December 22, 1843.

As to what you communicate to me regarding the remittance of seven pipes of rum by Senhor Furtado for Senhor Rato, the same being the remainder of this year's production, and wishing to know at the same whether the said Senhor Rato will receive (over and above the seven pipes above-mentioned) 18 pipes more, which you have an opportunity of purchasing, I have to reply, that Senhor Rato will only receive the seven pipes according to his contract, but another merchant of this place will take the 18 pipes for 65,000 each pipe, and under the conditions which you will see by the enclosed document. You will therefore decide what may suit you best, &c. &c.

I remain, &c.

(Signed)

JOSE MARTINS DO MONTE.

Sub-Enclosure 15 in First Enclosure in No. 205.

Senhor Castro to Senhor Graça.

(Extract.)

Fazenda Vetha, December 25, 1843.

I WENT to town to-day, for the purpose of our agreeing about the price of the rest of this year's rum; and with regard to the 18 pipes, they will be ready

to be delivered in your store to-day. As to the price, I cannot let you have them for less than I informed you in my last, that is 40,000 a pipe, if you take all.

I remain, &c.
(Signed) FRANCISCO JOSE DE CASTRO, JUN.

Sub-Enclosure 16 in First Enclosure in No. 205.

Senhor Brayn to Senhor Monte.

(Extract.)

December 21, 1843.

REGARDING the pipes of rum from Ubatuba, if the person wishes to send them to be delivered here for 65,000 each, in good casks of the proper measure, and without colour, he can do so, but I must inform you that it must be proof. Let him give an answer by this steamer, one way or the other, as I will not pay 68,000 for it, because I have just purchased some good paraty rum for a less price. You must tell him, that if he sends the rum, it must have no colour, and the casks must be good.

(Signed) JOSE F. DA SANTA BRAYN.

Second Enclosure in No. 205.

Mr. Hamilton to Captain Sir T. Pasley.

SIR,

Rio de Janeiro, January 25, 1843.

I HAVE the honour to transmit herewith for your information, the translation of a note I have received from the Minister of Foreign Affairs, with a petition and documents by which it was accompanied, and also the translation of a communication enclosed therein from the Police Delegate of the town of Ubatuba to the President of the province of St. Paul's, all relating to the capture of a Brazilian launch, the "*Maria Thereza*," by Her Majesty's brigantine "Dolphin;" and I have to request you will be good enough to call on the officer commanding the "Dolphin" to state in detail the circumstances under which the "*Maria Thereza*" was detained, and which, it is to be hoped, may demonstrate satisfactorily that she ought not to be given back to her owners.

Requesting that the documents connected by a ribbon may be returned when sufficiently examined,

I have, &c.
(Signed) HAMILTON HAMILTON.

Captain Sir T. Pasley, Bart.
&c. &c.

Third Enclosure in No. 205.

Commander Hoare to Captain Sir T. Pasley.

Her Majesty's brigantine "Dolphin,"
Rio de Janeiro, January 26, 1844.

SIR,

IN reply to your letter of this date, and Her Majesty's Minister's communication, I beg to enclose the statement, in detail, as you have requested.

On the 12th December, 1843, being 20 miles off the coast of Brazil, in or about longitude 44° 25' west, latitude 23° 45' south, my boat, with a warrant officer, boarded the schooner reported to be the "*Maria Thereza*," which I considered a very suspicious vessel, having on board a quantity of jerked beef, some farinha, a bundle or two of cloth, similar to the quality worn by negroes round their bodies, and a copper boiler, in the hold sand-ballast, her caboose or cooking place also large; however, on this occasion, not wishing to use harsh measures, I allowed the vessel "*Maria Thereza*" to proceed, intending, as she was bound to a port in the immediate vicinity of several slave fazendas, of which places I had good information, to keep a look out for her and her future proceedings. On the 30th of December I observed the "*Maria Thereza*" under sail, rounding the western point of Isla de Porcos. I then sent a boat, with

my second in command, to board the same, having that morning had the most authentic information of a slaver having landed in the immediate vicinity. The officer returned from boarding reporting the schooner to be the "*Maria Theresa*," without any papers or passport, and that he could not make out where she was bound or where she came from.

I immediately went from the "Dolphin" in person, to investigate the matter: on my reaching the schooner, I found her without colours, no Master on board, and no clearance, or paper of any kind, to prove her nationality, nor did any one on board know anything of her destination. I found a Brazilian ensign and two distinguishing flags, one of which corresponded exactly with that borne by a Portuguese slaver I had that day captured; eight leaguers in her hold, two large rolls of tobacco, some farinha, and a roll of matting. The Master they stated to me to be on shore; I begged they would send their boat for him, which, after some persuasion, they did, with a white man and a slave in her boat; this boat never again returned. After some considerable delay a large canoe came out with five men, and was about to come on board, when I desired she would lay off until I was informed what they were. To my question, as to any of the persons in the canoe being the Master of the schooner, the reply was in the negative. I then asked, had they the passport, manifest, or the vessel's papers? They answered, No. I then said they could not come on board, and that I must detain the vessel; but that I was going to remain at anchor off Isle Porcos for 48 hours, and that any proper document or clearance, such as I considered all vessels should possess in some shape navigating the high seas, being produced to me, I would then liberate her instantly, Ubatuba being not more than two hours' passage from Porcos, I considered this ample time. On the following morning I was waited on by a Mr. Grace, an Englishman, residing at Porcos, and who stated himself to be a connection of the owner of the schooner, and entreated me to liberate her; at the same time stating they were in error, in not having any papers on board. I then stated all the circumstances fully to Mr. Grace, desired and requested he would communicate to his relation that I should be too happy to release the vessel on anything like a clearance from the Alfandega or Conceibo of Ubatuba, as she was a vast deal of trouble to me. I had also a conversation that day with a most respectable resident at Porcos, who condemned the conduct of Senhor Grace. The vessel remained 12 hours over the time I named at Porcos, and no paper was produced; but, on the following morning, before I was out of bed, the officer of the watch reported a canoe alongside, with a black man, who desired to speak to me. I desired him to be shown to my cabin. He entered, placing a paper on my table, saying "Protest Commandante." I enquired who he was, as certainly, from his outward dress, and having no shoes or stockings, I could not discern his office; he said he was an officer of justice. I asked for his authority; he said that was at his house. I said I should be happy to recognise him on the production thereof. He then left, taking with him his paper. I have also to state, that this vessel when boarded on the 12th, stated she was bound to Ubatuba; the crew, on my boarding her on the 30th, stated to me she had never been there.

As to the latter part of the communication made against me, I deny all the facts, and I should now not deem it worthy of notice, it being so wide of the question, was I not enabled to state most positively that my men never did any damage on shore; on the contrary, that we have relieved distress on several occasions, and that my medical officer was, during my cruize, of beneficial service on several occasions to the sick of the islands in that district. In conclusion, Sir, of this detail, I must beg leave to state, that I furnish the same by your order, as my senior officer, for your information, not intending hereby to justify before any Brazilian authority the detention of this vessel, which, by my instructions, must be left solely to the decision of a British Vice-Admiralty Court.

I have, &c.

(Signed)

W. O'BRYEN HOARE,

Lieutenant and Commander.

Captain Sir T. Pasley, Bart.

&c.

&c.

Fourth Enclosure in No. 205.

*Commander Hoare to Captain Sir T. Pasley.**Her Majesty's brigantine "Dolphin,"
Rio de Janeiro, January 26, 1844.*

SIR,

I HAVE the honour to return herewith the various papers stated to belong to the vessel I have detained off the island of Porcos, and which vessel is said to be the "*Maria Thereza*."

I have detained the vessel in question under the authority of the Act 2 & 3 Vict. cap. 73, for being engaged in the Slave Trade, and not having on board any papers entitling her to the protection of the flag of any state or nation; I cannot, therefore, even identify such papers as belong to the vessel, and I have to refer the parties interested to the Vice-Admiralty Court, before which the case of this vessel will be brought, as the only tribunal competent to take cognizance and decide on any evidence affecting this vessel.

I have, &c.

(Signed)

W. O'BRYEN HOARE,

*Lieutenant and Commander.**Captain Sir T. Pasley, Bart.*

&c.

&c.

Fifth Enclosure in No. 205.

*Senhor Paulino de Souza to Mr. Hamilton.**Palace of Rio de Janeiro, January 30, 1844.*

THE Undersigned, &c. &c., had the honour to transmit to Mr. Hamilton, &c. &c., in addition to his note, No. 11, of the 19th of the present month another petition, with the documents annexed thereto, which Antonio Jose da Graça laid before His Majesty the Emperor, soliciting the intervention of the Imperial Government for the speedy delivery of the launch "*Maria Thereza*," his property, illegally and arbitrarily captured at Ubatuba, by Commander Hoare, of the English brig-of-war "*Dolphin*."

The Undersigned cannot conceive the motive which gave rise to an act so strange and violent as that practised by that British officer, there not being the least suspicion that the vessel was employed in the traffic in Africans.

By the documents which accompanied the petition transmitted with the Undersigned's note, No. 11, the nationality of the vessel is evidently proved, as also that she was destined for a lawful voyage; and all the circumstances of the case denounce the arbitrary proceeding of the English cruizer "*Dolphin*."

All the reasons therein set forth acquire still greater force by the explanations now offered.

It is seen by the documents annexed, that the captured vessel has been constantly employed in the coasting trade, carrying the produce of the claimant's estate from Ubatuba to this, and the southern ports. The pretext, if there be one, of her being engaged in the traffic is entirely futile, because the said vessel is unable to make voyages to the coast of Africa, not being of the build and rig necessary for long voyages.

In vessels of a similar class, the agriculturists resident on the sea-shore export their sugar, rum, and other articles, in the same manner as the Brazilian subject Antonio Jose da Graça has done.

If Commander Hoare did not find any papers on board, it is easy to explain that fact: the Master of the launch was on shore, and she had not completed her cargo; but when these papers were considered necessary to prevent the damages now sustained, they were immediately sent by the owner to the Commander of the "*Dolphin*," and Mr. Hamilton is aware that this officer would not look at them,

The Undersigned therefore urges the request made in his note, No. 11, and begging Mr. Hamilton to return the enclosed documents, renews, &c.

(Signed)

PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c.

&c.

(Translation.) Sub-Enclosure 1 in Fifth Enclosure in No. 205.

Petition of Senhor Graça to His Imperial Majesty.

SIRE,

Rio de Janeiro, January 26, 1844.

LIEUTENANT-COLONEL Antonio Jose da Graça has already petitioned your Imperial Majesty to deign to claim from the British authorities the delivery of his launch, "*Maria Thereza*," illegally and arbitrarily detained by the Commander of the English brig-of-war "*Dolphin*;" and he annexed to that petition the valuable documents which proved the nationality and property of the launch, and her lawful voyage. As it happens that the petitioner has since obtained others, he now takes the liberty of appearing again in the august presence of your Imperial Majesty, with the three documents herewith enclosed, in order to their being added to those before presented, and thus strengthen his right.

The above-mentioned launch has been the property of the petitioner between five and six years, and has always sailed between Santos, St. Sebastião, Ubatuba and Rio de Janeiro, employed in the coasting trade, carrying the produce of the petitioner's estate. During this period she has entered, and sailed from, the port of Rio de Janeiro certainly 35 times, as document No. 1 will show for the year 1843, and for the preceding years the books of the Export Office deposited in the Public National Treasury, as is declared in that same document. How then could she be engaged in the commerce in Africans, with which pretext it appears she was detained?

The fact of her not having papers on board is explained by the Master being on shore, who immediately brought them, and that Commander Hoare would not receive them; and by the fact of the launch being taking in cargo alongside of the petitioner's estate, having the requisite licenses for so doing. It is customary for all vessels' papers to be in the hands of the Master; and a vessel at anchor in a port taking in cargo—an identical case—has not her papers on board.

As to her having rum, it is one of the articles produced on the petitioner's estate; and it is not the first time that the launch has taken it. The documents Nos. 2 and 3 prove that it is of use and benefit to the estate, and already the last voyage she took some to Santos; and the documents annexed to the first petition give force to that which is here stated.

It is to be added, that the launch has scarcely five feet depth of hold, and is very low at the sides; she is not constructed to encounter heavy seas, and therefore could neither carry Africans for contraband, nor go to the coast of Africa, even to engage in lawful commerce.

The petitioner, confident in the protection and energy of the Government of your Imperial Majesty, again, and most respectfully, implores your Imperial Majesty to deign to cause new demands to be made, in order that the British authorities deliver the launch to the petitioner, and that all the measures necessary to obtain the end petitioned for be taken, and the dignity of the Brazilian flag supported.

(Signed) JOAO M. P. DA SILVA, *Advocate.*

(Translation.) Sub-Enclosure 2 in Fifth Enclosure in No. 205.

Petition of Senhor Graça to the Administrator of the Export Office.

MOST ILLUSTRIOUS AND EXCELLENT SENHOR,

ANTONIO Jose da Graça, owner of the national launch "*Maria Thereza*," requires a certificate of the number of times the said launch has cleared out in this Department for the Port of Ubatuba, since January 1840 up to the present, so that he may be able to show it wherever necessary; and as he cannot obtain it without an order, he begs you, Sir, will be pleased to comply with his petition.

Rio de Janeiro, January 24, 1844.

Let what is registered be passed.

(Signed) SA.

Certificate from the Export Office.

Rio de Janeiro, January 24, 1844.

I, Julio Cezar Muzzi, &c., first writer in the Export Office, serving as clerk, certify, that on referring to the Books of Anchorage for vessels to or from ports within the Empire, for the financial years 1842 to 1843, and 1843 to 1844, I find that the national launch "*Maria Thereza*," whose owner is the petitioner Antonio Jose da Graça, had sailed from this port for that of Ubatuba on the 24th of January, 3rd of March, 25th of May, 17th of September, and 5th of December, all of the year 1843;—not being able to refer to the books for the preceding years, as they are all at the Public National Treasury. This is all the said books contain, to which I refer:

(Signed) JULIO CEZAR MUZZI.

Sub-Enclosure 3 in Fifth Enclosure in No. 205.

(Translation.)

Senhor Monte to Senhor Graça.

MOST ESTEEMED FRIEND;

Santos, October 13, 1843.

I HAVE received your esteemed letters of the 15th of last and 2nd of the present month, and now answer them. Senhor Antonio Furtado arrived here, and proceeded to Ilha Grande. By your launch I received 19 pipes of rum, to be delivered to Senhor Francisco Jose Ribeiro Rato, according to the agreement I made with him some time since, in virtue of your request; and on its being landed, the said Rato took charge of it. As some of the pipes were not quite full, it was necessary to measure the spirit, when 50 gallons were found short, which quantity I had to deduct; and enclosed I send you the account sale, with the said deduction, and from it you will see that the net sum is reis 1,273\$112, which is at your disposal. In virtue of your order, I sent the launch to take in lime, and the Master tells me that he had not room for more than nine *moios* (there are about 50 bushels to each *moio*), which he received. I send by the same the bag of sugar R. which you ordered; and herewith are the accounts of the lime and sugar, which amount to reis 109\$587, with which I have debited you. I received 30 empty barrels and three half pipes, which you sent me agreeably to my order, and I have credited you with reis 37\$300, the sum which they cost. In your letter you mention 33 barrels and three half pipes; consequently there are three barrels wanting. Perhaps there was a mistake, either in your letter or in the shipment. Many thanks to you for sending the said barrels, and for the good purchase you made; and when it happens there are more to be had, purchase them, and forward them to me when an opportunity offers. It is necessary you send the certificate from the Collector, to the effect that Senhor Furtado landed in this port, to cancel the bond of this Custom House; and also you must send one of the discharge of the lime from your launch, for the same purpose. I gave the Master, Joaquim Antonio dos Santos reis 80\$000 for wages, as you requested. By the Master of your launch, I send a basket, containing 12 Mina cheeses, which will do for your servants; and you must pardon the insignificance of the gift. Accept compliments from all the family, &c. &c.

(Signed)

JOSE MARTINS DO MONTE.

Senhor Antonio Jose da Graça,
&c. &c.

The above signature certified to, at Rio de Janeiro, on the 24th of January, 1844.

(Signed) JOSE DA CRUZ VIANNA.
ANTONIO JANUARIO DA SILVA.

Attested by the Notary Public,
(Signed) JOAO PINTO DE MIRANDA.

Sub-Enclosure 4 in Fifth Enclosure in No. 205.

(Translation.) *Memorandum.*

Santos, October 13, 1843.

ACCOUNT sale and net proceeds of 19 pipes of rum, which were consigned to me from the town of Ubatuba, by the most Illustrious Senhor Antonio Jose da Graça, in the launch "*Maria Thereza*," Master Joaquim Antonio dos Santos:

19 Pipes of rum, sold to Francisco Jose Ribeiro Rato,		
of this place	at 688	1,292,8000
Deduction of 50 gallons, which were wanting		18,888

Reis 1,273,8112

(Signed) JOSE MARTINS DO MONTE.

The above signature certified to, on the 24th of January, 1844, at Rio de Janeiro.

(Signed) ANTONIO JANUARIO DA SILVA.
JOSE DA CRUZ VIANNA.

Attested by the Notary Public.
(Signed) JOAO PINTO DE MIRANDA.

Sixth Enclosure in No. 205.

(Translation.) *Senhor França to Mr. Hamilton.*

Palace of Rio de Janeiro, February 13, 1844.

NEARLY a month having already elapsed since Mr. Hamilton, &c, &c., was solicited by this Department of State to take the necessary measures for causing the delivery to the Brazilian subject Antonio Jose da Graça, the launch "*Maria Thereza*," illegally detained by the brig-of-war "*Dolphin*," near the estate of Perequenerim, belonging to the claimant, without, up to the present moment, that just requisition of the Imperial Government having been satisfied, the Undersigned, &c. &c., at the request of its owner, and with reference to the documents which accompanied the two notes from his predecessor, dated 19th and 30th January last, cannot omit to call the most serious attention of Mr. Hamilton to so extraordinary a proceeding.

The grave injury which the party concerned sustains from the prolonged detention of the vessel and the cargo, which she already had on board; the enormous expenses he is put to pending the decision of this question, besides the derangement of his commercial relations; all these losses, all these profits suspended; and further, the violent and offensive manner in which this capture was made, justify the Undersigned in this new application, which he now addresses to Mr. Hamilton, in the name of the Imperial Government.

The Undersigned is ignorant of the motives which have delayed the solution of so just and simple a claim, but is convinced that it will not meet, on the part of Mr. Hamilton, with the least impediment; and if the necessary orders for the delivery of the launch to her owners have not been yet given, he trusts that Mr. Hamilton will not delay issuing the same.

The Undersigned avails, &c.

(Signed) ERNESTO FERREIRA FRANCA.

Hamilton Hamilton, Esq.
&c. &c.

Seventh Enclosure in No. 205.

Mr. Hamilton to Senhor França.

Rio de Janeiro, February 15, 1844.

THE Undersigned, &c. &c. has the honour to acknowledge receipt of three notes addressed to him by the Department of Foreign Affairs, respecting the launch or schooner "*Maria Thereza*," detained by Her Majesty's brigantine "*Dolphin*," on suspicion of Slave Trade practices; two of them being from the predecessor of Senhor Ernesto Ferreira França in that office; the third, No. 21, from his Excellency himself.

The Undersigned has to regret the delay so apparent in replying to the two former communications, but it has been unavoidable. The documents transmitted by the Government in support of the claim to which those notes have relation, were voluminous; it was necessary to prepare translations and copies, and to refer them afterwards to Her Majesty's naval authorities in command here; moreover, other matters of graver import have demanded, and been occupying, the attention of the Undersigned.

But to enter on the more especial object of these communications, the Undersigned having transmitted to the competent British authorities the demand in restitution of the "*Maria Thereza*" presented by the party claiming to be proprietor, has received in answer the letters of which copies are enclosed.

These letters, to which his Excellency's particular attention is called, while they explain the instructions under which Lieutenant Hoare acted, decline also, for the reasons therein alleged, to make the restitution demanded; and they refer the parties interested to the Vice-Admiralty Court in British Guiana, before which the schooner in question is to be carried for adjudication.

The circumstances attending the detention, as reported by Lieutenant Hoare, are sufficiently distinct and explanatory; and the Undersigned forbears to enter into an unnecessary recapitulation; but he cannot refrain from pointing out, nor will his Excellency fail to estimate justly, the remarkable contradiction afforded by the protracted stay of the "*Dolphin*" off Porcos for the express purpose of receiving any documentary evidence which might enable him to liberate the "*Maria Thereza*," to the statements advanced by her owner, purporting that Lieutenant Hoare refused to receive on board both her Master and her papers.

The Undersigned will submit to Senhor França only one other observation. It appears to be the opinion of His Excellency that the liberation of the "*Maria Thereza*" depends altogether on the determination of the Undersigned: this is not the case; Her Majesty's ships of war act under instructions from Her Majesty's Government; and it is to the Government and to the law that they are alone answerable for the manner in which those instructions are carried into execution.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c.

&c.

Eighth Enclosure in No. 205.

(Translation.)

Senhor França to Mr. Hamilton.

Palace of Rio de Janeiro, February 19, 1844.

THE Undersigned, &c. &c., acknowledges the receipt of the note, No. 10, which, under date of the 15th of the present month, Mr. Hamilton, &c. &c., did him the honour to address to him, in reply to those which were forwarded from this Department of State, relating to the detention of the national schooner "*Maria Thereza*," and her cargo, by the English brig-of-war "*Dolphin*."

CLASS B.

The Undersigned cannot but take note of the manner in which Mr. Hamilton contests the claim of the Imperial Government. Mr. Hamilton, in treating of the claim in question, referring to the Despatches from Commander Hoare, copies of which accompanied his note, and considering himself incompetent to interfere in the acts practised by the cruizers of Her Britannic Majesty, before whom, he says, they are only responsible for the manner in which they fulfil their instructions, informs the Undersigned that the claimant must have recourse to the Tribunal of Vice-Admiralty at British Guiana, the only one, as is declared, which can take cognizance of this affair.

The proceeding of that British officer in the case in question was most extraordinary, arbitrary, and violent; but his determination to take the launch "*Maria Thereza*" to the Vice-Admiralty Court in that colony is of such a nature that the Undersigned does not know what to call it, the principles of right, and those derived from the Conventions solemnly stipulated between the two countries, being thus trampled upon; while it is beyond a doubt that the vessel was engaged in lawful coasting trade, as is shown by the documents passed by the fiscal authorities, and by other papers, which the claimant annexed to his two petitions, which were transmitted with the notes Nos. 11 and 17 of this year, from this Department of State.

Among these documents Mr. Hamilton will have seen the clearances which vessels employed on lawful voyages always have, and that none of the formalities of the law required for navigation and commerce were omitted. It has already been demonstrated, that the non-existence of these papers on board at the time of the detention could not authorize the capture; and there is not the least doubt that the schooner "*Maria Thereza*" belongs to the Brazilian subject Antonio Jose da Graça, and that she was near his estate, called Perequerim, with a permit from the Collector of Ubatuba to ship the pipes of rum with which she was captured, and which were already sold in Santos, whither the vessel was bound. How then can Commander Hoare, after having seen all these papers, persist in the illegal detention of this national schooner, under the pretext that she was destined for the traffic in Africans? He says he was ready to have given up the prize if these papers had been shown to him while he was at Ubatuba. As their existence cannot be denied, since they were transmitted to him by Mr. Hamilton, why does not the Commander captor deliver up the vessel now, as required by the Imperial Government? Even if articles had been found on board, which the said Commander might have considered as destined for the use of Africans, they could not be taken as *prima facie* proof of the employment of the vessel in that commerce, inasmuch as the existing Treaties only authorize the detention of a vessel when slaves for the traffic shall be actually on board. On the 11th of last month a long exposition was addressed to Mr. Hamilton on this subject, and the Undersigned hopes that Her Britannic Majesty's ships of war will receive orders to regulate their proceedings according to the principles therein laid down, and to the spirit and letter of those Conventions and respective instructions, and not according to the dispositions of Articles such as those signed by Messrs. Alves Branco and Fox, on the 27th of July, 1835, which were not ratified, which have not become a law, but to which preference has been given in the system adopted by the English cruizers.

In all cases where suspicion may be entertained, representations should be made to the local authorities, soliciting from them efficacious measures to prevent such abuses; but the Commander of the "*Dolphin*" thought it more convenient to take upon himself the capture of the schooner "*Maria Thereza*" in waters which form a part of the territory of Brazil, at some 500 fathoms from the shore, where she was at anchor.

The Undersigned will not now add any further observations to what has already been communicated to Mr. Hamilton in the former notes upon this subject already cited: the case is very simple, and was sufficiently explained by the documents accompanying those notes. But he protests most solemnly, in the name of the Government of His Majesty the Emperor, against the departure of the launch "*Maria Thereza*" from this Empire, as it appears to be the determination of Commander Hoare to send her away, and he again demands most earnestly the interference of Mr. Hamilton, in order to her being delivered to her owner, Antonio Jose da Graça, an interference which, without doubt, Mr. Hamilton will not refuse; because, as Envoy Extraordinary and

Minister Plenipotentiary of Her Britannic Majesty in this capital, he ought to struggle for the due observation of the stipulations of Treaties existing between the two countries.

The Undersigned, in acknowledging the receipt of the petitions and documents returned by Mr. Hamilton in his note of the 15th instant, avails, &c.

(Signed) ERNESTO FERREIRA FRANCA.

Hamilton Hamilton, Esq.
&c. &c.

Ninth Enclosure in No. 205.

Mr. Hamilton to Senkor Franca.

Rio de Janeiro, February 24, 1844.

THE Undersigned, &c. &c., acknowledging receipt of the note dated 19th instant, from Senhor Franca, &c. &c. concerning the detention by the British brigantine-of-war "Dolphin" of the national schooner "Maria Thereza," has the honour to apprise his Excellency that he will lose no time in communicating that note to the officer commanding the "Dolphin," so soon as she returns from her present cruize; and that he will equally transmit to the Queen's Government, for their due information, the entire correspondence which has passed on the subject between Her Majesty's Legation, the Brazilian Government, and the parties interested therein, by the packet now on the eve of her departure for Europe.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. Franca,
&c. &c.

No. 206.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 27, 1844.

(Received April 14.)

MY LORD,

I HAVE to acquaint you that the slave vessel "Zulmira," (whose capture was announced in my Despatch, Slave Trade, of the 27th ultimo, was sent on 15th instant for adjudication before the British Vice-Admiralty Court at Demerara, and that I took advantage of the opportunity to remove to that colony 156 liberated Africans, as per margin, who were captured in the "Vencedora" and "Anna" slavers.

By my Despatch, Slave Trade series, of December 23rd, last year, it was notified to your Lordship, that 216 Africans were then being forwarded to Trinidad by the "Earl Grey." On the 26th December, the "Lancashire Witch" conveyed thither 300 more, as per margin: there being still due to Trinidad, to equalize the number sent heretofore to Demerara, 67 Africans. By the 156 now sent to Demerara by the "Zulmira," the excess in favour of the last-mentioned colony amounts to 223. The next transfer made will be to Trinidad; but there are at present on board the "Crescent" only 16, of whom nine are perfectly blind, without any hope of restoration.

The health of the negroes recently dispatched was perfectly satisfactory; but they had been suffering for a long time from ophthalmia and dysentery.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

No. 207.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, April 18, 1844.

I TRANSMIT herewith to you a copy of a communication from the Colonial Department, representing that a vessel, the "Lancashire Witch," sent with negroes from Rio de Janeiro to Trinidad, had been too much crowded; and I have to instruct you to take care, that in the arrangements for transferring negroes from Rio de Janeiro to Her Majesty's colonies a similar occurrence may be guarded against in future.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 207.

Mr. Stephen to Viscount Canning.

MY LORD,

Colonial Office, April 2, 1844.

I AM directed by Lord Stanley to transmit to your Lordship, for the information of the Earl of Aberdeen, the enclosed copy of a Despatch from the Governor of Trinidad, reporting the arrival at that colony, from Rio de Janeiro of another vessel, the "Lancashire Witch," with 288 captured Africans on board.

Lord Stanley notices with regret the mention made by Sir Henry Macleod, that this vessel had been too much crowded, and I am to request that you will move Lord Aberdeen to instruct Mr. Hamilton to guard against a similar occurrence in future.

The Viscount Canning,
&c. &c.

I have, &c.
(Signed) JAMES STEPHEN.

Sub-Enclosure in Enclosure in No. 207.

Sir H. Macleod to Lord Stanley.

MY LORD,

Trinidad, February 20, 1844.

I HAVE the honour to acquaint your Lordship that another vessel, the "Lancashire Witch," arrived here on 10th instant from Rio de Janeiro, with 288 captured Africans. The number originally put on board was 300, of which 12 died on the passage to this colony.

It appears, from a letter received from Mr. Hamilton, that the vessel had been detained some time, in consequence of ophthalmia having broke out on board the receiving ship, and the Africans would seem to have been in a weak state altogether, which may account for the loss; at the same time, although I am aware of the difficulty of obtaining shipping at Rio de Janeiro for the purpose of conveying the captured Africans, I must remark, that this vessel appears to have been too much crowded.

With the exception of 12, however, who were sent to the Colonial Hospital, the remainder were landed and distributed among the different sugar estates, and from the reports which have since reached me I am happy to say that they are doing well, and have wonderfully improved during the few days they have been in the colony.

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

I have, &c.
(Signed) H. MACLEOD.

No. 208.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, April 26, 1844.

I HAVE received your Despatch of the 27th February last, and I have the satisfaction to acquaint you, that I approve of the note which you addressed,

on the 22nd of that month, to the Brazilian Minister, in reply to his note of the 11th of January preceding, on the subject of the negotiations between Great Britain and Brazil on Slave Trade.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 209.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, March 12, 1844.

(Received May 5.)

MY LORD,

By my Despatch, of December 24th last, you were made acquainted with the state of the question concerning the prize "*Dous Amigos*," up to that date. I have now the honour to transmit the answer returned by the Government to my note of December 7th, forming Enclosure No. 2 of that Despatch, in which answer the Government persists in its demand for the release of the said prize to the Municipal Judge.

Believing that the Government was determined not to desist from its pretensions on this point, I had deferred taking notice of this renewed demand, in the hope of receiving an early communication from your Lordship regarding it. Such communication having been received by Her Majesty's Commissioners, with information that Her Majesty's Government acquiesced in the judgment pronounced in the case of the "*Dous Amigos*" by the Brazilian Arbitrator, I forthwith communicated the circumstance to the Minister of Foreign Affairs, intimating that, under this acquiescence, it appeared irrelevant to trespass on His Excellency with any further observations on the points at issue.

From Senhor E. França's rejoinder, otherwise unimportant, it seemed the Government had already cognizance of the fact when my note arrived, through the Brazilian Minister in London.

I have, &c.
(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 209.

Senhor Paulino de Souza to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, January 18, 1844.

THE Undersigned, &c. &c., received, on the 5th of December last, a petition from the Municipal Judge, of the first Vára of this city, dated the 4th, requesting that he would obtain from Mr. Hamilton, &c. &c. the orders necessary for the delivery of the prize "*Dous Amigos*" to the Brazilian authorities charged with the execution of the sentences of the Brazilian and English Mixed Commission, which had sent the sentence decreeing the release of the prize above referred to, to the said Municipal Judge.

Two days afterwards, the Undersigned had the honour of receiving the note, No. 79, of the 7th of the said month, in which Mr. Hamilton again states his opposition to the execution of that sentence, and declares that he had referred the case to his Government.

The Undersigned agrees with Mr. Hamilton that it is courteous and regular to await the decision of the British Government; but considering, on the other hand, that the question is simple, inasmuch as it only treats of determining whether one member of the said Commission, and consequently the minority, can render the decisions of the majority of it of no effect; and, as the case is of an urgent nature, and already decided by the only competent tribunal, he begs Mr. Hamilton to re-consider it, together with the reasons which the Undersigned has had the honour of stating upon this subject, and to issue the orders solicited by the Municipal Judge.

The Undersigned avails, &c.
(Signed) PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.
&c. &c.

Second Enclosure in No. 209.

Mr. Hamilton to Senhor França.

Rio de Janeiro, March 2, 1844.

WITH reference to the note which the Undersigned, &c. &c., addressed to Senhor Paulino, &c. &c., on the 7th December last, respecting the Brazilian slave vessel "*Dous Amigos*," and in reply to his Excellency's answer to that note, dated 18th January, the Undersigned has the honour to apprise Senhor Ernesto França, &c. &c., that a communication has been received from the Queen's Government by the packet "*Penguin*," upon the case of the said slaver, announcing their acquiescence in the judgment pronounced therein by the Brazilian Arbitrator in the Mixed Court.

In conformity with this decision on the part of his Government, the British Commissary Judge has intimated in Court that he is prepared to afford every facility to the due execution of that sentence, and the question having thus reverted to the jurisdiction more especially cognizant of it, it appears to the Undersigned irrelevant further to occupy his Excellency with the matter.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c. &c.

No. 210.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, March 12, 1844.

(Received May 5.)

MY LORD,

OF the three papers laid before you in the present Despatch, the two first consist of a note from the Minister of Foreign Affairs and my answer, respecting the slave André, now on board Her Majesty's ship "*Crescent*," whose liberation is demanded by his owner Senhor Antonio Jose Gomes Moreira; the third, relating not only to the same André, but also to another negro, by name Jacob, claimed by the Brazilian subject Vicente Thomas dos Santos, as his property, the said negro Jacob having been one of the crew of the Portuguese slave bark "*Maria Carlota*," at her capture in May, 1839, and being at present on board the "*Crescent*."

The demand for the delivery of André was the subject matter of my Despatch, Slave Trade series, of the 19th of October last; and I look anxiously for your Lordship's decision, whether Her Majesty's gracious protection is to be extended to him, as in the similar cases of the negroes Jose and Francisco, the property of Senhor Antonio Gonzalez da Luz.

As concerns the slave Jacob, this, I believe, is the first time any claim on his account has been reported to your Lordship, although a requisition for his liberation was addressed to Mr. Ouseley, then in charge of this Mission, shortly after the capture of the "*Maria Carlota*."

The documents which attest the property of Senhor Vicente Thomas dos Santos in the negro Jacob, appear perfectly satisfactory on that point; and I request to be honoured with your Lordship's instructions as to the disposal of him. All the circumstances of his case are parallel to those of André.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

(Translation.)

First Enclosure in No. 210.

Senhor Paulino de Souza to Mr. Hamilton.

SIR,

Palace of Rio de Janeiro, December 11, 1843.

THE Undersigned, &c. &c., has the honour on this occasion to acknowledge receipt of the note which Mr. Hamilton, &c. &c., addressed to him on the

1st October of this year, in reply to that from the Undersigned of the 28th of June last, stating that no information whatever could be found in the archives of Her Britannic Majesty's Legation on the subject in question, beyond the note of 1840, by which were transmitted to Mr. Ouseley, then in charge of the affairs of the Legation, the petition, with documents annexed, from Antonio Jose Gomes Moreira, purporting that his slave, by name André, detained since March 1839, notwithstanding the representations of the Imperial Government, on board the English receiving ship, should be delivered up to him, he not being comprehended, which indeed he could not have been, in the sentence of the Mixed Commission condemning the Portuguese bark "*Maria Carlota*," on board of which vessel that slave had entered, styling himself a free black, and under the assumed name of Jose de Faria.

In order to avoid delay in the restoration of this African, the Undersigned hastens to communicate to Mr. Hamilton the petition and annexed documents, which have just been laid before the Government of His Imperial Majesty, by which the claimant proves his title to the said slave, trusting that Mr. Hamilton will, without any further delay, take steps to cause him to be delivered up to his legitimate owner, according to the petition of the latter, and without waiting for the information on the subject solicited from Her Britannic Majesty's Government,—information now rendered unnecessary by the proofs now produced.

Requesting Mr. Hamilton to return the enclosed documents when no longer required, the Undersigned avails, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.
&c. &c.

Second Enclosure in No. 210.

Mr. Hamilton to Senhor Paulino de Souza.

Rio de Janeiro, December 30, 1843.

In reply to the note of Senhor Paulino, &c. &c., dated the 11th instant, relating to a negro named André, *alias* Jose de Faria, who was sent on board Her Britannic Majesty's receiving ship "*Crescent*" in 1839, and has been claimed by the Brazilian subject Antonio Jose Gomes Moreira, as his property, and which note covered the documentary evidence appertaining to the claim, the Undersigned, &c. &c. has the honour to apprise his Excellency, that in conformity with the engagement taken by the Undersigned, in his note dated the 10th October ultimo, the demand of the Brazilian Government on this subject was duly communicated to his Government on the 19th of the same month, and their instructions requested. Of these instructions the Undersigned is not yet in possession, indeed he could not be; but a requisition for them having been made, it appears only consistent and proper to await the result.

The Undersigned returns, as requested, the papers annexed to the note of the Minister of Foreign Affairs; and again assuring his Excellency that he will not delay advising him of the issue of his reference to the Queen's Government, he has the honour to offer the assurances, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Paulino J. S. de Souza,
&c. &c.

Third Enclosure in No. 210.

Senhor Paulino de Souza to Mr. Hamilton.

(Translation.)

Palace of Rio de Janeiro, January 12 1844.

THE Undersigned, &c. &c., has the honour to transmit to Mr. Hamilton, &c. &c., the enclosed petition, and document annexed thereto, which was presented to his Majesty the Emperor by the Proctor in this city for Vicente Thomas dos Santos, a Brazilian subject, residing in Pernambuco, praying the intervention of the Imperial Government, in order to obtain restitution of his slave, called Jacob,

of the Inhambane nation, who was one of the crew of the Portuguese bark "*Maria Carlota*," captured in May 1839 by an English cruizer, on sailing from this port, and condemned as a good prize on the 13th of September of the same year.

This slave neither was, nor could be, included in the sentence issued by the said Commission, and therefore was not delivered to the Judge, who had the execution of the same; but he ought to have been placed at the disposal of the Imperial Government, to be restored to his lawful owner.

Although this ought to have been the regular and legal course of proceeding, the said slave was detained on board Her Britannic Majesty's ship "*Crescent*," the British authorities thus assuming a right which they have not, and practising an act which cannot be in any manner borne out.

Under the like circumstances is the slave André, alias Jose de Faria, the property of the Brazilian subject Antonio Jose Gomes Moreira, whose restitution has been delayed more than three years, notwithstanding the demands addressed to the Legation of Her Britannic Majesty, that the British authorities give him up, and that his master be no longer deprived of his services.

Mr. Hamilton, referring in his note, No. 93, dated the 30th of last month, to that from the Undersigned of the 11th of the same month, upon this subject, says, that he had laid this affair before his Government; in answer to which the Undersigned begs permission to remind Mr. Hamilton, that this communication was made before the new documents offered by the party interested were presented, and which accompanied that note, and the same not having been forwarded to Her Britannic Majesty's Government cannot be taken into consideration in the instructions which Mr. Hamilton awaits upon this transaction. These documents prove unquestionably the right which the Brazilian subject Antonio Jose Gomes Moreira has to the slave André, and serve, instead of the originals transmitted to Her Britannic Majesty's Legation in 1840, which were, by a sad fatality, mislaid before the claimant obtained the delivery of the said slave, and therefore, with reference to these documents, the Undersigned deems it his duty again to insist upon the explanation requested in his above-mentioned note of the 11th of last month.

The Undersigned does not see the slightest motive for further delay in the restitution of these two slaves to their lawful owners, when once they shall have presented their titles to the same, titles which, doubtlessly, cannot be contested by Her Britannic Majesty's Legation. And on the other hand, the possession of these slaves by the British authorities being manifestly unjust, he trusts that the equitable representations made by the Brazilian subjects to whom the slaves Jacob and André belong, will receive immediate attention, Mr. Hamilton issuing, through the Legation under his charge, the necessary orders for the said slaves being sent to the Marine Arsenal in this city, in conformity to the petitions made by the Brazilian subjects above referred to, as was the case with others who were also on board the bark "*Maria Carlota*," and not included in the sentence of the Brazilian and English Mixed Commission.

The Undersigned, in begging Mr. Hamilton to return the documents enclosed, avails, &c.

(Signed)

PAULINO JOZE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c. &c.

(Translation.) Sub-Enclosure in Third Enclosure in No. 210.

Petition of Senhor Santos to His Imperial Majesty.

SIRE,

Rio de Janeiro, October 16, 1843.

VICENTE Thomas dos Santos, resident in Pernambuco, through his Proctor, had the honour to lay before your Imperial Majesty a representation against the British authorities, for having taken possession of a slave of his called Jacob, who was shipped as a boy on board the bark "*Maria Carlota*," destined for a long voyage, but captured, on sailing from this port, by a cruizer of the said nation, and submitted to the cognizance of the Brazilian and Portuguese Mixed Commission, which, condemning the vessel, also considered the officers and supercargo guilty, but the rest of the crew, composed of free men and slaves, not being included, were sent, with the exception of the slave belonging to the

petitioner, and two others, to the Marine Arsenal of this Empire, to be there dealt with according to law. The capture was made in May 1839, and since that time the slave above-mentioned has been employed in the service of their prison-ship.

By the document annexed it is seen, that none of the seamen were condemned, and therefore, that they are illegally detaining that slave, the property of the petitioner, which is a manifest injustice; and it is for this that the petitioner again comes before your Imperial Majesty, to implore that the British authorities be addressed, in order that the said slave be immediately conveyed to the Arsenal to be disposed of according to law, or that the petitioner be indemnified for the value of the slave and the respective losses.

He therefore begs your Imperial Majesty, &c.

(Signed) ANTONIO MARQUIS BAPTISTA.

(Translation.) *Petition of Senhor Graca to the Municipal Judge.*

Most Illustrious Senhor Municipal Judge, *Rio de Janeiro, May 15, 1840.*

Vicente Thomas dos Santos, through his Proctor Joao Agostinho de Souza Correia, says, that the slave called Jacob, of the Inhambane nation, belonging to the petitioner, was registered as a boy among the crew of the Portuguese bark "*Maria Carlota*," which was captured on leaving this port, and condemned by the Brazilian and British Mixed Commission, on suspicion of being engaged in the illicit traffic in slaves, but that neither this slave nor the rest of the crew, excepting the officers and the shippers, were included in the sentence of condemnation; and inasmuch as the sentence was sent to this Court for execution, according to the legislation in force, and that bark and her cargo having been delivered over to the said Court, and the remainder of the crew, as well white men as slaves, sent to the Arsenal of this city, still the petitioner's slave was retained to serve on board the English ships of war, and is still there, without any justifiable grounds; thus the petitioner prays that you, Sir, as Judge Executor, will be pleased to demand the said slave, his property, being one of the said crew, and who ought to have been delivered to this Court, to be disposed of according to law, as he was not included in the sentence.

He therefore begs, &c.

Let the clerk report whether or not the slave was included in the sentence of the Mixed Commission.

(Signed) D. SIQUEIRA.

Most Illustrious Senhor Municipal Judge, *Rio de Janeiro, May 22, 1843.*

The black, Jacob, of whom the foregoing petition treats, is, it is true, registered in the muster roll, inserted in the process for execution at page 5, but he is not mentioned in the sentence issued by the Mixed Commission. This is what I have the honour to report to you.

(Signed) JOSE ALVES BARROSO, *Clerk.*

Rio de Janeiro, May 26, 1840.

As Judge Executor of the sentences of the Mixed Commission, it belongs only to me to execute that which is therein contained; therefore the petitioner must apply to the Government, to whom this affair belongs.

(Signed) D. SIQUEIRA.

No. 211.

(Extract.) *Mr. Hamilton to the Earl of Aberdeen.*

Rio de Janeiro, March 12, 1844.

(Received May 5.)

MY LORD,

WITH reference to my Despatch, Slave Trade series, of the 23rd September last, respecting Manoel Jose Madeira, a Brazilian subject, found

CLASS B.

on board the slave ship "*Vencedora*," and removed in her to the Cape of Good Hope, where she was sent for adjudication before the Vice-Admiralty Court, I have the honour to transmit herewith, for your information, copy and translation of another note from the Minister of Foreign Affairs on the subject of this individual.

In this note his Excellency replies to a communication of mine, dated the 19th of December last, and enclosed in the Despatch above-mentioned, wherein I endeavoured to rebut different assumptions advanced by Senhor Paulino in his note of the 28th of November, also enclosed in that Despatch, which appeared to me by no means tenable. But if the tenor of this note of the 28th of November appeared so open to observation and comment, the one from his Excellency now submitted to your Lordship's consideration, presenting, as it does, little more than a repetition of the arguments set forth in the former, has seemed to me to call for little or none. My last note had entered at large into the question agitated in his of the 28th of November; and unless, therefore, I should be pressed urgently by the present Minister, it shall be my endeavour, so far as Madeira is concerned, not to recur to the subject.

Madeira returned to Rio de Janeiro from the Cape of Good Hope immediately after the condemnation of the "*Vencedora*."

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 211.

(Translation.) *Senhor Paulino de Souza to Mr. Hamilton.*

Palace of Rio de Janeiro, January 18, 1844.

THE Undersigned, &c. &c., has to acknowledge the receipt of the note, No. 82, which, under date of the 19th of last month, Mr. Hamilton, &c. &c., addressed to him, relating to the case of Manoel Jose Madeira.

The Undersigned did not intend literally to say in his note, No. 79, of the 28th of November, that that Brazilian citizen had been taken by force from the territory of the Empire, in which territory he was not when detained, and therefore the second interpretation given by Mr. Hamilton to the words of the said note is the more accurate. The Undersigned was, and still is of opinion, notwithstanding the observations made by Mr. Hamilton, that the act of taking that Brazilian citizen to a foreign country, to be tried by a tribunal also foreign, is an abuse and a violent proceeding. Mr. Hamilton, however, considers that the said Madeira came under the jurisdiction of that tribunal, inasmuch as the vessel on board of which he was found must be regarded as a pirate, and, as such, not belonging to any nation. Now Mr. Hamilton does not deny that the British Government has demanded that Brazil should make a law imposing the penalty of piracy upon the infractors of the Treaties for the abolition of the traffic. If this demand were made, it was because this penalty does not exist; and if it do not exist, how can Manoel Jose Madeira be tried? Further, it is inconceivable how he could be tried without the vessel in which he was found having been submitted to the cognizance of the Brazilian and English Mixed Commission. One of the principal reasons for the establishment of these Commissions was certainly for the purpose of preventing the interests of the subjects of each of the countries being decided by a tribunal entirely foreign. For this reason these Commissions are mixed; that is, composed of Judges not only British but also Brazilians. Now the proceeding had with respect to Manoel Jose Madeira openly violates this principle, and the end for which the said Commissions were established.

The Legation of Her Britannic Majesty in this city has already recognised the soundness of this doctrine (from which it now intends to deviate, without any plausible reason) in an identical case. The Brazilian citizen Jose Lazaro de Oliveira, was found on board the Portuguese brigantine "*Dous de Fevereiro*," captured by the English patacho "*Fawn*," and sent on board an English prison-ship, the captured vessel having been dispatched to Demerara.

Jose Lazara de Oliveira was claimed for the same reasons as Manoel Jose Madeira is now claimed, as Mr. Hamilton will see by a confidential note from Senhor Aureliano to Mr. Ouseley, dated the 25th of May, 1841. That claim was not objected to, and Jose Lazara de Oliveira was delivered to the Brazilian authorities. Since that date the Conventions and Treaties then existing, and the right derived from them, have not undergone any alteration; and it is for this reason that the Undersigned is under the absolute necessity, in the performance of his duty, to insist upon the claim made in the former notes relating to this subject.

The Undersigned does not consider this a fit opportunity for a discussion regarding the execution of the Brazilian laws which inflict penalties upon the importers of Africans into the Empire. In reserving this discussion for those occasions to which it more properly belongs, the Undersigned cannot omit to remark, that the statements made by Mr. Hamilton upon this subject are somewhat exaggerated.

The Undersigned avails, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Hamilton Hamilton, Esq.

&c. &c.

No. 212.

M. Lisboa to the Earl of Aberdeen.

York Place, Mai 7, 1844.

(Received May 8.)

MILORD,

J'AI l'honneur de porter à votre connaissance la nomination que mon Gouvernement vient de faire du Sieur Olavo Magno de Mello e Mattos pour l'emploi de Commissaire Juge de la Commission Mixte Brésilienne et Anglaise se'ant à Sierra Leone. Je prie votre Excellence de vouloir bien expédier les ordres nécessaires pour que le Sieur Olavo Magno de Melloe Mattos soit reconnu par qui de droit en sa susdite qualité officielle.

Veillez agréer, &c.

(Signed) MARQUES LISBOA.

Son Excellence le Comte d'Aberdeen,

&c. &c. &c.

No. 213.

The Earl of Aberdeen to M. Lisboa.

Foreign Office, May 13, 1844.

THE Undersigned, &c. &c. has had the honour to receive the letter which Senhor Marques Lisboa, &c. &c. addressed to him under date of the 7th instant, announcing the appointment of M. Olavo Magno de Mello e Mattos to be Brazilian Commissary Judge in the Mixed British and Brazilian Commission at Sierra Leone.

The Undersigned has now to acquaint M. Lisboa, that this appointment has been announced to Her Majesty's Commissioners at Sierra Leone, who have been desired to receive M. Mattos as their colleague; and introduce him in that character to the proper authorities at Sierra Leone.

Her Majesty's Commissioners have, at the same time, been directed to treat M. Mattos with cordiality and confidence in the execution of their joint duties, and to show to him every suitable attention and respect.

The Undersigned, &c.

The Chevalier Marques Lisboa,

(Signed)

ABERDEEN.

&c. &c.

No. 214.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, March 16, 1844.

(Received June 4.)

MY LORD,

LIEUTENANT Donellan, commanding Her Majesty's receiving ship "Crescent," has been invalided, and returns to England on board Her Majesty's sloop "Pearl."

As the services on which the "Crescent" has been employed since her arrival in this port have brought her commanding officer constantly into communication with Her Majesty's Legation, and under its observation, I consider it incumbent on me not to permit that officer to retire without a testimony on the part of the Legation as to the meritorious manner in which the duties of his command have been discharged.

Your Lordship is fully aware of the nature of those duties; but it is scarcely possible to comprehend, without witnessing them, to what a degree they are onerous and painful. Lieutenant Donellan has performed them with the most sedulous attention and activity,—with a zeal and perfect comprehension of them which I almost fear it may be difficult to replace.

But the effect, unfortunately, of this application, in this climate, has been detrimental to his health, and made such inroads on his constitution as to render necessary, in order to save his life, his immediate departure for England.

Your Lordship will, I am sure, pardon my suggestion, that, in justice to a zealous officer in Her Majesty's naval service, whose conduct has, for between two and three years, fallen under my particular observation, this report be laid before the Lords of the Admiralty.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

No. 215.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, April 24, 1844.

(Received June 20.)

MY LORD,

WITH reference to my antecedent Despatches, marked Slave Trade, of the 22nd of November and 23rd of December, 1843, concerning the "*Vencedora*" slaver, I have the honour to lay before your Lordship two notes which the Minister of Foreign Affairs and myself have exchanged subsequently on that subject.

The gist of Senhor França's argument is, to support the position contended for by his predecessor in the Foreign Department regarding the case of this slaver, and that of the "*Cezar*," captured in 1838, and establish, if possible, a perfect analogy between them; and likewise to demonstrate, that the tribunal which adjudged the first was fully competent to adjudge the last, a conclusion, he observes, which cannot be controverted, looking to the existing Treaties between the two countries.

His Excellency assumes, however, that the capture of the "*Vencedora*" is not an unpremeditated act, that it is the result of a new system for the more effectual abolition of the traffic, and he declares, that as it has been adopted without the consent of the Brazilian Government, that Government protests against it in the most solemn manner, and will continue so to protest against it, as a manifest violation of Conventions now in force. He then alludes to the recent detention of other vessels, whether with or without negroes on board, and on mere suspicion, as part and parcel of the the said system, as acts whereby arbitrary power is brought to bear as a substitute for the stipulations of Treaties, and the dignity and the rights of nations are set at nought.

The Minister concludes with the declaration, that his Government does not admit as an excuse that the British cruisers act under special instructions from Her Majesty's Government, and with calling on the Legation for energetic representations to Her Majesty's Government, to the end that due observance be shown in future to those instructions which form an integral part of the Treaties uniting the two Crowns.

In replying to this communication, it appeared to me expedient to set the Government right as to the state of the question mooted therein, I proceeded therefore to explain, that Her Majesty's squadron stationed on the coast of Brazil was guided in its operations for the suppression of Slave Trade by instructions derived from two separate and distinct authorities; not only from Treaties between Great Britain and Brazil, concluded for that particular pur-

pose, but also from a special Act of the British Parliament. I then showed the extent of power delegated by these different authorities: that the "*Cezar*" was captured and adjudicated in the Mixed Court in this capital, under the first of these two authorities; that the "*Vencedora*" was captured and sent for trial before the Vice-Admiralty Court at the Cape of Good Hope, and was then condemned under the second of them; and consequently, that the alleged analogy between the cases of the "*Cezar*" and the "*Vencedora*" did not exist; that although His Excellency was correct in his assumption as to the adoption by Her Majesty's Government of another system intended for the more prompt and complete prevention of the contraband trade in Africans, that system was directed not against Brazilian vessels, but exclusively against vessels navigated piratically, vessels not belonging to Brazil; and that the protest therefore of the Government of His Imperial Majesty against the system in question, as involving a violation of the compacts founded on common consent between the two countries, did not apply.

These are the more prominent among the arguments which will be found in my reply to Senhor França, in a topic to which his Government is continually reverting; but I would press on your Lordship the consideration of the note itself; and I hope that the view I have taken therein, and the reasoning by which I have sustained it, will have the advantage of your Lordship's concurrence.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 215.

Senhor França to Mr. Hamilton.

Palace of Rio de Janeiro, March 24, 1844.

THE Undersigned, &c. &c., has received the note, No. 76, dated the 16th of November last, from Mr. Hamilton, &c. &c., replying to that of the 31st of the preceeding month, No. 64, from the Undersigned's predecessor, relating to the schooner "*Vencedora*," alias "*Tartaruga*," captured, with Africans on board, by the English brig-of-war "*Frolic*," to the northward of Campos, and sent to the Cape of Good Hope, to be there adjudicated by the Court of British Vice-Admiralty.

Mr. Hamilton in this his reply says, that the case of the patacho "*Cezar*," captured near the islands of Marica, by the English corvette "*Rover*," and submitted to the cognizance of the Brazilian and English Mixed Commission, is different from that of the schooner referred to, and therefore the latter was taken to the said colony.

To justify this determination, Mr. Hamilton declares only, that the circumstances are different, without showing in what this difference consists. The Undersigned, however, is persuaded that there is a perfect analogy between the two cases, so that the tribunal which adjudged the first, would be the competent one to adjudge the other, and this conclusion arises from the examination of the circumstances of the capture of both, and cannot be controverted, considering (*à vista*) the Treaties existing between the two countries, as he proceeds to show.

By the process of the adjudication of the patacho "*Cezar*" it is seen that the papers with which she latterly navigated were not found on board, and according to what is said, the schooner "*Tartaruga*," or "*Vencedora*," was not furnished with the necessary documents to prove her nationality. When the patacho was captured, no persons belonging to the crew were found on board, the whole of them having left her immediately the chase was begun; but where the schooner was detained some individuals were found, with whom she was dispatched to the Cape of Good Hope, as is proved in the correspondence relating to the case of Manoel Jose Madeira, a Brazilian subject, who was taken to that colony with the other persons found on board, to serve, as Mr. Hamilton declares, as witnesses, and as the means of proving the acts of piracy in which the vessel was, it is said, engaged when captured. In the former case, a

Brazilian flag and some papers were found, which proved that vessel to be the patacho "*Cezar*," which had sailed from this port, and, as such, having Africans on board, she was condemned by the Mixed Commission; in the latter case, granting that the clearances and papers to prove her nationality were absolutely wanting, which the assertion of the captor does not suffice to prove, without further examination by the Imperial Government, there were no other means of determining whether or not she belonged to any Brazilian or to a Portuguese subject residing in the Empire, either by the declarations of the persons who were on board, or through the Departments whence the clearances, passports, &c., are issued. This prize ought, therefore, to have been submitted, as the patacho "*Cezar*" was, to the Brazilian and English Mixed Commission, which, if competent, would have proceeded, according to its regulations, to the necessary examinations, in order to be able to adjudge and decide whether or not the vessel had been lawfully detained, in virtue of the stipulations of the additional Convention of the 28th of July, 1817; and if her adjudication did not belong to it, the prize would have been delivered to the captor for him to have acted with her as he should have deemed fit.

This would have been the only regular proceeding, and is the only one authorized by the instructions annexed to the above-mentioned Conventions for the ships of war which are employed as cruizers for the purpose of preventing the illicit commerce in Africans, which instructions expressly stipulate, that whenever a prize shall be made having Africans on board destined for the traffic, the Commander of the capturing vessel ought to submit it to the cognizance of the Mixed Commission which shall be nearest to the place where the capture shall have been effected. Now, if the prize treated of were taken, as is said, near our coast, what reason is there for contesting the competency of the Mixed Commission established in this city to adjudicate thereon? This is not an unpremeditated act; it appears to be the result of a new system, adopted without the consent of the Imperial Government, for better attaining the cessation of the traffic, against which the said Government protests in the most solemn manner, and will always protest, as being a manifest violation of the Treaties now in force.

The departure, under the pretext perhaps of not having clearances and papers which might prove her nationality, of a schooner called "*Anna*," with upwards of 500 Africans on board, from this port for that of Demerara, is of a recent date, notwithstanding that on her entry she was declared to be Brazilian. The question relative to the case of the "*Maria Thereza*," the property of a Brazilian subject, is still pending, which Mr. Hamilton informed the Undersigned, in his note, No. 19, of the 24th of the present month, he was about to submit by the packet, which has already left for England, to the cognizance of his Government, a case still more extraordinary and aggravating, inasmuch as the said schooner had no Africans on board, could not even be suspected of being employed in this illicit commerce, and was captured at a place within the dominion of the Empire, where the English cruizers can exercise no authority; Commander Hoare declaring that he is resolved to take her to that colony, also under the pretext of her not having papers on board, when it is impossible to doubt their existence, seeing the documents which accompanied the notes Nos. 11 and 17, addressed to Mr. Hamilton.

In each of these cases, it appears to be the opinion of the English cruizers that the adjudication of the vessel belongs to the Courts of Vice-Admiralty in the British colonies, as they were engaged in acts of piracy, and because no clearances or other documents necessary to prove their nationality, were found on board at the time of capture; and they cause this opinion to extend not only to vessels detained with slaves on board, but also to those which, from mere suspicion, they consider as detained for the illicit commerce in Africans; thus subsisting for the stipulations of the Treaties, proceedings entirely arbitrary and violent, which encroach upon the dignity and the rights of nations arising from those Conventions. And if the Imperial Government were to give its assent to these acts, the Conventions would be totally subverted, and the interests of Brazilian subjects entirely at the discretion of one of the contracting parties. And in this manner all questions which might arise relating to the traffic would be treated, if the abusive procedure which the British Commissioners in the Brazilian and English Mixed Commissions have also followed were to continue.

The Undersigned, without qualifying the degree of piracy which it is desired to give to the commerce in Africans, to legalize the conduct of the British cruizers,

(this subject having already been discussed at length with Mr. Hamilton,) limits himself to pointing out the facts contained in this note, to prove the firm intention which the said cruizers appear to have of not being bound by the contracts which bind the relations existing between the two countries as regards the suppression of that traffic.

The Imperial Government does not admit that these acts are practised in obedience to special instructions received from Her Britannic Majesty's Government. Orders of this nature are contrary to the good faith with which nations ought to respect their contracts; and it is, therefore, with the greatest confidence that the Undersigned addresses Mr. Hamilton, in order to his making an energetic representation upon this delicate subject, and soliciting the most positive orders for the strict observance of the instructions which are an integral part of the existing Treaties, which can only be altered, when circumstances require it, by mutual agreement, and with the consent of the two contracting parties, as is declared in the 7th Article of the said Instructions.

The Undersigned, trusting that the subject of the present claim, and the observations above set forth, will be duly attended to, renews, &c.

(Signed) ERNESTO FERREIRA FRANÇA.

Hamilton Hamilton, Esq.
&c. &c.

Second Enclosure in No. 215.

Mr. Hamilton to Senhor França.

Rio de Janeiro, April 13, 1844.

THE Undersigned, &c. &c., has the honour to reply to the note which his Excellency Senhor Ernesto Ferreira França, &c. &c., addressed to him on the 24th ultimo, respecting the schooner "*Vencedora*," otherwise "*Tartaruga*," captured by the British brig-of-war "*Frolic*," and subsequently adjudicated before the British Vice-Admiralty Court at the Cape of Good Hope.

The squadron of Her Britannic Majesty, stationed on the coast of Brazil, is guided in its operations for the suppression of Slave Trade by instructions founded on two different authorities; one being the Treaties into which Great Britain and Brazil have entered for that particular purpose by which those high contracting parties agree to adopt all former Treaties and Conventions on Slave Trade between Great Britain and Portugal; the other, a special Act of the British Parliament, passed the 24th August, 1839.

The power vested in Her Majesty's Government by the first-mentioned authority extends to the detention of all vessels, whether British or Brazilian, engaged, or suspected to be engaged, in Slave Trade practices, and provides for the trial of such vessels before the Court of Mixed Commission sitting in Rio de Janeiro.

By the latter authority, and the instructions founded thereon, Her Majesty's cruizers are empowered to detain all vessels so engaged, or suspected to be engaged, which may be navigating without colours, or papers entitling them to claim the protection of the flag of any state or nation: and it is further provided thereby, that such vessels be sent for adjudication before a tribunal of the British Vice-Admiralty.

The "*Vencedora*," or "*Tartaruga*" slave vessel, which is the subject of the present correspondence, was detained under those instructions from Her Majesty's Government, based on the Act of Parliament quoted above; and, in virtue of the same instructions, she was carried for trial before the Court of Vice-Admiralty at the Cape of Good Hope, where she has been condemned as a good and lawful prize.

The explanations here offered touching the authorities on which are based the instructions governing Her Majesty's cruizers against Slave Trade, but which here relate more particularly to the detention of the "*Vencedora*," although they are more minute and particular than in the statements which the Undersigned has previously had occasion to bring forward on the subject, are alike in the more essential points. The Brazilian Government, however, impugning as insufficient the reasons thus assigned for the detention of the "*Vencedora*," seek to assimilate her case to that of the patacho "*Cexá*

captured in 1838, by Her Majesty's corvette "Rover;" contending that, as the "Cezar" was submitted to the cognizance of the British and Brazilian Mixed Commission established in Rio de Janeiro, so ought to have been the "Vencedora."

The Undersigned dissented from this inference of the Brazilian Government in his preceding communication on this topic; he dissents from it equally at present; and for this especial reason, that the "Cezar" was captured and brought for adjudication, under provisions of the Treaties between Great Britain and Brazil, before the Mixed Court in this capital, because evidence was discovered which enabled the captors to establish the Brazilian ownership of the vessel and property; whilst in the case of the "Vencedora" no proof could be found to fix upon her a national character, so as to bring the case within the limited jurisdiction of the British and Brazilian Mixed Commission sitting in Rio Janeiro.

These are the circumstances adverted to by the Undersigned in note, dated November 16 last, as distinguishing the cases of the "Vencedora" and "Cezar," cases between which Senhor E. F. França feels persuaded there exists a perfect analogy.

The Brazilian Government assume the capture of the "Vencedora" to be the result of a new system adopted by the British Government for the more prompt and complete prevention of the traffic in slaves. The assumption is accurate, as has already been shown; that system is directed, however, not against Brazilian vessels, but solely against vessels navigated piratically; that is, vessels, without colours, without papers, and, therefore, not entitled to claim the protection of the flag of any nation or state; vessels navigating against the laws of Brazil, or of every other maritime power. The protest, therefore, of the Brazilian Government against the system in question as a manifest violation of the Conventional engagements now in force between Great Britain and Brazil does not apply.

Senhor E. F. França, extending his arguments against the capture of the "Vencedora," is pleased to impugn also the detention of several other vessels recently effected under parallel circumstances by Her Majesty's cruisers. But as these arguments of his Excellency appear to be founded on erroneous data; or, at least, as the explanations which have been given above by the Undersigned concerning the capture of the "Vencedora" are equally apposite to the detention of the other vessels, the Undersigned perceives little utility in entering, on the present occasion, into a further examination of them.

With reference to the observations made in the final paragraphs of Senhor França's note, that the Brazilian Government does not admit as excuse that these acts are practised in obedience to special instructions received from Her Majesty's Government, the Undersigned can only reply, that any excuse or justification of the line of conduct pursued by the Queen's Government in this matter seems uncalled for; and that, with regard, to explanation, he has none other in his power to offer at present than what is found in this note: to be enabled to supply any additional explanation which the Brazilian Government may be desirous of possessing on these points, the Undersigned must await the instructions which his Government may deem it expedient to transmit to him. But, in the meantime, the parties interested, whether Brazilian or foreign, can have recourse to the High Court of Appeal in England for redress of the grievances which they may conceive to have been inflicted on them through the capture of such piratical vessels by Her Majesty's cruisers, or through the sentence of a British Court of Vice-Admiralty.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c. &c.

No. 216.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, April 24, 1844.

(Received June 20.)

MY LORD,

IN addition to my preceding Despatch of this date, respecting the "Vencedora" slaver, I have to offer the following observations respecting an

inaccuracy which had crept into my Despatch, Slave Trade, of the 22nd November, 1843, covering details of the capture of that vessel by Her Majesty's brig "Frolic," which inaccuracy is pointed out in your Despatch, Slave Trade, of the 27th February, recently received by Her Majesty's packet "Crane."

I must acknowledge frankly, my Lord, my utter inability to account for my having asserted that the "*Vencedora*" hoisted no flag; an assertion made in the face of a correspondence noticing most distinctly the contrary, which was transmitted in my Despatch above-mentioned, and it would be a waste of time to go into conjecture thereon. However, the mis-statement is perhaps of little moment, considering that it is the captor's report alone which can be cognizable in Court. At the same time it is to be observed, with regard to the flag, that it was not hoisted at the "*Vencedora's*" peak, as is usual, in order to indicate a vessel's nationality, but at her foretop-gallant mast-head, where, according to the usage in Brazil among slavers, it is a distinguishing signal for the shore.

With reference to the papers found on board the "*Vencedora*," the conclusion which Captain Willis, Commander of the "Frolic," and Her Majesty's Consul came to, that they were not of a description to afford her any claim to the protection either of Brazil or of Portugal, and which was perhaps my authority for the assertion to that effect made in my Despatch of the 22nd November last, that conclusion appears fully borne out by a memorandum, of which the enclosed is a copy, of Lieutenant Read, of the "Frolic," who, having proceeded to Cape Town with a prize previously made by that ship, was still there when the case of the "*Vencedora*" was brought thither for adjudication.

This memorandum says, that the Vice-Admiralty Court, considering that the "*Vencedora*" had Portuguese colours flying, sent all the said papers for examination to the Mixed British and Portuguese Commission in that city; that the papers were also there ascertained to be merely private, and not at all relating to the vessel, and on that account were sent back to the Vice-Admiralty Court; and that the "*Vencedora*" was condemned accordingly on the 6th December.

Despatches from Her Majesty's Commissioners of the Mixed Court at the Cape will doubtless afford your Lordship more clear insight into the nature of the papers in question; and, it is to be presumed, warrant the character here given of them.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 216.

Memorandum by Lieutenant Read.

ON the 21st October, 1843, Mr. H. Cannon (volunteer, 1st class) and William Neal (seaman) arrived in Cape Town, and reported to me that the "Frolic" had captured a vessel supposed to be the "*Vencedora*," from the circumstance of a paper being found on board, dated some time back, headed "*Vencedora*," but some of the prisoners called her the "*Tartaruga*;" at the time of her capture she had on board a cargo of 348 slaves; also, that she had Portuguese colours flying at the fore, but had no papers whatever to identify her nationality.

From the circumstance of her having Portuguese colours flying at the time, the President of the Vice-Admiralty Court, Sir John Wylde, deemed it prudent to send all the papers that were found on board to the Mixed British and Portuguese Commission Court, for the inspection of Mr. George Frere, Junior, Her Britannic Majesty's Commissioner, or Senhor Moniz, the Portuguese one; and on the papers being translated, they merely proved to be private letters and papers, not at all relating to the vessel; and, to the best of my belief, from there not being any found that could entitle her to claim the protection of the flag of Portugal, they were sent to the Vice-Admiralty Court, and the President decreed her accordingly on the 6th December last.

(Signed)

CHARLES RUDSTON READ, *Lieutenant.*

No. 217.

*M. Lisboa to the Earl of Aberdeen.**York Place, Londres, Juin 27, 1844.**(Received July 1.)*

PAR une communication, très retardée, de l'ex-Commissaire Juge Brésilien à Sierra Leone, le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur du Brésil, a eu connaissance des instructions adressées aux Commissaires Anglais de la même Commission Mixte, sous la date du 11 Septembre, 1843, par son Excellence le Très-Honorable Comte d'Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département des Affaires Etrangères.

Le document auquel le Soussigné se réfère apporte de très graves altérations aux instructions qui ont été convenues entre les deux Gouvernemens pour les cas de détention et de jugement final des navires engagés dans la traite de noirs. D'après sa teneur, non seulement il serait loisible aux croiseurs Anglais de visiter et de capturer un navire Brésilien à bord duquel ne se trouveraient pas actuellement des esclaves, ou à bord duquel il n'y en aurait pas eu, mais encore les Commissaires Anglais agiraient légalement en n'admettant pas l'intervention d'un Arbitre toutes les fois que le Juge Brésilien résisterait la condamnation d'un navire qui, sans se trouver compris dans les deux hypothèses figurées, serait cependant équipé pour la traite.

Les Conventions entre le Brésil et la Grande Bretagne exigeant comme condition indispensable de légalité, un accord préalable entre les deux Gouvernemens sur toute altération qu'on désirerait faire subir aux Instructions y Annexées (Art. VII. de la Convention de 1817), il est dit dans la Dépêche de Lord Aberdeen que le Gouvernement Impérial a envisagé la question sous le même point de vue que le Gouvernement Britannique. Son Excellence, à l'appui de son assertion, ne cite cependant d'autres actes du Gouvernement Impérial que les ordres donnés en 1839 au Commissaire Juge Brésilien à Rio de Janeiro, au sujet des navires "*Muria Carlota*" et "*Recuperador*."

Sans s'arrêter, en ce moment, sur l'irrégularité absolue avec laquelle le prétendu concours de son Gouvernement aurait été donné, (car on n'altère point les clauses des Traités moyennant la simple expédition d'un ordre d'une des parties contractantes à ses autorités subalternes,) le Soussigné demandera la permission de transcrire ici textuellement ces instructions de 1839, en rappelant sommairement les circonstances qui y donnèrent lieu. Les navires dont il est question plus haut ayant été détenus par un croiseur Anglais, à leur sortie de Rio de Janeiro, le Commissaire Juge Brésilien se refusait à en prendre connaissance, sous l'allégation d'incompétence de la Commission Mixte, laquelle, selon lui, ne devait pas connaître de navires qui n'avaient pas de noirs à leur bord (Art. VI. de la Convention de 1817), ou qu'on ne prouvait pas en avoir eus (Art. I. de la Convention additionnelle de 1823.) Le Ministre des Affaires Etrangères enjoignit toutefois au Commissaire Brésilien de revenir sur sa décision, mais en lui adressant sous la date du 27 Juillet, 1839, la Dépêche à laquelle Lord Aberdeen fait allusion, et qui est conçue dans les termes suivans :—

"Par ordre du Régent, au nom de l'Empereur, à qui j'ai soumis les raisons alléguées par votre Seigneurie en son office du 6 Juin dernier, (par lesquelles vous trouvez que la Commission Mixte Brésilienne et Anglaise, dont vous faites partie, est incompétente pour les cas des navires '*Maria Carlota*' et '*Recuperador*,' récemment détenus par le bric-de-guerre de Sa Majesté Britannique '*Grecian*,') je vais, pour votre gouverne, vous répondre ce qui suit.

"Le principal argument de votre Seigneurie, est la circonstance qu'elle ne doit pas supposer à bord de ces navires, qui tous les deux venaient de sortir de ce port, l'existence de noirs destinés à la traite, ainsi que l'exige l'Article V. de la Convention du 28 Juillet, 1817, pour que la détention en soit faite dans la forme qui y est stipulée. Il est incontestable qu'une pareille allégation ne peut subsister que pour rendre illégitime la détention faite, quand on procédera au jugement dans la forme prescrite par la susdite Convention, et par les Instructions y Annexées, car, en toute hypothèse, il appartient à la Commission Mixte de juger les navires détenus, et le capteur en sera pourtant nécessairement responsable pour les pertes et les dommages, quand la détention sera par jugement déclarée illégale. En présence de ce qui précède, votre Seigneurie devra

donc, conjointement avec son collègue, et en conformité des stipulations et des instructions en vigueur, prendre connaissance des cas en question."

Il paraît de toute évidence au Soussigné, que le Gouvernement de Sa Majesté Impériale, par cette pièce officielle sur laquelle se fonde l'argumentation de Lord Aberdeen, n'a en aucune manière donné son assentiment aux nouvelles vues du Gouvernement de Sa Majesté Britannique, vues qu'il a d'ailleurs plus d'une fois reponssées comme devant mettre le comble aux difficultés et aux entraves aux quelles les spéculations licites des sujets de l'Empereur ne sont déjà que trop en lutte. Le document qu'on vient de lire—celui-là même avec lequel on veut justifier le prétendu accord préalable entre les deux Courts—prouve diamétralement le contraire, car le Gouvernement de l'Empereur y donne son plein assentiment à l'opinion du Juge Brésilien, et, avec celui-ci (plus tôt avec les Conventions de 1817 et de 1823), *il repète, que toute détention sera illégale, et le capteur en demeurera responsable si, aux termes des dites Conventions, on ne trouve pas des noirs à bord des navires détenus, ou l'on ne prouve pas qu'il y en ait eu.*

Le fait allégué par Lord Aberdeen (la compétence des Commissions Mixtes pour connaître des navires équipés pour la traite) ne préjuge donc rien. On vient de le voir, l'honorable Ministre qui a signé la Dépêche, combat d'avance toute déduction forcée qu'on voudrait en tirer; il dissipè les scrupules du Commissaire Brésilien en lui déclarant qu'il ne s'agit que d'un examen préliminaire, que la Commission sera en toute liberté, et doit même, au besoin, déclarer illégales de semblables détentions, et, le cas échéant, rendre les capteurs responsables pour les pertes et les dommages qui s'en suivraient.

Le Soussigné se flatte d'avoir démontré, que l'ordre de son Gouvernement qu'il vient de citer textuellement ne peut pas avoir la portée qu'on lui prête.

Et comment supposer, le Soussigné le demande, que le Gouvernement de Sa Majesté Impériale, au mépris des usages reçus, au mépris de toutes les règles établies pour les négociations diplomatiques, voulut adopter, au moyen d'une simple office adressée à l'un de ses fonctionnaires, les doctrines qu'il n'a pas admises, quand elles lui étaient présentées revêtues de toutes les formalités légales par l'intermédiaire d'un Plénipotentiaire, muni, *ad hoc*, des pouvoirs nécessaires pour accomplir ces altérations ou ces extensions que le Gouvernement de Sa Majesté la Reine désire introduire dans les stipulations en vigueur?

Le Soussigné croit inutile d'insister plus longuement sur ce point. La nomination du Plénipotentiaire, à laquelle il vient de faire allusion, est au surplus suffisante pour lui prouver que le Gouvernement de Sa Majesté Britannique partage l'opinion du Gouvernement de Sa Majesté Impériale quant à l'illégalité de toute modification des Traités, qui ne serait pas effectuée avec les mêmes solemnités qui ont présidé à la négociation des Conventions de 1817, de 1823, et de 1826.

C'est donc avec confiance que le Soussigné a l'honneur de s'adresser à Lord Aberdeen, pour demander à son Excellence la révocation de ses instructions du 11 Septembre, de l'année dernière, aux Commissaires de Sa Majesté Britannique à Sierra Leone. Le Soussigné ose se flatter que Lord Aberdeen enjoindra à ces fonctionnaires quant à l'intervention des arbitres, de même que sur tous les autres points de leurs attributions, la plus scrupuleuse observance des instructions arrêtées en commun entre le Brésil et la Grande Bretagne—les seules que le Soussigné puisse et doive considérer comme légales et légitimes, jusqu'à ce que l'Empereur son maître, s'il y a lieu, et d'accord avec son auguste alliée la Reine de la Grande Bretagne, en autorise une révision quelconque, en conciliant, ainsi que Sa Majesté Impériale l'aura toujours à cœur la cause sacrée de l'humanité, et la protection vigilante qu'elle doit aux transactions licites de ses fidèles sujets. Le Soussigné saisit avec empressement cette occasion de prier Lord Aberdeen de vouloir bien agréer les assurances renouvelées de sa plus haute considération.

(Signed)

MARQUES LISBOA.

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

No. 218.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, July 1, 1844.

I COMMUNICATED to the Admiralty your Despatch of 16th March last, bearing testimony to the meritorious manner in which Lieutenant Donellan had performed the duties devolving upon him as Commander of Her Majesty's receiving ship "Crescent" at Rio de Janeiro.

I now transmit to you a copy of the answer which the Admiralty have returned to that communication.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 218.

Sir J. Barrow to Viscount Canning.

MY LORD,

Admiralty, June 17, 1844.

IN reply to your Lordship's letter of the 12th instant, with its enclosed copy of a Despatch from Her Majesty's Envoy at Rio de Janeiro, bearing testimony to the meritorious manner in which Lieutenant Malachi Donellan has discharged the duties devolving upon him as the officer in command of the "Crescent" receiving ship, I am commanded to acquaint your Lordship, for the information of the Earl of Aberdeen, that my Lords have been pleased to sign a commission promoting Lieutenant Donellan to the rank of Commander.

The Viscount Canning,
&c. &c.

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

No. 219.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, July 2, 1844.

I REFERRED to Her Majesty's Advocate-General your Despatch of the 27th February last, respecting the capture of the schooner launch "*Maria Thereza*" by Her Majesty's brig "Dolphin," off the island of Portos. I have now to observe to you, that the Act of 2 & 3 Vict. cap. 73, confers no authority on a British cruizer to capture, within the recognised territorial jurisdiction of any civilized power, a vessel upon the ground of her being engaged in Slave Trade, even though destitute of proofs of nationality: that the vessel in question, the "*Maria Thereza*," is represented to have been within 500 fathoms of the shore of Brazil, when detained by Her Majesty's ship "Dolphin;" and that the "Dolphin" was consequently not justified in capturing her in that place, and carrying her to British Guiana for adjudication.

You will therefore present a note to the Brazilian Minister for Foreign Affairs, informing him that Her Majesty's Government do not consider the capture of that vessel to have been justified; and that they are of opinion that the owner of the "*Maria Thereza*" is entitled to have her restored, or the value paid to him; and that they will take care that this shall be done. You will further state, that instructions will be issued to Her Majesty's officers employed in the suppression of Slave Trade, enjoining them in the most positive terms to abstain from capturing slave vessels when found within the territorial waters of the Brazilian Empire.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 220.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, May 13, 1844.

(Received July 20.)

MY LORD,

THE accompanying correspondence relates to the detention of the Brazilian brig "*Relampago*," by Her Majesty's brigantine "*Dolphin*," and her compulsory return to this port for being unprovided with a manifest, or any certified copy of such document, under the order to that effect promulgated by Commodore Purvis on the 1st June, 1843.

The order here alluded to was founded on an instruction forwarded to me in your Lordship's Despatch, Slave Trade series, of June 3, 1842. The "*Relampago*" is the first vessel which has been found amenable to its provisions; and these provisions having been duly carried out, she has been subsequently given up to the owners.

But it appeared to Captain Sir Thomas Pasley, senior officer in harbour, on a very close inspection of the other papers which were found on board the "*Relampago*," as well as from other concurrent circumstances detailed in his correspondence, that cause of suspicion existed as to the legal nature of the commerce she was engaged in. I considered it expedient, therefore, to suggest to the Minister of Foreign Affairs the propriety of bringing her before the civil tribunals of the Empire, not permitting her to continue her voyage until such time as judicial proceedings in the said courts should have established satisfactorily the legality of her present commercial pursuits.

As was to be expected, perhaps, the answer returned to my representation proved, in all respects, unsatisfactory. His Excellency declined to recommend any further detention of the vessel, and protested for all loss and damages which might ensue through the detention she had already suffered; and she has, in consequence, received her papers again, and re-commenced her voyage.

But Senhor França, in his note, likewise adverts most pointedly to the detention of other vessels recently which have been taken for trial before British Vice-Admiralty Courts, and he announces an intention on the part of the Brazilian Government to provide their Minister at London with instructions to enter into communication with Her Majesty's Government 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. 220.

Captain Sir T. Pasley to Mr. Hamilton.

SIR,

Her Majesty's ship "Curaçoa," Rio de Janeiro, April 23, 1844.

I HAVE the honour to inform your Excellency, that Her Majesty's brigantine "*Dolphin*" has this day sent in a Brazilian brig, the "*Relampago*," in consequence of her having no manifest or certified copy thereof on board, in compliance with Commodore Purvis's order of 1st June, 1843.

Among her cargo was a large quantity of jerked beef, and some plank in the hold; and I beg to call your Excellency's attention to the circumstance, that among her papers is a list of articles to be shipped at Macahé, many of which are of a nature calculated to excite suspicion.

I have also the honour to transmit to your Excellency the whole of the documents found on board, as noted in the schedule on the other side.

The vessel has been given up to her owners by my orders.

I have, &c.

(Signed) THOMAS SABINE PASLEY,
*Captain, and Senior Officer**Hamilton, Hamilton, Esq.*

&c.

&c.

Schedule of Documents transmitted herewith.

1. Parchment passport.
2. List of crew.
3. Certificate of matricula.
4. Visit certificate.
5. Passport for fortress.
6. List of "Fretes Debitados."
7. Paper headed "Nota da Cargas do Senhor Vitella," &c.
8. Paper headed "Relação das cargas que embarquei no brigue 'Emprehendedor,'" &c.
9. Despacho de sal abordo do brigue "Emprehendedor," de 3 de Abril, de 1844.

Second Enclosure in No. 220.

Captain Sir T. Pasley to Mr. Hamilton.

*Her Majesty's ship "Curaçoa," Rio de Janeiro,
April 25, 1844.*

SIR,

WITH reference to the detention of the Brazilian brig "*Relampago*," by Her Majesty's brigantine "*Dolphin*," I beg to call your Excellency's attention to the following circumstances, which lead to the strong suspicion that the vessel is, or has been, engaged in the Slave Trade.

1st. Her passport de registro is one for the coasting trade (cabotagem); now the brig is not a coaster, either in her size, build, or equipment.

2nd. Among the endorsements, or vistas, on the back of the register, she is in several places reported as visited and going to ports in Brazil; but there are no endorsements made from those ports, to show she had ever been to them. This is very remarkable in the three last endorsements.

On the 6th April, 1843, she was visited at Rio de Janeiro, and reported as going to Porte Alegre. The next endorsement is dated October 10, 1843, from Rio Janeiro; again, also, said to be going to Porto Alegre, or any other port in Brazil. The next endorsement is dated April 18, 1844, again from Rio Janeiro for Macahé; and during the six months elapsed since her previous departure from this port there is no endorsement from any port in Brazil. The question then arises, where was she? as it is evident she did not return from any port in Brazil, to which she professed to go.

Now I have every reason to believe, she was at that time engaged in the Slave Trade, that she was chased by Her Majesty's brig "*Sappho*" on the coast of Africa, and landed a cargo of negroes in December last.

A further confirmation of these suspicions is derived from its appearing, by one of the documents found on board, that the cargo (or part of it) which she was to receive at Macahé, has been already sent there from this port by the "*Emprehendedor*," as is shown by a paper headed "Relação das cargas que embarquei no brigue 'Emprehendedor,' para Macahé, Mestre Antonio Joaquim de Andrade," and signed at the foot "C. J. L. Guimaraes."

I have, &c.

(Signed)

THOMAS SABINE PASLEY,

Captain, and Senior Officer.

Hamilton Hamilton, Esq.

&c.

&c.

Third Enclosure in No. 220.

Mr. Hamilton to Senhor França.

Rio de Janeiro, April 25, 1844.

THE Brazilian brig "*Relampago*" was visited by Her Majesty's brigantine "*Dolphin*" some few days ago, under suspicion of being engaged in Slave Trade practices; and not being able to produce a manifest, she was sent back to Rio de Janeiro. She arrived in port on the 23rd, when she was given up to her owners without delay by Captain Sir Thomas Pasley, senior British officer here.

For further information respecting this vessel, the Undersigned, &c. &c. has the honour to communicate to Senhor E. F. França, &c. &c. two letters from Sir

Thomas Pasley, together with the whole of the documents which were found on board her, inviting his Excellency's most serious attention to the second of Sir T. Pasley's letters.

As has been stated above, the "*Relampago*" was sent back to this port for being unprovided with a manifest; but it is a question whether, giving due consideration to all the other circumstances regarding her pointed out by Sir T. Pasley, a *bonâ fide* case does not exist for carrying her forthwith into the Municipal Court of Rio de Janeiro, as being notoriously engaged, not only on the present occasion, but continually, in the contraband traffic of Africans.

Any further proceedings by British authorities afloat are at present out of the question; but in the judgment of the Undersigned it is clearly incumbent on the Brazilian Government not to permit the "*Relampago*" again to leave Rio de Janeiro till she shall be fully relieved from the still more grave suspicions as to her present destination and objects which have been induced, since her return to port, through the strange disclosures made by her passport, as well as by other concurrent circumstances, and which relief can only be properly obtained through judicial proceedings in the civil tribunals of the Empire.

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency *Senhor Ernesto F. França*,
&c. &c.

Fourth Enclosure in No. 220.

(Translation.)

Senhor França to Mr. Hamilton.

Palace of Rio de Janeiro, May 6, 1844.

THE Undersigned, &c. &c. has the honour to acknowledge the receipt of the note, No. 35, dated the 25th of last month, which Mr. Hamilton, &c. &c. addressed to him, accompanying the information given by Sir T. Pasley, Commander of Her Majesty's ship "*Curaçoa*," regarding the capture made by the English cruiser "*Dolphin*" of the national brig "*Relampago*," at the entrance of the bar of Macahé.

In this information, and in the documents taken from the brig, Mr. Hamilton found the most evident demonstrations that she had been engaged in the contraband of Africans, and that such was also her destination when she was captured; and the brig having been brought here was given up in this port by the British authorities. And Mr. Hamilton, in transmitting the said documents which relate to this business, requests that it be referred to the tribunals of the Empire, and that the vessel be not allowed to continue her voyage until the said tribunals shall have decided thereon.

The Undersigned does not consider these indications sufficient for concluding, even under a certain bias, that the ship in question was engaged in the traffic in Africans. If there were any infraction of the corresponding regulation it belongs to the Department of Finance to take the steps within its attributes. And as it is said that the manifest was not found among the papers of the brig, the Undersigned is about to call the attention of the Minister for that Department to this allegation. This and other irregularities, in the meantime, are not to be assumed. It is necessary to prove them. It appears by the brig's papers that she complied with all the conditions of the aforesaid regulation; and if she had not observed the necessary regularity in her cleanliness her passport would not have been given to her, nor would her sailing have been permitted by the fiscal authorities.

In order to justify the arbitrary act of the Commander of the "*Dolphin*," orders sent by Commander Purvis are cited. This is not the first time that recourse is had to instructions and orders from the British authorities to colour acts which infringe upon the most ordinary principles of international right, as well as upon the clearest provisions of the Treaties. In all the captures lately made of vessels which have been sent to the Vice-Admiralty Courts of the English colonies, the Imperial Government received, in answer to its remonstrances, communications from Mr. Hamilton to the effect that the English cruisers have acted upon instructions which had emanated from the aforesaid authorities.

The Undersigned cannot fail to express himself in the most positive and solemn terms against the systematic vexation which has been practised on the Courts of

Brazil, under the pretext that it is of importance to put an end to the traffic in Africans; and he has to protest, as in fact he does protest, in the name of his Government, for all the losses and damages which have resulted from that system not only in the case of the brig "*Relampago*," but in all the other cases; and the Undersigned entertains the cheering hope, that the Government of Her Britannic Majesty being duly informed of the importance of this business, will censure proceedings so contrary to the good understanding which ought to exist between the two nations, and will give to its naval force on this station instructions which will terminate the abuses referred to; and he is about to address himself for this purpose to the Brazilian Minister in London, whose representations the Undersigned trusts will be corroborated by the statements which shall have been transmitted by Mr. Hamilton, who certainly cannot but admit that such acts militate against the rights and the most vital interests of Brazilian subjects, whose relations with England should be regulated entirely by principles of universal justice and the stipulations of existing Conventions.

By what has been set forth, the Undersigned does not consider himself authorized to give orders that the national brig "*Relampago*" be further detained in this port; and with a view of obviating additional losses, the papers have already been delivered to her Master.

The Undersigned has the honour to bring under Mr. Hamilton's cognizance the enclosed petition relating to this capture, and while drawing his attention to the contents thereof, avails, &c.

(Signed)
Hamilton Hamilton, Esq.
&c. &c.

ERNESTO FERREIRA FRANCA.

Sub-Enclosure in Fourth Enclosure in No. 220.

Petition from the Consignee of the brig "Relampago" to His Imperial Majesty.

SIRE,

Rio de Janeiro, April 26, 1844.

YOUR Imperial Majesty's faithful subject, owner of the national brig "*Relampago*," respectfully and submissively appears before Your Majesty, through the medium of Jerge Jose de Souza, his correspondent and consignee in this place.

The petitioner, after having lawfully loaded and cleared the said brig through the respective Departments for the port of Macahé, caused her to proceed, on the 19th instant, on her voyage, she having complied with all the conditions of the regulations, without the Brazilian authorities having raised the smallest doubt as to the legality of the brig's voyage.

On the 20th, however, at four o'clock in the afternoon, as the brig was entering by the bar of Macahé, the place of her destination, she was met by Her Britannic Majesty's brig-of-war "*Dolphin*," which was cruising there, and being boarded by two boats with armed men, was taken possession of by the Commander of the "*Dolphin*," who declared that she was detained, took her crew out of her, and shipped an English crew, immediately hoisting the English flag and lowering that of the Empire, which was flying.

On the 23rd, in the afternoon, the "*Relampago*" came again into Rio de Janeiro, being still considered by the captors as detained. But, in the course of the afternoon, they took the English crew out of her, placed her own crew on board, and hoisting the Brazilian flag, told the Captain that the brig was released from the detention, and might proceed on her voyage.

The Captain then demanded the passport and the other documents of the brig to enable him to proceed on his voyage, but this was refused.

They have, therefore, thus captured the brig on the 20th at Macahé, brought her to Rio de Janeiro, and on the 23rd they released her, but did not deliver up her papers.

The petitioner has already protested before the British Conservatorial Court in this capital for all losses and indemnities which have, may, or shall, result from this act; and he will maintain his right, demanding indemnity for whatever may result from so barbarous and illegal a capture, the same being arbitrary, as the act of her release by the captors themselves plainly proves.

In the meantime, the petitioner wants his documents, to cause the brig again to proceed on her voyage, as she and her cargo are becoming damaged in the port,

and not having been able to obtain the same from the British authorities, notwithstanding his efforts to that effect, he having only known that they are in the possession of the British Minister Plenipotentiary; for which reason he respectfully comes before the Imperial Throne, praying that Your Imperial Majesty will order a Despatch to be addressed, through the Department for Foreign Affairs, to the above-mentioned Plenipotentiary, demanding with urgency the delivery of the documents, so that the brig may proceed freely on her voyage.

(Signed) JOAO MANOEL PEREIRA DA SILVA,
Proctor for the Consignee of the brig.

His Imperial Majesty the Emperor of Brazil,
&c. &c.

No. 221.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, May 18, 1844.
(Received July 20.)

MY LORD,

COMMANDER Purvis has communicated to me the decision to which Her Majesty's Government have recently come to put an end to the Slave Trade, if possible, by maintaining a more vigilant and connected watching of the west coast of Africa; and that to aid in carrying this decision into effect the three steam-vessels on the Brazilian station have been ordered to proceed to Ascension, to follow the orders of the officer commanding on the west coast of Africa. Reports about the adoption of such a measure by Her Majesty's Government were circulating in this country before the Admiralty instructions on the subject were received; and the slave merchants in the different Brazilian ports have, in consequence, lost no time in augmenting their craft, and expediting their ventures to the slave coast. It is my belief, my Lord, that this increased activity on the part of the pursuers of this nefarious trade will not be relaxed; that however decided the success that may wait on the new system resorted to by Her Majesty's Government, these individuals will not be wanting on their part in exertions still greater, nor hesitate one moment more at incurring any description of risk. The safe return here of one venture alone with a full cargo of slaves, out of six dispatched to the coast, countervails all the loss suffered by the capture of the remainder.

I cannot but regret, therefore, and feel it incumbent on me to state those regrets to your Lordship, that a diminution of Her Majesty's naval force on the coast of Brazil should occur at a moment when, as is shown above, by a more desperate energy on the part of the slave dealers to prolong their unhallowed harvest-time, a wider field is opening to the watchfulness and activity of Her Majesty's cruizers on this station; and I would submit, then, to the consideration of Government the expediency of replacing the steamers by vessels in every respect similar to Her Majesty's brigantine "Dolphin," the most appropriate and useful class of ships, looking to the especial service required on the Brazilian coast, which has yet appeared here. The cruizes of the "Dolphin" have generally proved very successful; but probably her utility would be much increased should a more numerous crew be allotted to her. It has happened more than once that on returning to port the greater part of her crew were absent in prizes; the last time she had on board no more than five seamen, besides her boys, and two marines.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

No. 222.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, May 18, 1844.
(Received July 27.)

MY LORD,

WITH reference to the preceding correspondence on the subject of the "Vencedora" slaver, I have the honour to forward herewith for your Lordship's
CLASS B.

information, copy of a letter from Captain Sir Thomas Pasley, of Her Majesty's ship "Curaçoa," respecting a representation of the Commander-in-Chief of Her Majesty's squadron on the Cape station to Commodore Purvis, occasioned by Sir Thomas Pasley having sent to that colony the crew and passengers found on board the "*Vencedora*" at the time of her detention, when the said vessel was carried there for adjudication before the Vice-Admiralty Court.

Her Majesty's authorities at the Cape of Good Hope disapprove of this proceeding; but for their reasoning thereon, and the arguments advanced by Sir Thomas Pasley in his justification, I request your Lordship's reference to the Enclosures; submitting at the same time to your consideration, if it be not expedient to take the opinion of the law officers of the Crown whether Her Majesty's naval authorities will or will not be justified in acting as Sir Thomas Pasley has done, in whatever detentions of a like nature may occur in future.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 222.

Captain Sir T. Pasley to Mr. Hamilton.

*Her Majesty's Ship, "Curaçoa," Rio de Janeiro,
May 14, 1844.*

SIR,

I HAVE the honour to forward to your Excellency copies of a correspondence between Rear-Admiral the Honourable Josceline Percy, the Commander-in-Chief at the Cape of Good Hope, and Commodore Purvis, relative to the crew of the "*Vencedora*," captured by the boats of the "*Frolic*," and sent by me to the Cape by Her Majesty's ship "*Conway*," and the opinion of the Attorney-General of the colony thereon.

I beg leave to bring to your Excellency's recollection the facts of the case. The "*Vencedora*" was captured full of slaves; she had no papers, but she had a Portuguese ensign, which, however, was not hoisted at the peak as a national flag, but at the fore-top-gallant mast-head, as a signal to the shore, after the custom of slavers on this coast, and left it doubtful whether she was a case for the Admiralty Court or for that of the Portuguese Commission. This point the captors of course could not decide; but as it was doubtful in which of the two Courts she would be adjudicated, it became necessary to take measures which would suit either: and as by the instructions under the Portuguese Treaty all the crew, passengers; &c. are required to be sent to the Court where the vessel is to be tried, I felt myself obliged to act in conformity. The vessel herself was condemned as unseaworthy; the negroes removed on board the "*Crescent*;" the crew and passengers, therefore, were the only part of the passengers that could be sent into Court. These measures are proved to have been necessary by the fact, that on the "*Vencedora*" reaching the Cape the Admiralty Court entertained the same doubts, and at first referred the case to that of the British and Portuguese Mixed Commission, on the grounds of her having had a Portuguese ensign flying; but this Court decided that it could not take cognizance of the case, because she had no papers to authorize her hoisting it, and sent her back to the Admiralty Court, in which she was condemned.

Had she been considered a Portuguese vessel, the Article in the Instructions (a copy of which I have the honour to enclose) requires the whole crew and passengers to be sent as above-mentioned. But even supposing her to have been *certainly* entitled to the protection of *no* flag, as the Instructions under the Act 2 & 3 Vict. cap. 73, and the Act 5 & 6 Vict. cap. 114, (a copy of which I have the honour to enclose,) merely order that such vessels shall be seized, detained, and sent for adjudication to England, or to any Vice-Admiralty Court (except St. Helena), but say nothing as to the disposal of the crew, I considered it my duty, in the absence of definite instructions for such cases, to act on the latest issued, under all the recent Treaties.

As your Excellency may think it desirable to obtain the opinion of the law

officers of the Crown on this point, I have thought it my duty to lay a statement of the case before you.

I have, &c.
(Signed) THOMAS SABINE PASLEY.

Hamilton Hamilton, Esq
&c. &c.

Sub-Enclosure 1 in Enclosure in No. 222.

Rear-Admiral Percy to Commodore Purvis.

SIR,

"Winchester," Simon's bay, November 16, 1843.

CAPTAIN Sir Thomas Pasley, of Her Majesty's ship "Curaçoa," having sent to the Cape of Good Hope, by Her Majesty's ship "Conway," 24 prisoners, the crew of the slave schooner "*Vencedora*," lately captured by the boats of the "Frolic," and condemned as unseaworthy at Rio de Janerio, I have the honour to transmit herewith a copy of a letter which I have received from his Excellency the Governor of this colony, and of its accompanying opinion of the Attorney-General respecting those persons, by which you will perceive that it appears to that law officer that there were no legal grounds to call for or justify their continued detention.

The parties have therefore been liberated; and in communicating the same to you, I beg you will be pleased to call the attention of Sir Thomas Pasley to this subject, in order that Her Majesty's ships may not, on any future occasion of this sort, be put to the inconvenience (as in the case of the "Conway,") of conveying from South America to this station men of a foreign nation against whom there may be no crime alleged.

I have, &c.
(Signed) JOSCELINE PERCY,
Rear-Admiral, and Commander-in-Chief.

Commodore J. B. Purvis,
&c. &c.

Sub-Enclosure 2 in Enclosure in No. 222.

Governor Napier to Rear-Admiral Percy.

Government House, Cape Town,
November 2, 1843.

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 26th ultimo, respecting the 24 prisoners the crew of the slave schooner "*Vencedora*," lately captured by the boats of Her Majesty's ship "Frolic," and condemned as unseaworthy, on the South America station, and requesting I will be pleased to direct the proper civil authorities to take charge of these prisoners until the case of this vessel shall have been decided in the Vice-Admiralty Court of this colony.

In reply I beg to acquaint your Excellency, that I referred your letter to the Attorney-General, for his legal advice on the case, and have the honour herewith to forward a copy of that law officer's opinion, by which your Excellency will perceive that it will not be possible for me to give any directions to the authorities to take into custody men of a foreign nation against whom there is no crime alleged.

I have therefore to express my regret at not being able to meet your Excellency's wishes in this respect otherwise than by giving permission for those men to be landed.

I have, &c.
(Signed) GEORGE NAPIER.

Rear-Admiral the Hon. Josceline Percy, C.B.
&c. &c.

Sub-Enclosure 3 in Enclosure in No. 222.

Attorney-General's Opinion.

October 31, 1843.

It does not appear what was the national character of the vessel out of which the prisoners were originally taken; nor is the precise object of their imprisonment disclosed.

Assuming that the "*Vencedora*" was not justly entitled to claim the protection of the flag of any state or nation, and that it being intended to leave her condemned in the Vice-Admiralty Court of this colony, the crew have been brought here under the impression that they would be required in the course of the proceedings, I should say that the parties should at once be liberated; their evidence is not necessary; and I am not aware of any legal ground to call for or justify their continued detention.

(Signed) M. PORTER.

Sub-Enclosure 4 in Enclosure in No. 222.

Commodore Purvis to the Hon. Sidney Herbert.

SIR,

"*Alfred*," off *Monte Video*, April 17, 1844.

THE Commander-in-Chief of Her Majesty's ships and vessels employed on the Cape of Good Hope station having forwarded to me a copy of a letter which he had received from his Excellency the Governor of that colony, together with an opinion of the Attorney-General, respecting the crew of a slave vessel captured by the boats of one of the cruizers under my orders, I do myself the honour to submit the whole of the correspondence on the subject for their Lordships' perusal; and I beg you will be pleased to acquaint me, for my future guidance, with the proper course which ought to be pursued as to the disposition of the crew of a vessel having no national flag, and captured for being engaged in the Slave Trade.

I have, &c.

(Signed) J. B. PURVIS, *Commodore.*

Hon. Sidney Herbert, M.P.
&c. &c.

Sub-Enclosure 5 in Enclosure in No. 222.

Article IV of Instructions.

No part of the crew or passengers, or of the cargo, or of the slaves found on board the vessel seized, shall be withdrawn from it, until the said vessel shall have been delivered over to one of the Mixed Commissions; unless the transfer of the whole or part of the crew or passengers, or of the whole or part of the slaves found on board, should be considered necessary, either to preserve their lives, or for any other humane consideration, or for the safety of the persons charged with the conduct of the vessel after its seizure; in which case the Commander of the cruiser, or the officer charged with the said vessel, shall draw out a certificate, in which he shall declare the reasons of the said transfer; and the Commanders, sailors, passengers thus transferred, shall be conducted to the same port as the vessel and its cargo.

Sub-Enclosure 6 in Enclosure in No. 222.

The Lords of the Admiralty to Captain Sir T. Pasley.

WE send you herewith copies of an Act of Parliament, 2 & 3 Vict. cap. 73, relative to the detention and capture of Portuguese vessels engaged in the Slave Trade, and other vessels engaged in the Slave Trade not being justly entitled to claim the protection of the flag of any state or nation; and of an Act of Parliament, 5 & 6 Vict. cap. 114, repealing so much of the before-mentioned

Act as relates to Portuguese vessels; and we require and direct you to seize, detain, and send for adjudication, to England, or to any place within Her Majesty's dominions where there may be a Vice-Admiralty Court (except St. Helena), any vessels that may be engaged in the Slave Trade not justly entitled to claim the protection of the flag of any state or nation.

Given under our hands this 20th day of May, 1843.

(Signed)

G. SEYMOUR.
W. GORDON.

By command of their Lordships.

J. BARROW.

Captain Sir T. Pasley, Bart.
&c. &c.

No. 223.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, June 8, 1844.

(Received July 27.)

MY LORD,

I HAVE to report for your information that on the 7th ultimo, in latitude 3° 10' south, longitude 43° 1' west, above four miles to the southward of the islands of Raza and Redondo, lying near the entrance of Rio de Janeiro bay, Her Majesty's brigantine "Dolphin" detained, on suspicion that she was engaged in Slave Trade, the Portuguese bark "*Bella Angela*," destined for Lisbon, but *via* Angola. After the necessary preparations in this port for the voyage, she was sent, under convoy of Her Majesty's sloop "Helena," to the Cape of Good Hope, for adjudication there in the British and Portuguese Mixed Commission Court.

This detention has caused more than usual sensation; first, because of the erroneous statement circulated, that it occurred within the territorial waters of Brazil, and again, through the variety of individuals understood to be interested in the voyage, the numerous passengers and considerable sums of money found on board, and divers other concurrent circumstances.

Of course, requisitions to liberate the vessel have not been wanting; but the captor considered sufficient evidence was obtained to justify her being sent before the Mixed Commission Court.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c. &c. &c.

No. 224.

M. Lisboa to the Earl of Aberdeen.

York Place, Août 9, 1844.

(Received August 10.)

LE Commandeur Marques Lisboa a l'honneur de faire ses complimens à Lord Aberdeen, et s'empresse de remercier son Excellence de son obligeant envoi d'un exemplaire des nouvelles instructions données aux croiseurs Britanniques qui sont employés dans l'abolition de la traite des esclaves.

Son Excellence le Comte d'Aberdeen,

&c. &c. &c.

No. 225.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 17, 1844.

(Received September 30.)

MY LORD,

BEGGING your Lordship's reference to my Despatch, Slave Trade series, of the 13th May last, respecting the detention of the Brazilian brig "*Relampago*" by Her Majesty's brigantine "Dolphin," in consequence of not having on board a manifest, either in original or in copy duly certified, I have the honour herewith

to lay before you copy of an additional note on the subject, addressed to me by the Minister of Foreign Affairs.

The substance of this communication appears somewhat singular. Admitting that a manifest was not on board the "*Relampago*" at the time of her detention, Senhor França observes, that one was issued to the consignee in the prescribed form, but that it was to be delivered to her at Macahé, whither she was proceeding, and where, in fact, the manifest was sent by a steamer; and his Excellency adds, that some particular motive must have existed for proceeding in this mode,—what motive he does not hint, but he assumes that trafficking in slaves could by no means be inferred therefrom.

It has not appeared to me necessary to address to the Minister at present any comment on such a downright admission of an act justifying the detention of the "*Relampago*," or on the weak and incongruous argument he makes use of; some more suitable opportunity may be found hereafter.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 225.

Senhor França to Mr. Hamilton.

Palace of Rio de Janeiro, June 28, 1844.

THE Undersigned, &c. &c., received, through the Minister of Finance, on the 22nd of May last, a Despatch, of which the enclosed is a copy, from the Administrator of the Export Office of this capital, whereby it is seen that there was no want of manifest, which was made the pretext by the Commander of the English brig-of-war "*Dolphin*" for the capture of the national brig "*Relampago*."

This document was issued according to the respective regulations, to be delivered at the Board of Revenue, in the port of Macahé; and the consignee sent it by a steam-vessel, also bound to that place; and this is the reason why it was not found on board at the time of capture. There must have been some particular motive for proceeding in this manner, but at all events, according to the information which this Department of State has received, it is impossible to infer that she had in view the traffic in Africans.

From the elucidations now transmitted, Mr. Hamilton, &c. &c., must be convinced that great evils would result to the commerce of Brazil should the British cruizers be allowed to make captures, like that of the "*Relampago*," upon any slight suspicion.

The Undersigned has already, and at various times, represented, and protested against, this abusive practice; and he will therefore conclude the present note, by begging Mr. Hamilton to consider it as the complement of that which was addressed to him on the 6th of May.

The Undersigned avails, &c.

(Signed)

ERNESTO FERREIRA FRANCA.

Hamilton Hamilton, Esq.

&c.

&c.

Sub-Enclosure in Enclosure in No. 225.

The Administrator of the Export Office to the Minister of Finance.

MOST ILLUSTRIOUS AND EXCELLENT SIR, *Rio de Janeiro, May 21, 1844.*

As it is my duty to report on the subject matter of the Despatch of the 17th of the present month, addressed to the Inspector of the Custom House, regarding the national brig "*Relampago*," which was captured at the entrance of the bar of Macahé by the English cruizer "*Dolphin*," I have the honour to state to your Excellency, that a copy of the manifest of the cargo with which the above-mentioned brig left this port, is in the archives; and therefore that the Master received the Despatch and original manifest, authenticated by the clerk

of this office, according to the Regulations, to be delivered to the Board of Revenue at Macahe; but on enquiring of the broker who cleared the said brig respecting the voyage there, I learnt that the consignee had transmitted the Despatch with the manifest by the steam-vessel, which had also sailed for that port, where these documents must exist.

God preserve your Excellency!

(Signed) THEODORO LAZARO DE SA,
Administrator.
BARAO DE CAYRU.

(A true copy.)

His Excellency Senhor M. A. Branco,
&c. &c.

No. 226.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 17, 1844.
(Received September 30.)

MY LORD,

HER Majesty's Vice-Consul at Maceio informs me, under date of the 30th May, of the total loss of a Brazilian slaver, at a spot called Taboado, about nine leagues to the southward of that port. It is supposed the vessel struck on the reef there in the night of the 26th of that month, and that every soul on board perished. The beach was strewed with dead bodies of negroes; and there was one white body, and the limbs of another, among the fragments of the vessel.

When Mr. Burnett's letter was sent off, he had been unable to obtain any certain information as to the particulars of this disastrous and melancholy catastrophe; but report stated that the vessel was owned by a Senhor Marinha, of Bahia, and that she had a cargo of 300 Africans.

(Signed) HAMILTON HAMILTON.

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

No. 227.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, August 24, 1844.
(Received October 18.)

MY LORD,

I HAVE the honour to transmit herewith to your Lordship copies of two recent communications addressed to me by Her Majesty's Commissioners, touching the removal of the impediments which at present exist to the prompt execution of the sentences pronounced by the Mixed Commission.

I add thereto a copy of my note, in which the above were laid before Senhor Franca.

A late conversation with his Excellency had encouraged me to hope for some early and satisfactory arrangement calculated to terminate, or at least to abridge, these difficulties; but it seems, that at a late session of the Mixed Commission Court, the Brazilian Commissary Judge insisted that the execution of the sentences of the Mixed Commission appertains exclusively to the Imperial authorities, and their judicial forms.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

First Enclosure in No. 227.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

Rio de Janeiro, July 18, 1844.

WITH reference to the subject of the correspondence marked in the margin, we have the honour to enclose to your Excellency an extract of the Minute of Ses-

sion of this date, showing that the Imperial Government has not hitherto issued effective orders to its authorities for the removal of the impediments to the prompt execution of the sentences of the Mixed Commission by the officer who has been selected for that duty by the Brazilian Government itself.

A copy of the above Minute of Session will likewise be sent by the Brazilian Commissioners to the Minister for Foreign Affairs.

We conceive that the case of the "*Dous Amigos*" is a further instance of the injustice sustained by all the parties interested in cases before the Mixed Commission; and in our humble opinion, such instances may continually occur, so long as the proceedings of that special tribunal (although invested with supreme judicial powers) shall be made subservient to the foreign forms and regulations required to be observed by the Municipal Judge, who is an inferior judicial Brazilian authority.

We have, &c.

(Signed)

JOHN SAMO.

FREDERIC GRIGG.

Hamilton Hamilton, Esq.

&c. &c.

Sub-Enclosure 1 in First Enclosure in No. 227.

Extract of the Minute of Session of the 18th July, 1844.

THE Brazilian Commissary Judge informed his colleague, the British Commissary Judge, that with regard to the delay which had occurred respecting the decision of the case of the bark "*Maria Carlota*," the Imperial Government had demanded from the President of the *Relaçao* information regarding the same; and as soon as it was received, he would hasten to communicate the same to his colleague.

The British Commissary Judge laid before his colleague the subjoined observations.

To which the Brazilian Commissary Judge replied, that he had no objection that a letter should be addressed to the Municipal Judge, to the purport proposed by his colleague, and that he would, as verbally requested by him, lay before his Government the observations now presented. The letter was addressed at the same time to the Municipal Judge.

The session was closed.

(A true copy.)

(Signed)

BRAZ M. DA COSTA PASSOS, *Secretary.*

(A true translation.)

JOSE AGOSTINHO BARBOSA, JUN.

Interpreter to the Commission.

Sub-Enclosure 2 in First Enclosure in No. 227.

Observations of the British Commissary Judge, on delays in the execution of Sentences pronounced by the Mixed Commission.

Rio de Janeiro, July 18, 1844.

SHORTLY after taking my seat in this Commission, I had occasion to call the attention of my colleagues to the delays which were permitted to take place in the execution of the sentences of this tribunal by the Brazilian officer charged with that duty.

In the case of the "*Aracaty*," that functionary allowed an interval of eight weeks to pass before the proceeds of the sale of that vessel and property were brought into this Registry.

This injurious proceeding led to much discussion at the sessions of the Mixed Court in the month of September 1842, and subsequently produced a correspondence between the two Governments, which terminated in the assurance of the Imperial Government that the requisite orders would be given to Brazilian authorities which would put an end to the practice complained of.

This pledge is contained in the note dated October 14, 1842, from the Minister for Foreign Affairs, Senhor Aureliano, to Mr. Hamilton Hamilton; and at the time was communicated by the British Commissioners to Her Majesty's Government.

A considerable period has since passed without the slightest apparent alteration being effected in the conduct of the Municipal authority in question, as will be seen in the case which I am about to mention,—a case which, in my humble opinion, is of a most grave description, and clearly establishes the fact, that the ends of justice will be endangered so long as we continue the employment of officers who do not acknowledge the authority of this Court, and are not answerable to it for their misconduct in the discharge of the duties confided to them.

With these preliminary observations I shall proceed to mention the case alluded to. Upwards of four months ago, viz. on the 7th of March, the sentence of the Mixed Commission, in due and lawful form, relating to the seizure of the Brazilian vessel "*Dous Amigos*" by Her Majesty's cruiser the "*Curlew*," was transmitted to the Municipal Judge to be carried into execution. The sentence required that he should demand and receive the vessel and property detained by the captors, and cause the claimants named in that decree to be put into possession of the same.

The captors and the claimants respectively were duly admonished thereof by the Marshal of this Court on the 7th March last, as appears by the certificate of that officer filed in the process.

Up to the present moment not the slightest effort has been made by the parties interested in the cause, nor has our own executive officer, the Municipal Judge, certified to the Court any part of his proceedings.

The course pursued by the claimants entirely rest with themselves; but the continued silence of the Municipal officer demands explanation; and I venture to persuade myself, that my honourable colleague will agree with me that the time has now arrived to put an end to the anomalous position of this case, and with that view I trust that the Brazilian Commissary Judge will agree that a letter be immediately sent to the said Municipal functionary, requiring him to certify to this Court what has been done by him in this case, in virtue of the decretal sentence of restitution of the vessel and cargo; and at the same time requesting that he will transmit such elucidations as he may deem proper regarding the interval which has occurred without the said decree being carried into execution.

(Signed) JOHN SAMO.

Second Enclosure in No. 227.

Her Majesty's Commissioners to Mr. Hamilton.

SIR,

Rio de Janeiro, July 31, 1844.

WITH reference to our communications to your Excellency of the 18th instant, we herewith hasten to transmit a copy of the report from the Municipal Judge, which was this day laid before this Court of Mixed Commission, regarding the interval which has occurred in the execution of a decree in the case of a Brazilian vessel called the "*Dous Amigos*," and we likewise enclose a copy of the observations made thereupon by the British Commissary Judge.

The delays of the Brazilian Municipal officer, and his forms of proceeding in executing the sentences of this Commission, have been the subject of reiterated complaints and remonstrances from the earliest establishment of this Mixed Court at Rio de Janeiro.

The employment of the above-mentioned Brazilian functionary to carry into effect the sentences of this Commission has hitherto been insisted upon as being in conformity with the 4th Article of the Portuguese Alvara of January 26, 1818, and with the laws passed subsequently by the Legislature of this country for regulating the judicial processes of the Empire, by which latter the Municipal Judge was substituted for the officer denominated in the Alvara as "the Judge of Contraband."

With regard to the Portuguese Alvara, we herewith enclose the copy of a Despatch, dated December 31, 1821, from the Marquis of Londonderry, to which we now revert, because it distinctly establishes that the provisions of that Alvara cannot be applied to this Mixed Court or to its proceedings; and this view is confirmed by the whole tenor of that Despatch, and in particular by Article III. of the Enclosure, that "the *only authority* which ought to be recited being the Treaty and Convention."

The employment of a Brazilian, or of a British functionary, to execute the

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sentences of the Mixed Commissions, is not required by the Treaties or Conventions; on the contrary, that attribute belongs to the Mixed Courts, independent of all local regulations. And this view of the case is recognised by the words used in Article XIV. of the Regulations for the Mixed Commissions appointed by virtue of the Treaty of 1817, by which it is directed that the Commission "shall be *equally* authorized to proceed to the judgment of such slave ships as may be brought before them, *and to the execution of their sentence.*"

From the context of this Article it is evident, that in the case therein mentioned the high contracting parties appointed the same powers to the Mixed Commission as it already possessed to execute its own sentences.

We are led to hope that the Ministers of His Imperial Majesty now in office are disposed to listen favourably to the topic in question, and we therefore most earnestly press upon the attention of your Excellency these additional remarks.

I have, &c.

(Signed)

JOHN SAMO.
FRED. GRIGG.

Hamilton Hamilton, Esq.
&c. &c.

Sub-Enclosure 1 in Second Enclosure in No. 227.

Senhor Barboza to Senhor Passos.

MOST ILLUSTRIOUS SIR,

I HEREWITH enclose the information which you require by your Despatch of 18th instant, on behalf of the Mixed Commission, adding that the valuation of the brig is in my office, and I am about to proceed to the public sale as soon as possible.

I remain, &c.

(Signed)

JOSE MOREIRA BARBOZA.

Senhor Braz M. da Costa Passos,
&c. &c.

Sub-Enclosure 2 in Second Enclosure in No. 227.

Senhor Barroso to Senhor Passos.

MOST ILLUSTRIOUS SIR,

Rio de Janeiro, July 24, 1844.

IN compliance with your orders, in Despatch of the 22nd instant, and in pursuance of the Despatch of the Mixed Brazilian and English Commission, I have to inform you, that the sentence which is the subject of the Despatch dated the 18th of the present month, was latterly sent by that Commission to this Court, in a Despatch of the 7th of March last; and Jose Bernardino de Sa having required the delivery of the brig which is the subject of that sentence, on the 22nd of April of the present year, the Municipal Judge, the Most Illustrious Senhor Jose Joaquim de Segueira, applied on the 26th of the said month of April, through the Department of Justice, in order that by the intervention of the Minister for Foreign Affairs the Representative of the British Government in this capital should be required to place at his disposal the brig in question, for the purpose of delivering her to the said owner; in consequence of which, having received from the said Municipal Judge the order required, on the 10th of the present month, I notified on the same day the parties interested for the effecting of the said delivery, which took place on the 12th instant, as is seen by the certificate in the minute of delivery which accompanies this letter; but as the owner of the brig refused to receive her, as is seen by the said minute, this Court applied to the Marine Arsenal to proceed to the valuation of the hull, in order to its being sold at public sale, and to the delivery of the amount to the declared owner, in conformity with his protests. This is what I have to inform you, and you will determine what may be proper.

I have, &c.

(Signed)

JOSE ALVES BARROSO, *Clerk.*

Senhor Braz M. da Costa Passos,
&c. &c.

Sub-Enclosure 3 in Second Enclosure in No. 227.

Minute of Delivery of the brig "Dous Amigos."

I, JOSE ALVES BARROSO, clerk, &c. &c. certify, that in the archives of my office the records of the process, and sentence of delivery from detention and apprehension, of the national brig "*Dous Amigos*," of which Jose Bernardino de Sa is owner, as given and signed by the Mixed Brazilian and English Commission, and that in the said process there exists the minute of the delivery of the said brig, as follows :—

Minute of delivery of the national brig "*Dous Amigos*" and her appurtenances, as is herein declared. The year of our Lord Jesus Christ 1844, and on the 12th day of July of the said year, in this city of St. Sebastian, of Rio de Janeiro, the court and capital of the Empire of Brazil, on the beach of Lande, on the waters of which exists the national brig "*Dous Amigos*," the subject of the annexed sentence, and of which Jose Bernardino de Sa is owner; and there alongside the said brig, whither I, the clerk, came by sea, accompanied by Doctor Jose Rodriguez Ferreira, acting Municipal Judge of the first Vara, and by Robert Hesketh, British Consul, and also by the said owner Jose Bernardino de Sa, for the purpose of delivering to him the same, with her cargo and appurtenances, the whole to be executed in conformity with the sentence; and it being found that the said brig was at the bottom of the sea, having above water only her two bare lower masts, without rigging, and also a small part of her starboard side, her said owner declared that he would not receive her in such a state, but, on the contrary, he required of the said Judge that he would proceed to the sale of the whole by public auction, after having complied with the regulations of the law and custom, after which he, the owner, declared himself ready to receive the amount of the proceeds, under protest of claiming from the captor the remainder of the value of the said brig, her cargo, and appurtenances, that is to say, the value of everything which existed at the time of the capture and detention, and likewise the losses and damages, as may be just; and in failure of prompt satisfaction on the part of the captor, he protests to claim the same from the British Government, in conformity with the Treaties subsisting between the Government and Brazil.

In pursuance of which, the said Judge ordered that the brig in her ruinous state (it being impossible to examine the damage, on account of her being under water) should remain under the inspection of this Court, and that, proceeding to her sale by auction, the produce should be finally delivered to the petitioning owner, under the protests made by him, which he, the Judge, considered good. And as to the rigging belonging to the brig and her cargo, the said British Consul declared that they could not be produced, inasmuch as they had been sold: but that the produce of the same existed, being reis 498430, which he engages to deliver to the owner of the brig, the said Jose Bernardino de Sa, whenever he is willing to receive the same, at the Consulate. And the owner Sa declares, that he agrees to the receiving of the said sum, under the protests already made, of claiming from the captor, or from his Government, the whole difference of value, losses, and damages. In pursuance of which he, the Municipal Judge, declared this proceeding to be concluded, ordering the whole to be drawn up in the present minute, which he signed with the aforesaid British Consul, and with the owner of the brig, the said Jose Bernardino de Sa, and with me the clerk, who certify that its contents are wholly true. And I, Jose Alves Barroso, clerk, have signed it.

(Signed)

JOSE RODRIGUEZ FERREIRA.
JOSE ALVES BARROSO.
ROBERT HESKETH,

Proctor for the Captor.

Sub-Enclosure 4 in Second Enclosure in No. 227.

Certificate of Extract.

Rio de Janeiro, July 24, 1844.

THESE are the contents of the above-mentioned minute, from which I caused the present certificate to be extracted, by order of the Municipal Judge

of the first Vara, and Judge Executor of the sentences of the Mixed Brazilian and British Commission, and in faith of which the present is signed by me, examined, and drawn up in the regular form.

And I, Jose Alves Barroso, clerk, who wrote it and have signed it.

(Signed) JOSE ALVES BARROSO.

Sub-Enclosure 5 in Second Enclosure in No. 227.

Memorandum of the British Commissary Judge.

Rio de Janeiro, July, 31, 1844.

IN my opinion, the elucidation of the Judge Executor is in all respects unsatisfactory *as to the* delay which has taken place in the discharge of his duties.

The judicial process which the Municipal Judge Executor announces to be in progress in his Court, regarding the valuation and public sale of part of the property in question, are measures which that officer has taken without the knowledge or authority of the Judges of the Mixed Commission.

For the present, I shall not advert to the effects which the interests of all the parties concerned may possibly sustain from those unwarrantable proceedings.

I trust, however, that my honourable colleague will agree with me, that this conduct of our officer presents an additional reason to those which I advanced at the session of the 18th instant, for urging upon the Imperial Government the removal of such functionary from further employment in the execution of the sentences of this tribunal; and, likewise, for the immediate fulfilment of the promise which the Minister for Foreign Affairs held out, in his note of October 14, 1822, to Mr. Hamilton, to remedy the delays which are still recurring in carrying into execution the decrees of the Mixed Commission.

(Signed) JOHN SAMO.

Sub-Enclosure 6 in Second Enclosure in No. 227.

The Marquis of Londonderry to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 31, 1821.

I HAVE received Mr. Hayne's Despatch of the 7th September, 1821, containing a translation of the Regulations which you have adopted for the guidance of the Mixed Commission established at Rio de Janeiro

The subject has been submitted to His Majesty's law officers, under whose approbation those regulations were drawn up which were furnished to you with a view to their being adopted, so far as might be possible, for the guidance of the Mixed Commission of which you are members; and the variations which are observable in those which you have transmitted home (some of which are noted in a Memorandum attached to this Despatch), make it the more necessary for me to instruct you to endeavour to impress upon the Portuguese members of the Board, and jointly with them, upon the Portuguese Government, the extreme inconvenience to which the proceedings may be subject if they are not assimilated with those of the other Commissions under the Slave Trade restriction Treaties. You yourselves have alluded to one instance in which its inconvenience would be great, namely, that of an appeal contemplated by the Treaty from the Court of Sierra Leone to that of Rio de Janeiro.

You will press, in an amicable, but in an urgent way, that the instruments prepared in this country are such as have been adopted in the High Court of Admiralty in England, and that long practice and experience have proved their fitness; and unless some solid objection, which really cannot be anticipated, shall be offered to them, it will, as must be felt, be very expedient that, as they have been adopted at Sierra Leone and the other Courts under the Treaties, so they should be adopted at Rio de Janeiro, as being in themselves an approved code, as being in this instance the best means of preserving, what is so desirable, uniformity in the proceedings of the several Commissions under those Conventions, and also a general agreement with the forms of proceeding in other cases of maritime captures.

You will not fail to press most earnestly, that when the forms of proceeding are once agreed upon—and they must be agreed upon of course mutually—the interference of either Government singly, or of any tribunal, or any individual, tending to alter the proceedings or the form of sentence (as in the case of the "*Emilia*,") cannot be taken otherwise than as touching most injuriously upon the character of independence which it is necessary should be attached to the Court, in order that its proceedings may have due respect and due effect secured to them.

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

I am, &c.
(Signed) LONDONDERRY.

Sub-Enclosure 7 in Second Enclosure in No. 227.

Memorandum referred to in the Despatch of the Marquis of Londonderry.

1st. For the monition where the parties interested are enjoined to appear peremptorily *without loss of time*, the monition should fix some particular day on which appearance should be made: *twenty days from the date of the monition* is the usual time fixed on.

2nd. In the monition, where it is put "and in case they should not appear *within four days* from the date hereof," the time must be made to agree with the period to be fixed for the return of the monition

3rd. In the final sentence, where it is said that the Commissary Judge condemned the schooner according *to the 1st section of the Alvara of the 26th January, 1818, and the Convention of July 28, 1817, additional to the Treaty of January 22, 1815,*" the words here underlined ought to be omitted, the only authority which ought to be recited being the Treaty and Convention.

4th. In the decree sent to the Superintendent of Contraband, it is to be remarked, that it does not appear who is this person, or why he is to sell for the Mixed Commission,

5th. In the decree sent to the Superintendent of Contraband these words being contained, "by which I order you in the fulfilment of this, according to the *4th section of the Alvara of January 26, 1818, to execute the same, and proceed in the valuation and sale by auction of the said schooner, her tackle, apparel, furniture, goods, wares, merchandize, as the law directs,*" the same observation is to be made as to the citing of the Alvara, and is made in Memorandum 3. And with respect to the *law mentioned*, it does not appear what law is referred to. It is further to be observed, that it does not appear in what manner this person is to account for the proceeds. And it is further to be observed, that the proceeds ought to be brought into the Registry.

Third Enclosure in No. 227.

Mr. Hamilton to Senhor Franca.

Rio de Janeiro, August 11, 1844.

HER Majesty's Commissioners of the Mixed British and Brazilian Court of Commission have recently addressed to Her Majesty's Legation two communications, respecting the delays which have occurred so repeatedly in carrying into execution the decree passed by that Court in the case of the Brazilian vessel "*Dous Amigos*."

The Undersigned, &c. &c. has the honour to forward copies of these communications to the Minister of Foreign Affairs, and to solicit his Excellency's particular attention to the facts and arguments exposed therein.

It is clearly demonstrated in these letters, and the documents annexed, that the inconvenient delays alluded to have resulted from the employment of a Municipal Judge to execute the sentence of the Mixed Court; but that the employment of any functionary, British or Brazilian, not a member of such Court, for the execution of such sentences, is incompatible with the Treaties and Conventions between Great Britain and Brazil,—that execution of the sen-

tence is properly an attribute only of the Court itself,—and, in consequence, that the custom which has obtained hitherto of deputing such authority to a Municipal Judge is anomalous and ought to be abrogated; and the Undersigned trusts, with confidence, that the Brazilian Government will, without delay, take measures towards an arrangement,

The Undersigned avails, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto F. França,
&c. &c.

No. 228.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, September 26, 1844.

(Received November 19.)

MY LORD,

TOWARDS the end of last March, Her Majesty's Vice-Consul at Santos informed me, that a bark, the property of Senhor Jose Bernadino de Sá, the noted slave merchant of this capital, had just landed upwards of 600 Africans at Peréque, near Santos, and that the vessel in question was consigned to the Portuguese Vice-Consul in that town, Senhor Cypriano da Silva Prost.

With a view to give every practicable effect to the intentions of Her Majesty's Government for the suppression of Slave Trade, I invited the Portuguese Chargé d'Affaires to give his attention to the fact above-mentioned, implicating, as it appeared to do, Mr. Prost in the illegal traffic. Mr. Vasconcellos undertook very readily to enquire into it; and having ascertained the report to be well-founded, he suggested to his Government that this functionary should be removed. The suggestion has been attended to. Senhor Vasconcellos announced to me verbally the other day, under particular instructions to that effect, that Her Most Faithful Majesty's Government, faithful to Her Majesty's engagements to put down the contraband trade in every possible way, had deprived the aforesaid Consular Agent of his office.

My note to Senhor Vasconcellos and his answer are enclosed.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

First Enclosure in No. 228.

Mr. Hamilton to Senhor Vasconcellos.

MONSIEUR LE CHARGE D'AFFAIRES,

Rio de Janeiro, Avril 30, 1844.

J'AI eu l'honneur très-dernièrement de vous entretenir un instant sur un rapport que l'on venait de me faire relativement aux mouvemens des négriers sur les côtes du Brésil, ou il y a question d'une inconduite de la part d'un agent Portugais.

D'après ce rapport il paraît qu'une barque, appartenant au marchand négrier José Bernadino de Sá, qui vers la mi-mars a débarqué au delà de 600 Africains à Pèrequé, près de Santos, était consignée au Vice-Consul de Portugal dans cette ville, Senhor Cypriano de Silva Prost.

Sans insister positivement sur la vérité de ce bruit, et sans pouvoir citer le nom du bâtiment, je l'ai cru de mon devoir, Monsieur le Chevalier, de vous en prévenir, très-persuadé que dans l'intérêt des efforts de nos deux Gouvernemens pour la suppression de la traite des négres, il doit vous paraître convenable d'aller aux renseignemens sur le fait.

Recevez, Monsieur le Chargé d'Affaires, l'assurance, &c.

Senhor Vasconcellos,
&c. &c.

(Signé)

HAMILTON HAMILTON.

Second Enclosure in No. 228.

Senhor Vasconcellos to Mr. Hamilton.

MONSIEUR LE MINISTRE,

*Légation de Portugal,
Rio de Janeiro, Mai 3, 1844.*

J'AI reçu la lettre, datée du 30 du mois dernier, que votre Excellence m'a fait l'honneur de m'adresser, au sujet d'un rapport qu'elle venait de recevoir relativement aux mouvemens des négriers sur les côtes du Brésil, et dans lequel il est question d'inconduite de la part d'un agent Portugais. D'après ce rapport il paraît qu'une barque, appartenant au marchand négrier José Bernadino de Sâ, que vers la mi-mars a débarqué au delà de 600 Africains à Pèrequé, près de Santos, était consignée au Vice-Consul du Portugal dans cette ville, Senhor Cypriano de Silva Prost. Et dans la lettre sus mentionnée, sans toutefois insister sur la vérité d'un tel bruit, votre Excellence m'engage à prendre des renseignemens sur cet événement; ce que je ne manquerai certes pas de faire, dans l'intérêt des efforts de nos deux Gouvernemens pour la suppression de la traite des négres. Et si par malheur ce fait vient à se confirmer, n'ayant déjà pas sur le compte de l'individu susdit les meilleurs informations, je croirai agir en toute justice et selon les vœux du Gouvernement de la Reine en prenant des mesures convenables pour qu'un pareil cas ne soit plus renouvelé.

Reçez, Monsieur le Ministre, l'assurance, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signé)

J. DE VASCONCELLOS.

No. 229.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, October 12, 1844.
(Received November 25.)*

MY LORD,

IN obedience to your Lordship's Despatch, Slave Trade series, 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's Legation, for the half-year ending December 31, 1843, and am happy to be able to add that, with one or two exceptions therein specified, they appear to be quite satisfactory.

The delay which has occurred in the transmission of the present report arose out of a protracted absence from Rio de Janeiro of Senhor Clemente Pereira, the Governor of the Misericordia Hospital, and there being for a time no suitable substitute to whom we could address ourselves.

I have, &c.

(Signed)

HAMILTON HAMILT

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

First Enclosure in No. 229.

*Rio de Janeiro, June 30, 1844.*REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed at Rio de Janeiro, to Mr. Charles Lukin.

Names.	Ages.	Occupations.	Remarks.
Eliza	Years. 18	House service . .	Rather indolent; her son Joao drowned; Manoel is doing well.
Fanny	17	House service . .	Well behaved; sons Jose and Domingos.
Louisa	18	..	Wife of Diogo; capable of gaining her livelihood; one daughter.
Francisco . .	34	Employed in out-door work.	Ill behaved.
Joao	36	Employed in out-door work.	Well behaved; lunatic at times.
Domingos . .	31	General service . .	Idiotical; improved.
Diogo	21	House and general service.	Capable of gaining his livelihood.

Mr. Lukin is satisfied with conduct of above, except Francisco.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. John Young.

Names.	Ages.	Occupations.	Remarks.
	Years.		
Thereza	16	House service . .	Removed to "Crescent" receiving ship.
Carlotta	15	House service . .	In England with Mr. Young.
Carlos	13	House service . .	In England with Mr. Young.
Antonio	14	..	Good active servant; with Mr. Hamilton.

Thereza being in the family way, removed to "Crescent."

REPORT of African from "*Flor de Loanda*," Slaver, Apprenticed to Senhor Lopes Gama.

Marianna	18	Nurse	Well disposed, useful girl.
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His Excellency's family are quite satisfied with her conduct.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. J. H. Dickenson.

Bob	15	General service . .	Slightly deformed.
Rose	15	House service . .	Clever and active, when sober.

The conduct of the above is satisfactory.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to the Rev. J. J. Champnes.

Charles Jimbatch .	18	House servant and gardener.	Active and clever.
Rosa Jimbatch .	19	House servant; washes, &c.	Active and clever.

Mr. Champnes quite satisfied with their conduct.

REPORT of African from "*Flor de Loanda*," Slaver, Apprenticed to Dr. Lee.

Rita	19	House servant	
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In service of Dr. Lee's brother-in-law, Mr. James.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. Tross.

Rosa	17	House servant	
Francisco	32	House servant . .	Returned to Legation by Mr. Tross.

Mr. Tross's family satisfied with conduct of Rosa.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mr. Robert Coats.

Francisca	32	Out-door work . .	Married.
Rose	26	Out-door work . .	Married.
Anna	17	Out-door work . .	Married.
Caterina	52	Out-door work . .	Married.
Johanna	17	Out-door work.	
Sabina	14	Out-door work.	
Jose	6		

Mr. Coats is satisfied with conduct of the above.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Major Koëller.

Geronimo	32	Out-door work . .	General health bad.
Carlos	16	Out-door work . .	Health and conduct good.
Pedro	16	Out-door work . .	Health and conduct good.
Joanna	22	House servant . .	Health bad.
Carlota	22	Washes and picks coffee.	Health bad.
Carolina	20	House service . .	Health bad.

The above were among the least healthy of the Africans distributed from the "*Flor de Loanda*." They are now improving.

REPORT of Africans from "*Flor de Loanda*," Slaver, Apprenticed to Mrs. Moke.

Names.	Ages.	Occupations.	Remarks.
Victoria . . .	years. 13	Washes, makes clothes, &c.	Improved.
Alexandrina . .	13	Washes, makes clothes, &c.	
Gertruda . . .	12	Washes, makes clothes, &c.	
Angela . . .	12	Washes, makes clothes, &c.	Has a son; sews well.
Thereza . . .	11	Washes, makes clothes, &c.	
Julia . . .	11	..	Died October, 1843.

Mrs. Moke wishes to return the above negroes at end of the year.

The above Africans, excepting those of Major Koëller and Mr. Coats, respecting whom certificates are enclosed, have been inspected by the Undersigned; they appear to be generally much improved since the last Report.

(Signed) FREDERICK HAMILTON.

Second Enclosure in No. 229.

M. Koëller to Mr. Ouseley.

MONSIEUR,

Fazenda da Piabanha, Juillet 1, 1844.

JE viens de donner ordre à mon correspondant Mr. J. A. Wapper, pour vous remettre les trente-six milreis, prix des services des Africains libres que son Excellence Mr. Hamilton m'a confiés. Je vous envoie aussi enjoint le certificâte de Docteur Lira, de l'état de santé des dits Africains. Vous verrez qu'il est assez satisfesant.

Veillez agréer, &c.

(Signed) JULES FREDERIC KOELLER.

Monsieur Henry Ouseley,
&c. &c.

Sub-Enclosure in Second Enclosure in No. 229.

Surgeon's Certificate.

(Translation.)

Piabanha, July 1, 1844.

THE undersigned, a regular Surgeon, Licentiate in Medicine, sanctioned by the Faculty of Physicians at Rio de Janeiro, &c. I testify, that having been called in by Major Jules Frederico Koëller, to examine and certify the state of health of the free Africans Jeronimo, Carlos, Pedro, Joanna, Carolina and Carlota, I found them all in a satisfactory state, with the exception of Carlota, who is just recovering from a complaint of the skin. And that this is the truth, I made out and signed the present.

(Signed) ANTONIO JOAQUIM LOPEZ LIRA.

Third Enclosure in No. 229.

Certificate of Mr. Coats.

Salt Works, near Itaguahy, June 20, 1844.

I, THE undersigned Robert Coats, at the request of Hamilton Hamilton, Esq., Her Britannic Majesty's Envoy Extraordinary, and Minister Plenipotentiary, &c. &c., do hereby certify and attest, that a male child and six 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.

(Signed) ROBERT COATS.

Fourth Enclosure in No. 229.

Rio de Janeiro, June 30, 1844.

NOMINAL LIST OF FREE AFRICANS now in the service of the Misericordia Hospital from on board the captured Slaver "*Flor de Loanda*," showing their Names, Nations, supposed Ages, and Occupations.

No.	Names.	Nations.	Ages.	Occupations.	Remarks, &c.
1	Joao	Benguela	20	Boatman	Health and conduct good.
2	Samuel	Cabinda	26	Ditto	Ditto.
3	Bruno	Cabinda	28	Ditto	Ditto.
4	Gastao	Benguela	30	Quarryman	Master workman, ditto.
5	Camillo	Cabinda	32	Ditto	Health and conduct good.
6	Jose	Benguela	28	Ditto	Ditto.
7	Leandro	Benguela	32	In Infirmary	Ditto.
8	Pedro	Cabinda	26	Boatman	Ditto.
9	Pedro	Bayaca	27	Mason	Ditto.
10	Joaquim	Cabinda	20	In Infirmary	Ditto.
11	Antonio	Benguela	20	Ditto	Ditto.
12	Luiz	Benguela	32	Ditto	Ditto.
13	Cosmé	Cabinda	27	Quarryman	Ditto.
14	Jeronimo	Cabinda	32	Cook	Ditto.
15	Joao	Cabinda	26	Boatman	Ditto.
16	Manoel	Cabinda	16	In service of employes	Ditto.
17	Francisco	Cabinda	16	In service of employes	Ditto.
18	Joao	Cabinda	16	Ditto	Thievish.
19	Leonardo	Benguela	32	Stone-cutter	Health and conduct good.
20	Braz	Cabinda	20	Mason	Ditto.
21	Gaspar	Benguela	18	Ditto	Ditto.
22	Matheos	Benguela	32	Quarryman	Ditto.
23	Thomas	Cabinda	20	Stone-cutter	Ditto.
24	Lauriano	Benguela	22	Mason	Ditto.
25	Timotheo	Cabinda	20	Stone-cutter	Ditto.
26	Januario	Benguela	32	Quarryman	Ditto.
27	Aulero	Benguela	20	Mason	Ditto.
28	Adao	Benguela	20	Stone cutter	Ditto.
29	Christvao	Cabinda	24	Mason	Ditto.
30	Salvador	Cabinda	24	Quarryman	Master workman.
31	Bernardo	Benguela	22	Domestic	Health and conduct good.
32	Marcos	Benguela	20	Ditto	Ditto.
33	Nicolao	Cabinda	20	Ditto	Ditto.
34	Osmeria	Cabinda	24	Cook	Female child dead.
35	Esperanca	Benguela	28	Washerwoman	Two sons, Antonio and Olavio.
36	Eugracia	Cabinda	27	Ditto	Health and conduct good.
37	Antonio	Cabinda	22	Servant in asylum	Ditto.
38	Lina	Cabinda	22	Washerwoman	One son Joao; has charge Generosa's son, Manoel-Generosa died, 1843.
39	Manoel	Cabinda	32	Land-tiller	
40	Nuno	Benguela	26	Carter	Health and conduct good.
41	Theodoro	Benguela	20	Mason	Ditto.
42	Ambrosia	Benguela	20	Ditto	Stutters.
43	Alexandre	Benguela	20	Land-tiller	Ditto.
44	Anastasio	Cabinda	20	Ditto	Ditto.
45	Jacintho	Benguela	18	Carter	Ditto.
46	Euzebio	Benguela	18	Ditto	Wishes to learn a trade.
47	Paulo	Benguela	20	Land-tiller	Health and conduct good.
48	Martinio	Cabinda	16	Ditto	Ditto.
49	Rufino	Cabinda	20	Mason	Ditto.
50	Joao	Benguela	36	Washes	Ditto.
51	Januario	Benguela	26	Quarryman	Master workman.
52	Antonio	Cabinda	20		Prisoner for murder.
53	Felipe	Benguela	32	Land-tiller	Health and conduct good.
54	Bernardo	Angola	18	Shepherd	Ditto.
55	Jose	Benguela	15	Land-tiller	Ditto.
56	Caetano	Benguela	18	Mason	Master workman.
57	Francisco	Benguela	22	Stone-cutter	Health and conduct good.
58	Luiz	Angola	18	Land-tiller	Ditto.
59	Raimundo	Angola	22	Blacksmith	Ditto.
60	Francisco	Benguela	22	Shepherd	Ditto.
61	Joaquim	Cabinda	20	Land-tiller	Ditto.
62	Rita	Rebolo	36	Gardener	Two sons died, one alive, Felipe.
63	Antonio	Cabinda	32	Ditto	
64	Thereza	Cabinda	32	Ditto	
65	Luiza	Cabinda	26	Washerwoman	Son born April 28, 1844.

Nominal List of Free Africans now in the Misericordia Hospital, &c.—*continued.*

Nos.	Names.	Nations.	Ages.	Occupations.	Remarks.
66	Catherina . . .	Cabinda . . .	28	Washerwoman	
67	Anna . . .	Benguela . . .	22	Gardener.	
68	Pedro . . .	Cabinda . . .	38	Hospital Servant	Sight better.
69	Joaquim . . .	Benguela . . .	32	Ditto . . .	Health and conduct good.
70	Simplicio . . .	Benguela . . .	32	Ditto . . .	Ditto.
71	Justino . . .	Benguela . . .	32	Ditto . . .	Ditto.
72	Sabino . . .	Benguela . . .	32	Ditto . . .	Ditto.

All the above Africans have been individually seen and spoken with by the Undersigned, excepting the man Antonio, still suffering imprisonment for murder. They are all in good health, and are well treated and clothed; their conduct has been most satisfactory, and their general appearance does much credit to their present employers.

(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.
 FREDERICK HAMILTON,
First Attaché to the Legation.

No. 230.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, October 12, 1844.

(Received November 25.)

MY LORD,

I HAVE the honour to forward enclosed to your Lordship, a voluminous body of papers received by this Legation from the American Minister accredited here. They consist of depositions in copy taken before the United States Consul in Rio de Janeiro, respecting the capture, some few months ago, on the coast of Africa, by British cruisers, of the United States merchant brig "*Cyrus.*" The original documents have been transmitted by the Minister to his Government.

It does not seem probable that any other information on this matter can be obtained here; but Her Majesty's authorities in Rio de Janeiro will not neglect it, should any opportunity present itself.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c. &c. &c.

Enclosure in No. 230.

Mr. Wise to Mr. Hamilton.

United States Legation,

Rio de Janeiro, September 21, 1844.

SIR,

I ENCLOSE to you the written copies of papers communicated to me by the United States Consul at this port, and which I have forwarded to the Government of the United States, in order that your Excellency may have due notice of the testimony taken at this place in a case where damages, I presume, will be claimed of the British Government for the unlawful search, seizure, and capture, of a vessel of the United States by British cruisers; and that countervailing testimony, if any, may be taken, justifying the proceedings complained of. The copies of the papers in the case are sent as soon as they could conveniently be made.

I have, &c.

(Signed) HENRY A. WISE.

Hamilton Hamilton, Esq.

&c. &c.

Sub-Enclosure in Enclosure in No. 230.

Deposition of Captain Dumas.

Consulate of the United States, Rio de Janeiro.

PERSONALLY appeared before the Undersigned, Consul of the United States, P. C. Dumas, late Master of the American brig "*Cyrus*" of New Orleans, who being duly sworn upon the Holy Evangelists, deposed as follows:—

That the American merchant brig "*Cyrus*," sailed from New Orleans on the 9th December, 1843, for Havana, in the West Indies; that deponent was the sole and *bonâ fide* owner of said brig; that she sailed with a full cargo of stores taken on freight; that said brig had on board, and had sailed with, a crew consisting of seven men, to wit, William Colebrook, chief mate, four sailors, by names William Cromwell, William S. Osmer, Peter Anderson, and James Johnson; a steward, by name Joseph Carro; and a cook, by name Augustus Benton, all white men and Americans, excepting the steward and cook, who were foreigners; that said brig arrived at Havana, on the 27th day of December, 1843; that at Havana the cargo of stores was discharged, and deponent let the brig "*Cyrus*," by charter-party, dated 3rd January, 1844, to an individual by name A. Percy; that the conditions of said charter-party were, that a full cargo of merchandize was to be taken on board said brig at Havana, which was to be furnished by said Percy; that the brig was to proceed with all possible dispatch to the port of Cabinda direct, where said cargo was to be delivered; that, in consideration of the services imposed by said charter-party, there was to be paid the sum of 3,500 dollars, 2,000 dollars of which previous to the sailing of the vessel from Havana, and the balance on the receipt of the receipted bill of lading of the delivery of the cargo; the lay days were specified to be 15 running days for loading at Havana, and 60 running days for discharging at Cabinda, and waiting orders at that or some neighbouring port, and demurrage was to be paid at the rate of 25 dollars for each and every day after the expiration of the lay days; (all which particulars will appear on reference to said charter-party, a certified copy of which is hereunto annexed, A. ;) that by endorsement made by said A. Percy, on the margin of the bill of lading of the cargo, dated 3rd January 1844, said cargo was to be delivered to Lewis Krafft, Esq., or order. And deponent further said, that in conformity with said charter-party, a full cargo of merchandize was taken on board at Havana, consisting of 1,337 packages, as will appear by reference to the bill of lading, bearing even date with the aforesaid charter-party; that before sailing from Havana for Cabinda, were discharged the aforesaid steward and cook, to wit, Joseph Carro and Augustus Benton, and there were shipped in their places two other foreigners, by names Francis Gustave and Lorenzo Garcia; that said Garcia did not proceed on the voyage, but deserted; and that there was taken in his place, but not regularly shipped, one other foreigner, by name Miguel Vilarian; that on the 16th January, 1844, the brig "*Cyrus*" sailed from Havana with the before-named cargo and crew, and a supercargo, by name De Labourgonière, and one passenger, by name M. Bicards; that on the 23rd of March following the "*Cyrus*" touched at the island of Anabona for fuel and provisions, and departed thence on the next day at nine A.M.; that on 31st of same month of March, at six A.M. they made the land on the coast of Africa, and at 5 30 P.M. same day, arrived at Cabinda; that on the next day (being 18th April) after their arrival at Cabinda at nine o'clock A.M., the brig "*Cyrus*" was visited by a boat belonging to Her Britannic Majesty's brig-of-war "*Heroine*," commanded by Captain Foote. On warning the boat not to come alongside, the officer, a Lieutenant, by name Spence, replied, that he had no other business but to ascertain the name of the vessel; that the deponent then invited him to come on board as a private individual, leaving his sword and crew in the boat; that the officer, Lieutenant Spence, left his sword and crew in the boat, and came on board the "*Cyrus*," and said that he had no authority to see the papers or examine the hold of an American vessel, and simply enquired the names of the Master and owners of the "*Cyrus*," her tonnage, where she belonged, and where from; of which being answered by deponent, he, the Lieutenant, took notes, or made memoranda in a book of printed form which he had with him, and then left the "*Cyrus*," and proceeded towards and visited, the American brig "*Monte Video*," laying close by. And deponent further said, that the crew of the "*Cyrus*" were employed in cleaning and refitting the vessel until the 5th April, on which day they commenced discharging the cargo; and that the discharge of the cargo was continued from day to day until the 13th following of same month, when the discharge was completed. And deponent further said, that the facts here stated in relation to the incidents of the voyage and the discharge of the cargo, will appear on reference to the log-book of the "*Cyrus*," which was kept and written by William Colebrook, Chief Mate of said brig, and that evidence of the full discharge of the cargo of the "*Cyrus*" is contained in the receipt of L. Krafft, the consignee at Cabinda, dated Cabinda, 12th April, 1844, which date is according to civil time, being the same and agreeing with the

13th April astronomical time, as written in the log-book referred to, and that said receipt of Lewis Krafft is written on the back of the bill of lading, a certificate copy of which may be seen on reference to the accompanying papers marked B. And deponent further said, that on the same 13th day of April, there were received on board the "*Cyrus*" 19 empty pipes, which were stowed and filled with salt water for ballast, and that on the day next following, there were received and stowed, and filled with salt water, seven other pipes. And deponent said, the water was used for ballast in lieu of sand, in preference, because on a previous voyage to Cabinda said sand had washed down below and choked the pumps, and the pipes were taken also for the purpose of taking in palm oil from some northern port, in case the consignee should order a return cargo of oil, according to a previous understanding. And deponent further said, that the 17th of said month of April the deponent was taken ill with a violent fever, and was carried on shore in a hammock on the evening of the same day; that he was lodged in the house of the consignee, Mr. Lewis Krafft; that he was visited while there by the Master of the brig "*Monte Video*," Captain J. L. Pendleton, several times; and that Captain J. M. Clapp, recently Master of the brig "*Ganneckliff*," also called upon him while he lodged with Mr. Krafft, but that in consequence of his, deponent's, serious illness, he did not see him; that on the 25th, following of same month he, deponent, remaining sick on shore, and several of the crew being also ill, and seriously threatened with fever, he, by the advice of friends on shore, ordered the Mate of the "*Cyrus*," in writing, to proceed to sea and cruize near soundings for the benefit of the health of the crew, with all the ship's papers on board; that under this order the brig proceeded to sea in charge of the Mate, William Colebrook, on the 27th April 1844. And deponent further said, that the log-book of the "*Cyrus*" shows, that the Mate was taken sick at sea on the 28th, with a severe colic; and that on the 30th of same month (April) the "*Cyrus*" made Cape Padron, bearing south-east distant 20 miles, and that on the following day, being the 1st of May, she entered the river Congo; that on the 3rd of May the brig again went to sea, part of the crew still sick, and cruized off Cape Padron until Monday the 6th of said month, when at three o'clock P.M., the "*Cyrus*" was again boarded by a boat belonging to Her Britannic Majesty's brig "*Heroine*;" that the officer of the boat demanded the papers of the "*Cyrus*," which the Mate at first refused to show; that the British officer said he understood the vessel had been sold, and that he must see her papers; that the Mate replied, that he, the Mate, was not the Captain, that if he were he would abandon the vessel before he would show her papers against his will; that the Commander of the boat said he would be forced to show them, and the Mate being very sick at the time and not wishing to be, or to avoid being, insulted, showed the officer of the boat the ship's papers. And deponent further said, that the log-book of the "*Cyrus*" also shows, that on the 9th of May, the brig being at anchor, parted her cable in a heavy squall, got under weigh, and proceeded to Cabinda, where she arrived on the 10th following. And deponent further said, that at the time of the said arrival of the "*Cyrus*" at Cabinda, he deponent still remained sick on shore, and that after getting an anchor from the brig "*Agnes*," of Brandywine, Captain Todet, then lying at Cabinda, he, deponent, then ordered the "*Cyrus*" to go to sea again, to avoid the sickness on shore; and that on the day next following the brig did again proceed to sea. And deponent further said, that according to the log-book of the "*Cyrus*" said brig, after proceeding to sea continued to sail off and on near Cape Padron until the 22nd of May, and that on the same 22nd of May, the vessel, being in latitude 6° 1' north, and longitude 11° 30' south, at eight A.M., a sail hove in sight on the larboard bow, which gave full chase after the "*Cyrus*," and not being able to succeed in the chase, commenced firing her cannon, the balls from which came so close to the brig, that the Mate thought it prudent to tack and see what she wanted; the vessel proved to be Her Majesty's brig "*Alert*," the Commander of which boarded the "*Cyrus*," and by force took the brig's papers out of the Mate's trunk, and not being satisfied with that, he took the brig's log-book and perused it through; when he had completed this violation the Mate told him to take charge of the vessel (the "*Cyrus*"), but the English officer took no notice of what the Mate of the "*Cyrus*" said, but went into his boat and returned on board the "*Alert*." And deponent further said, that a narration of the circumstances which took place immediately previous to and during the visit of the Commander of the

British brig "Alert," just referred to, is contained in a statement signed by William Colebrook, Chief Mate of the "*Cyrus*," and three of her crew, by names William Cromwell, William S. Osmer, and John Anderson, and also by De Labourgonière, the supercargo, and Miguel Vilarian, the cook, a certified copy of which statement is hereunto annexed, marked C., and to which reference is made. And deponent further said, that having recovered from his sickness, he dispatched a letter to the brig "*Cyrus*," then lying at anchor off Cape Padron, directing the Mate to start all the salt water in the casks on board the brig, and to go into Congo river and fill them with fresh water, and also to take on board a supply of firewood, and thence to return to Cabinda, and at the same time informed the Mate that he, deponent, had quite recovered from his sickness, and was sufficiently able to pursue the voyage. And deponent further said, that it appeared from the log-book of the "*Cyrus*" that said letter from deponent to the Mate was received on board the brig on Sunday, the 26th of May, and that at noon of said day the brig was got under weigh, entered the river Congo at five o'clock in the afternoon, and anchored in four fathoms; that on the 27th the anchor was hove up, and the brig proceeded to the river and filled some water; that on the 28th they finished taking in water, got under weigh and proceeded to Cabinda, where the brig arrived on the 29th, at three o'clock, P.M. And deponent said, that on the 30th May, 1844, the deponent repaired on board the "*Cyrus*," and immediately gave orders to get the vessel ready for sea on the 1st or 2nd of June then following, and also directed all the casks of fresh water to be marked, in order that when each was emptied of fresh it might be again filled with salt water for ballast; that on the 31st of May there was taken on board an additional quantity of firewood and eight empty casks. And deponent further said, that the number of lay days at Cabinda, according to the charter-party already referred to, having been completed, and said lay days having expired, he, deponent, on the 1st of June, 1844, preparatory to sailing from Cabinda, called upon the consignee, L. Krafft, for his certificate to that effect; and that such certificate was thereupon written upon the face of said charter-party, and signed by said Krafft, as will appear by certified copy thereof already referred to. And deponent further said, that on Sunday the 2nd of June, while he, deponent, was on board, and the "*Cyrus*" was lying at anchor in the harbour of Cabinda, she, the "*Cyrus*," was boarded by Captain W. Bosanquet, commanding Her Britannic Majesty's brig "Alert," accompanied by one officer, one boy, and a boat's crew of four negro sailors, the boat bearing the British ensign and pendant; that when the said boat came alongside the "*Cyrus*" the deponent hailed and requested the officer not to come on board, at the same time recognising the said officer to be the Commander of the British brig-of-war "Alert," who had before, on the 22nd of May last past, once visited the "*Cyrus*" while at sea, and by force seized and examined her papers and log-book; that said officer, Captain Bosanquet, without heeding or taking any notice of what he, deponent, said, came on board with all the boat's crew, and immediately, without asking for the vessel's papers, or enquiring her name, or to what nation she belonged, and without even passing the civilities of the day, gave orders to his negroes to open the hatches of the "*Cyrus*," and acting in all respects as if he were about to capture a pirate vessel; and that Captain Bosanquet and the boy, and two or three of the negroes, went down into the hold of the vessel, and examined her fore and aft, and that without finding any cargo on board, or anything but water-ballast in pipes, they came again on deck; upon their coming again on deck he, deponent, said to Captain Bosanquet, "Well, Sir, are you satisfied now?" or words to that effect; that Captain Bosanquet replied "No," and demanded that the papers of the brig should be shown to him; that deponent then said to him, that he had seen them once already, that he had taken them away by force, and it was unnecessary for him to see them again, or a second time. That Captain Bosanquet replied, that the refusal of deponent to show his papers was evidence to him that he had none, and that therefore he took him to be a pirate, and added, that from that moment he, Captain Bosanquet, took charge of the vessel; whereupon deponent replied, that so long as the American flag was hoisted and flying at his mast-head, and his papers in his trunk, he would be Master of his own vessel; that the British officer, Captain Bosanquet, then said, that he had been told that the "*Cyrus*" had been sold, and that was the reason deponent could not show his papers. And deponent further said, that believing that the British officer, Captain Bosanquet, would

proceed into the cabin, he privately gave orders to his Mate to hand down the American flag and place it before and across the companion-way; that soon afterwards, Captain Bosanquet being about to proceed into the cabin, he deponent forbade his going down, and told him he could not do so without trampling on the American flag; at the same time deponent, his Mate, and two of his men, took hold of the flag and held it across the entrance of the cabin; that upon doing this the English officer said it made no difference to him, or words to that effect; that he, deponent, then said, that the American flag was his arms, his defence, and protection, and that he had none other; that without heeding these remarks, the English officer took hold of the flag to pull it down, and followed by his officer and one negro, rushed upon it, broke it down, trampled it under foot, and entered the cabin; that whilst the said persons were in the cabin deponent took his log-book from a table drawer that was on deck, and being about to hand it to one of his men named Peter Anderson, with directions to go into his, deponent's, boat, and take it on board the French bark "*Guatimozin*," and request the Captain thereof to keep it for him, one of the negroes remaining on deck called out to the English Captain, and informed him of what he, deponent, was about to do; that deponent then took back or kept the said log-book into his own possession, and the English officer and the two men who were in the cabin with him immediately came on deck, and demanded that the log-book, which he saw in deponent's hands, should be given to him; that deponent's answer was, "Never;" that as long as he had a drop of blood in his veins no British subject should take it (the log-book) from him; that the English officer then said, he had the power to take it by force, and at the same time ordered one of his negroes to take the book from deponent, and who attempted to do so, but that he, deponent, pushed him aside, and stepped back, put himself in a posture of defence, and called upon his Mate and crew to come aft and defend their Captain, and to arm themselves with handspikes and knives for the purpose; at the same time, he, deponent, hailed the bark "*Gutimozin*," lying close by, saying he was boarded by pirates, and requested them to send men to his assistance; that the crew of the "*Cyrus*" were much excited by this violation and outrage on their Master; and that Captain Bosanquet then called upon deponent to stop his men, saying that he did not wish to see any blood shed or butchery on board; that nothing then took place further in regard to the log-book; that the English Captain again demanded the ship's papers, whereupon deponent told him he could not have them, and asked him to show his authority from the American Government to visit an American vessel, and examine her papers, and added, that when he did *that* the papers should be immediately shown to him; that the English officer's answer was, that he had such written power on board his brig "*Alert*;" that he, deponent, then told him that it was false, that he had no such power; and if he had, to go on board and fetch it; that the English officer answered, that his word was good enough; that deponent said it was not, and asked him who he was; and told him, that as he had no uniform he had no authority to come on board his vessel, the "*Cyrus*;" and that he had good reason to believe *him* to be a pirate, and to treat him accordingly; adding, that unless he showed evidence to the contrary, and a written power from the American Secretary of State to see his papers, he should not see them; that after some further angry and excited conversation had taken place between them, he, deponent, again assured the officer that he had his papers in his trunk in the cabin, at the same time showing the key of said trunk; that the English officer demanded the key to be given to him, and said if it were not he would take it by force; whereupon deponent defied him to do so, or used words to that effect, and asked him if he wished again to witness the scene that had taken place about the log-book; that the English Commander then ordered the officer who was with him, and a negro, to go into the cabin, break open the trunk, and bring him the papers; that the deponent and his Mate followed them into the cabin, and saw them break open the trunk, take out the papers, bring them on deck, and give them to Captain Bosanquet. That when the negro had broken open the trunk he, deponent, told the officer, that there was in his trunk all his freight, with some other money in gold, a gold watch and other property, to which said officer made no answer, nor took any notice, but immediately went on deck, and handed the papers to the English Captain as aforesaid; that Captain Bosanquet had examined the papers, and while he was perusing them, he, deponent, said to him, that he had taken the papers

twice by force, and had twice examined them, and that he hoped he was satisfied, and then requested him to give them back to him, informing him that the "*Cyrus*" was to sail that evening or early on the following morning; that Captain Bosanquet replied "No, Sir, you will not have them," or words to that effect; that he should take them with him on board the "*Alert*," for the purpose of taking a copy; that deponent then asked him if he should have his papers back that evening; to which Captain Bosanquet answered "No, perhaps he would return them on the morrow;" that deponent then asked him if he should have them on the following morning, as he was ready and anxious to sail; that Captain Bosanquet replied, that he, deponent, should have them when he, Captain Bosanquet, thought proper. And deponent further said, that having no assurance when the ship's papers would be returned, or even that they would be returned at all, he said to Captain Bosanquet, that as his papers had by force been taken away from him, and were in his, Captain Bosanquet's, possession, from that moment he, deponent, abandoned the brig "*Cyrus*" to the British Government; and holding up the American flag that had been trampled on by the British officer and negro, told him that he had insulted the American flag, and that it would cost dear to the nation; whereupon the English officer, Captain Bosanquet, said, "I don't care a damn for the American flag;" or words to that effect; that he, deponent, also told Captain Bosanquet, that he had violated the Treaty between the United States and the British Government; to which Captain Bosanquet replied, that he had violated no Treaty, and that he knew of none to prevent his searching any vessel that he chose to search. And deponent further deposed and said, that Captain Bosanquet, and the other officer and the negroes with him, then left the brig "*Cyrus*," and went into the boat, and that he, deponent, also left the "*Cyrus*" nearly at the same moment, taking nothing with him but the clothes he had on, the log-book which he had in his hand, and the American flag, and went into his boat, and that his Mate and all his crew soon after followed him; and that he, deponent, has never visited nor stepped foot on board the said brig "*Cyrus*" since that day, nor, to his knowledge, has any one of his crew. And deponent further said, that immediately after he and his crew had abandoned the "*Cyrus*" as aforesaid, they went on board the French bark "*Guatimozin*," lying near by, and requested the Master of said bark, Decous by name, to receive them on board; that Captain Decous did receive them on board. And deponent said, that on the evening of that same day he settled with the crew of the "*Cyrus*," and on the following morning paid them off, with money which he obtained from his consignee, Lewis Krafft; that the deponent gave to each of his crew a certificate, to the effect that they were of the crew of the American brig "*Cyrus*," abandoned as aforesaid, to be presented to the first Consul of the United States that they could reach, in order that they should be sent by such Consul to the United States; that the deponent also obtained for his crew a launch, called "*La Fortune*," belonging to L. Krafft, the consignee of the "*Cyrus*," on board of which, the same being well supplied with provisions and water, he ordered them to embark, on the 4th of June, thence for Angola; that on the evening of the 3rd of June he, deponent, left Cabinda for Cham; and that at that time the "*Cyrus*" was lying at anchor as aforesaid; and that there was no person on board of her; and that since that time he, deponent, has never seen the "*Cyrus*," nor does he know what has become of said brig. And deponent further said, that he shipped on board the French bark "*Guatimozin*," of Bordeaux, at Cabinda, bound for Rio de Janeiro; that said bark left Cabinda on the 27th of June, 1844, and proceeded direct to her destined port; that said bark touched at no intermediate place; that Cape Frio was the first land made on the coast of South America; and that said bark arrived at Rio de Janeiro on the 28th of July, 1844, in charge of the Mate, Mr. Challot—the Master, Decous, having died at sea on or about the 16th of said month of July. And deponent further declared, that neither before nor after discharging his cargo from Havana at Cabinda, nor at any other time, had he taken on board any articles or cargo whatever for the uses or purposes of the Slave Trade; that he had not at any time, on or off the coast of Africa, nor anywhere else, proposed nor received propositions to sell his said vessel, the "*Cyrus*," directly or indirectly, for the Slave Trade or any other trade; that his cargo and voyage, and course of trade, were in all respects lawful; and that he, deponent, has no knowledge whatever of the fate of said brig "*Cyrus*"

since his abandonment of her as aforesaid, on the forcible search and seizure of her papers by a naval officer of the British Government. And furthermore deponent said not.

(Signed) P. C. DUMAS.

Wherefore the deponent, late Master of the brig "*Cyrus*," of New Orleans aforesaid, declares to protest, and by these presents does solemnly protest, on his own behalf, and on the part and behalf of the owners and all others interested or in any respects concerned in the said brig "*Cyrus*," and her cargo, money, gold, or other property on board, or either of them, against the said British brig-of-war "*Alert*," her Commander, officers, and mariners, and all others whom it doth or may concern, for having so seized and taken out of said brig "*Cyrus*" her papers, and thus, and, in manner aforesaid, having captured said brig "*Cyrus*," her cargo, money, gold, and other property; and, also, for losses, costs, damages, and expenses already suffered, or which may hereafter accrue by reason of the foregoing premises. And deponent further declares, that he now looks alone to the Government of the United States for redress in the premises against the unlawful proceedings herein complained of and protested against.

Thus done and protested at the city of Rio de Janeiro, this 22nd day of August, in the year of our Lord 1844.

In testimony whereof, I have hereunto set my hand, and affixed the seal of this office, year and date aforesaid.

(L.S.)

(Signed)

GEORGE WILLIAM GORDON,
Consul, United States.

Consulate of the United States, Rio de Janeiro.

I the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original deposition and protest on record at this Consulate.

Given under my hand and seal of office the 24th day of August, 1844.

A.

Charter Party.

It is this day mutually understood and agreed upon, between P. C. Dumas, in behalf of the owners of the American brig "*Cyrus*," of 112 tons, whereof the same is Master, now lying in this port, on the first part, and A. Percy, merchant of this city, on the second part, as follows:—That the said vessel, being tight, staunch, strong, and in every respect fitted for the intended voyage, Captain Dumas shall receive on board at this port a full cargo, to consist of merchandize, which shall not exceed what she can reasonably stow and carry over and above her tackle, apparel, provisions, and room sufficient for the accommodation of the officers and crew, and which cargo the said party of the second part hereby agrees to furnish.

The said vessel being so laden, Captain Dumas shall, with all possible dispatch, make sail for the port of Cabinda direct, and, on his arrival at the port of discharge, make a true and faithful delivery of the cargo, according to custom and the bills of lading.

In consideration whereof, freight shall be paid immediately on the delivery of the cargo, at the rate of 3,500 dollars, 2,000 dollars of which shall be paid previous to the sailing of the vessel, and the balance on receipt of the receipted bill of lading of the delivery of the cargo to Captain P. C. Dumas.

The lay days shall be as follows:—15 running days for loading here, and 60 running days for discharging at Cabinda and awaiting orders either there or at some port in the neighbourhood of Cabinda, after the expiration of which time demurrage shall be paid, at the rate of 25 dollars for each and every day, as it may become due.

The cargo shall be taken in according to custom of this port.

It is further understood and agreed, that the cargo is to be received and delivered alongside of the vessel on the coast within reach of the ship's tackle. All port charges will be paid by the freighter. And for the due performance of the

CLASS B.

several articles of agreement, the respective parties do hereby bind themselves, their heirs, executors, administrators, and assigns, in the penal sum of _____ restraint of rulers, the act of God, pirates, enemies, and all and every of the dangers of the seas, rivers, and navigation, of whatsoever nature and kind, always excepted.

In testimony whereof the respective parties have hereunto set their hands in duplicate, at Havana, this 3rd day of January, 1844.

(Witnesses)

C. PRILLAC.
B. ANGER.

(Signed)

A. PERCY.
P. C. DUMAS.

Cabinda, June 18, 1844.

I certify the brig "Cyrus" has accomplished her 60 days in Cabinda harbour.

(Signed)

L. KRAFFT.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original charty-party and receipt thereupon written, exhibited to me this day by Captain P. C. Dumas, late Master of the brig "Cyrus."

Given under my hand and seal of office, this 22nd day of August, 1844.

(Signed)

GEORGE WILLIAM GORDON,
Consul, United States.

(L.S.)

B.

Bill of Lading,

Sundry Marks.

Deliver to Lewis
Krafft, Esq., or order.

(Signed) A. PERCY.

Shipped in good order and well-conditioned, by A. Percy, upon the good brig called the "Cyrus," whereof is Master for the present voyage P. C. Dumas, now in the harbour of Havana, and bound for Cabinda, to say, 1,397 packages, as per note on the other side, being marked and numbered as in the margin, and are to be delivered in the like good order and condition at the aforesaid port of Cabinda, (*dangers of the seas only excepted,*) unto order or his assigns he or they paying freight for the said goods as per charter-party, without primage and average accustomed. In witness whereof the Master of the said vessel hath affirmed to three bills of lading, all of this tenor and date, one of which being accomplished the others to stand void.

Dated in Havana, the 3rd day of January, 1844.

Said to be,

(Signed)

P. C. DUMAS.

[HC] H	52	Bales of merchandize.
3 [C] L	6	Ditto ditto.
PT	15	Ditto ditto.
[W] G	5	Ditto ditto.
(o)	1	Ditto ditto.
X	1	Ditto ditto.
BJ H	6	Boxes ditto.
J 5 H	3	Ditto ditto.
[H] J & C	3	Bales ditto.
[BC]	1	Ditto ditto.
[JH] C	5	Boxes ditto.
Z	1	Ditto ditto.
FA	5	Boxes knives.
M E	2	Ditto ditto.
[H]	16	Boxes matches.
W & S	2	Ditto looking glasses.
F & C	1	Ditto merchandize.
HC	2	Ditto ditto.
A P C	2	Ditto ditto.

A S & C	2	Boxes razors.
L	3	Bales merchandize.
	11	Boxes crockeryware.
	48	Pipes rum.
	974	Kegs powder.
	17	Boxes guns.
	185	Bars iron.
	1	Scroon containing bells.
	6	Barrels assorted cordials.
	2	Scroons tobacco.
	5	Boxes chewing.
	6	Barrels pitch and tar.
	10	Barrels of flour.

1,397

Cabinda, April 12, 1844.

Received the said goods as mentioned in bill of lading.

(Signed)

L. KRAFFT.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original bill of lading, with marks, endorsements, and receipts thereupon written, as exhibited to me this day by Captain P. C. Dumas, late Master of the brig "*Cyrus*."

Given under my hand and seal of office, this 22nd day of August, 1844.

(Signed)

GEORGE WILLIAM GORDON,

(L.S.)

Consul, United States.

C.

Extract from Log-Book, page 60.

*American brigantine "Cyrus," off New Orleans,
May 22, 1844.*

In latitude 6° 4' north, longitude 11° 30' east, at 8 A. M. I was standing to the south-west, and a vessel hove in sight on the larboard bow; at 11h. 30m. I tacked ship to the south-east; the sail in sight hauled to eastward, and gave chase after us; I immediately hoisted the American ensign, but she still gave full chase, and firing her cannon at us in rapid succession; I then perceived she was an English brig-of-war; the shot from her cannon came so close that I was doubtful of their carrying away some of our spars, rigging, or sails; I tacked ship to the south-west; as soon as I was abreast of the brig I backed the fore-yard, and immediately perceived that they were about to board us; as soon as the boat had arrived at the distance of about 10 yards from us, I hailed her, and enquired what boat it was; but the officer would give me no answer; when the boat had fully reached the ship I requested the officer not to come on deck, but both him and the boat's crew jumped on deck, as if they were about to make a seizure of a pirate vessel; he then told me that he was the Captain of Her Britannic Majesty's brig "*Alert*," Captain Bosanquet, that he wanted to see our papers; but I refused to show our papers, and asked of him if he took no notice of our ensign; he made answer, that it was not sufficient for him, that he must see the ship's papers; but I refused to show them, but offered him a letter that I received from the Captain in Cabinda, that would prove the vessel to be the American brig "*Cyrus*," of New Orleans, and likewise that the Captain was remaining at Cabinda; the vessel having, according to the charter-party several more lay days, the Captain thought it prudent to send me with the vessel to cruize a few days at sea, for the benefit of the health of the crew, being at the time of sailing one-third sick; but all this would not serve him; he then said that if I would not show them, that he would make a search, and find them by force; he then required one of his men to come in the cabin, and told him to search that trunk, which was mine, and in that trunk he found the papers; he read them, and not satisfied with that violation, but took my log-book and perused it all through; when he had finished, and satisfied him-

self of ransacking the ship, I told him to take charge of her; but he took no notice of that, went in his boat, and proceeded on board his brig. I do here, and all the undersigned, solemnly swear and protest, that the whole of the above specified is the truth, and nothing but the truth.

(Signed)

WILLIAM COLEBROOK, *Chief Mate.*

WILLIAM CROMWELL.

WILLIAM S. OSMERS.

✕ PETER ANDERSON.

DE LABOURGONIERE, *Supercargo.*

MIGUEL VILARIAN.

Consulate of the United States, Rio de Janeiro.

I, the undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original, exhibited to me this day by Captain P. C. Dumas, late Master of the brig "*Cyrus*."

Given under my hand and seal of office, this 22nd day of August, 1844.

(Signed)

GEORGE WILLIAM GORDON,

Consul, United States.

D.

Protest of Captain, Crew, &c.

Cabinda Harbour, June 2, 1844.

We, the undersigned, Captain, Mate, crew, supercargo, and passengers, certify that this day, the 2nd of June, 1844, at one P. M., a boat with the English flag and a pendant up; when near alongside Captain P. C. Dumas hailed the boat, and requested of the officer not to come on board, at the same time recognised the Commander of the British brig-of-war "*Alert*," who had already visited the "*Cyrus*" by force when at sea; the boat boarded us, and manned by the Captain, one officer, one boy, and four negroes, sailors, all came on deck, without taking any notice of the Captain's remarks, and ordered to his negroes to open the *hatches*, and acting as if they were capturing a pirate vessel; the British Captain, officer, and men went in the *hold* to search, and found that we had nothing but water-ballast in pipes; they came up, and the British Captain requested the ship's papers, and to be handed to him immediately; Captain Dumas answered; that he had seen them once, taken by force at sea; it was no use to see them twice; the British Captain said, refusing to show me your papers is a proof that you have none, and take you to be a *pirate*, and from this moment I take charge of the brig; Captain Dumas said to him, as long as the American flag will be hoisted, and the ship's papers on board, in his trunk, he would still be Captain of his own ship; the British Captain said, that he was told that the brig had been sold, and it was the reason that Captain Dumas could not show his papers; knowing that he would go down in the cabin to make a search, Captain Dumas ordered to pull down the American flag, which was placed before the cabin door; the British officer wanted to go down in the cabin; and Captain Dumas observed to him, that he could not step down without trampling on the *United States* flag; his answer was, that it made no difference, and immediately rushed in the cabin, followed by his officer and a negro, trampled the flag under their feet: after having searched all through the cabin, they came on deck, The British Captain perceiving the *log-book* in the hands of Captain Dumas, he told him to let him have it; the answer was *Never*; and as long as he would have a drop of blood in his veins no British subject would take it away from him; then he observed, that he had the power to obtain it by force, at the same time ordered to one of his negroes to take the book from the Captain, who obeyed the order given to him. But Captain Dumas stepped back, and called for his mate and crew to defend him; and the book was not taken from the Captain, whom at the same time called to the French bark "*Guatimozin*," of Bordeaux, for assistance; the crew of the "*Cyrus*" excited with such violation, the British Captain told the Captain of the "*Cyrus*" to stop his men, because he did not wish to see any blood spilt, nor butchery; then nothing took place, but again requested to Captain Dumas the ship's papers; then the Captain of the "*Cyrus*" required to the Captain to show him his authority from the American Government, giving him the power to visit an American vessel by force, then the papers would be immediately shown to him;

he said that he had the power on board his brig the "Alert," which was laying four miles at sea (anchored), that his word was good enough; Captain Dumas said to him, If you don't show me the power, I will not let you see my papers; at the same time told him here is the key (showing it only) of the trunk in which the papers are in; then the British Captain required Captain Dumas to let him have the key, or he would have it taken away from him by force; Captain Dumas defied him to do so, then he said that he was going to have the trunk broken open; no answer from Captain Dumas; he then ordered to his officer and negro to go in the cabin and have the trunk open; they broke it, and found the papers, at the same time Captain has observed to the officer that he had in his trunk money in gold, and a gold watch; he made no answer; went on deck to hand the papers to his Captain, Mr. Bosanquet; Captain said to him, now you are satisfied to see that the papers were on board, and twice in your hands by force, please give me those papers, because the brig "Cyrus" will make sail to-morrow; he answered, No Sir, you will not have them; I take them with me to take a copy, and perhaps will return them to you to-morrow; Captain Dumas's answer to him was, as long as my papers are taken away from me I make abandon of my brig for the account of the British Government, also my officer and crew; at the moment the British Captain left the vessel; Captain Dumas jumped in his boat alone, without taking anything from the vessel, observing to the British Captain; that he had insulted the American flag, and would cost dear to his nation; his answer was, that the American flag was nothing to him. We all swear that the above is nothing but the truth.

(Signed) P. C. DUMAS, *Captain.*
 WILLIAM COLEBROOK, *Chief Mate.*
 WILLIAM CROMWELL.
 ✕ PETER ANDERSON.
 ✕ JAMES JOHNSON.
 WILLIAM S. OSMERS.
 M. BECARDS.
 DE LABOURGONIERE.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original, this day exhibited to me by Captain P. C. Dumas, late Master of the brig "Cyrus."

Given under my hand and seal of office, this 22nd day of August, 1844.

GEORGE WILLIAM GORDON,
Consul, United States.

Deposition of M. Coutto.

Consulate of the United States, Rio de Janeiro.

Personally appeared before the Undersigned, Consul of the United States, Peter J. do Coutto, who being duly sworn upon the Holy Evangelists, deposed, and said as follows:—That he, deponent, is a native of London, in England; that he went to Cabinda in Africa, in the French bark "Guatimozin," Decous, Master, where he arrived on or about the 12th of January last past, and there engaged in business; that on Sunday, the 2nd of June following, he was employed about 200 yards from the shore, near to which the American brig "Cyrus," Captain J. C. Dumas, then lay at anchor, say at the distance of about 300 yards from the said shore; that near the middle of the day, on the same 2nd of June, he, deponent, saw a boat, with the English ensign flying, approach said brig "Cyrus." And deponent further said, that on the evening of the same day he, deponent, met Captain Dumas, Master of the brig "Cyrus," on shore at Cabinda, and that he, Captain Dumas, informed deponent that the "Cyrus" had that day been boarded by an English officer, by name W. Bosanquet, commanding Her Britannic Majesty's brig-of-war "Alert," who had by force taken from him his ship's papers, and had grossly insulted and trampled upon the American flag. And deponent further said, that Captain Dumas, at the aforesaid time and place also told him, that in consequence of this outrage on the part of the British officer he, Captain Dumas, had abandoned his brig "Cyrus" to the British Government. And deponent further said, that he, deponent, joined one Antonio Lopes da Costa Recio in making a certificate to that

effect, bearing date 3rd June, 1844; a certified copy of which certificate being hereunto annexed, and to which reference is now made. And deponent further said, that the French bark "*Guatimozin*" was consigned to the mercantile house with which he, deponent, was connected at Cabinda; and that he deponent, frequently saw and conversed with Captain Decous, Master of said bark; and that he, deponent, was informed by said Decous, that on the evening of the 2nd of June aforesaid Captain Dumas, of the brig "*Cyrus*," with the Mate and crew of said brig, came on board the "*Guatimozin*," and claimed his hospitality, and that the crew of the "*Cyrus*" remained on board the "*Guatimozin*" several days. And deponent further said, that he was told by said Decous, that on the 3rd June, 1844, the "*Guatimozin*" was boarded by Captain Bosanquet, of the "*Alert*," who at that time requested him, Captain Decous, to say to Captain Dumas, that he Captain Bosanquet should send the brig "*Cyrus*" to New York, and requested him, Captain Decous, to ask Captain Dumas and his Mate to take passage in said "*Cyrus*" to New York. And deponent further said, that he, Captain Decous had no opportunity to deliver such message to Captain Dumas until after said brig "*Alert*" had sailed, and left Cabinda. And deponent said, that according to his, deponent's, own knowledge the "*Alert*" sailed, and left Cabinda on the afternoon of the aforesaid 3rd of June, 1844. And deponent further said, that the brig "*Cyrus*" aforesaid lay at anchor where she was when boarded by the said British officer for several days thereafter, during which time she was entirely deserted; and that on the third day or fourth after the said visit of the British officer, it being on the 5th or 6th of said June, he, deponent, saw the "*Cyrus*" get under way and proceed to sea, but in charge of whom he deponent could not say. And deponent further said, that he had frequent intercourse with Captain Dumas while they remained at Cabinda; and that on the 27th of June they left Cabinda together, on board the bark "*Guatimozin*," for Rio de Janeiro; and that deponent is possessed of knowledge satisfactory to himself that said Dumas never visited or set his foot on board said brig "*Cyrus*" after he abandoned her on the 2nd day of June aforesaid. And deponent further said, that the bark "*Guatimozin*" sailed from Cabinda on the 27th June, 1844, for Rio de Janeiro, having on board no cargo, except 50 or 60 logs of dyewood, a few pots of plants, and six or eight pipes of water, and provisions for the crew; that the ballast consisted of stones, and that there was nothing else on board. And deponent further said, that the Chief Mate of the "*Guatimozin*," by name Leroy, died of fever at Cabinda on the 25th June, and was buried on shore; that the Master of said vessel, Captain Decous, died at sea on or about the 16th of July following; and that the "*Guatimozin*" arrived at Rio de Janeiro in charge of the second Mate, by name M. Challot, on the 28th July, 1844. And deponent further said, that the "*Guatimozin*" touched at no place on her passage between Cabinda and Rio de Janeiro; and that Cape Frio was the first land she made on the coast of South America; that the crew of the "*Guatimozin*," from Cabinda to Rio de Janeiro as aforesaid, consisted of six men before the mast, a cook, a steward, and an apprentice, by name Destordes; and that there were four passengers, to wit, Captain Dumas, of New Orleans, late Master of the brig "*Cyrus*," Captain Antonio Lopes do Costa Recio and servant, and deponent himself; and that there was no other individual, white or black, on board said bark "*Guatimozin*" during said passage from Cabinda to Rio de Janeiro aforesaid.

And further deponent said not. (Signed) P. J. DO COUTTO.

Sworn at the city of Rio de Janeiro, this 22nd day of August, 1844, before me,
(Signed) GEORGE W. GORDON, *Consul, United States.*

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original on record at this Consulate.

Given under my hand and seal of office, this 24th day of August, 1844.

(Signed) GEORGE W. GORDON, *Consul, United States.*

Deposition of Paul Destordes.

Consulate of the United States, Rio de Janeiro.

Personally appeared before the Undersigned, Consul of the United States, Paul Destordes, a Frenchman, who being duly sworn upon the Holy Evangelists, deposed and said as follows:—

That he, deponent, is a native of Bordeaux, in France; that although French by birth and education, he understands and is familiar with the English language; that he joined the French merchant bark "*Guatimozin*" at Bordeaux, on the 29th June, 1843, as an apprentice (*politin*); that said bark sailed from Bordeaux on the said 29th day of June, 1843, for Rio de Janeiro, in Brazil, thence to Cabinda, in Africa, thence again to said Rio de Janeiro, and thence back again to said Cabinda, at which place said vessel, on this second voyage to Cabinda, arrived on the 30th May, 1844. And deponent further said, that while said bark "*Guatimozin*" was lying at anchor in the harbour of Cabinda aforesaid, the American brig "*Cyrus*," Captain P. C. Dumas, of New Orleans, also lying at anchor but a few fathoms distant from the "*Guatimozin*," on the 2nd day of June, 1844, at about eight or nine o'clock in the morning, saw a brig near the entrance of the harbour, which was discovered to be a British vessel of war; at or about 10 o'clock A.M. on the same day, the British brig dispatched in the direction of the roadstead a boat, which first visited two American brigs then lying at anchor near the "*Guatimozin*;" the first visit of the boat was to the American brig "*Agnes*," and the second the American brig "*Cyrus*," P. C. Dumas, Master, of New Orleans; that soon after the English boat had boarded the "*Cyrus*" the American flag that was flying at the mast-head of said brig was lowered, and the Captain of the said brig hailed the "*Guatimozin*" from his deck, uttering these words, "*Envoyez moi des forces*"—that is, in English, "Send me assistance"—which words were distinctly heard on board the "*Guatimozin*;" that to said call the Master of the "*Guatimozin*" made no answer, nor did he send the assistance requested; that a short time afterwards the American flag was rehoisted on board said brig "*Cyrus*," the men belonging to the British boat being still on board said brig; that soon thereafter the English boat left the "*Cyrus*," and, manned by three or four negroes, and having on board two officers, and a boy eight or ten years of age, came alongside the "*Guatimozin*;" the Master of the "*Guatimozin*" hailed the boat in French, and asked what was wanted, and also enquired if they had the official orders of the French Government authorizing them to visit a French vessel; and not receiving any answer, he, the Master, repeated the last question in English, and was answered by an officer, as he was coming on board, that he had them; on the British officer's reaching the deck, the Master of the "*Guatimozin*" requested him to exhibit his papers, and told him, that without his showing his authority he protested against any visit; the British officer then said, he had them on board his vessel; the Master of the "*Guatimozin*" persisted in his protest against any visit, unless he produced his authority to do so from the French Government; upon which the British officer re-embarked, and returned on board the brig. And deponent further said, that the name "Alert" was inscribed upon the hats of the boat's crew, by which the name of the English vessel was discovered; that as to the names and rank of the English officers he, deponent, was ignorant; that the two officers had nothing but straps without epaulettes to distinguish them. And deponent further said, that immediately upon the termination of the visit of the English boat to the "*Cyrus*," the Master of the said brig, by name Dumas, abandoned her, first taking down the American flag; and that soon after the departure of the English boat from the "*Guatimozin*," the Master, Mate, and some of the crew of the "*Cyrus*," came on board the "*Guatimozin*," and asked hospitality and the protection of the French flag, and stated that their flag (the American flag) had been trampled upon by the English; that the papers had been taken from them by force, and carried off by the officer commanding the visiting boat. And deponent further said, that the Master of the "*Guatimozin*" complied with their request, and granted them an asylum on board his bark; that Captain Dumas, however, went on shore that same evening, but that the Mate and seamen of the "*Cyrus*" remained on board two or three days, and then left in a large boat, as he, deponent, understood for Angola. And deponent further said, that when Captain Dumas brought the American flag on board the "*Guatimozin*" aforesaid, the flag was soiled, and bore marks of having been recently ill used. And deponent further said, that on the following day, being the 3rd of June, the aforesaid British officer again visited the "*Guatimozin*," and exhibited to Captain Decous a paper, which he took from his pocket, when Captain Decous immediately handed him the ship's papers. And deponent further said, that the British officer, when he was on board the "*Guatimozin*," told Captain Decous to say to Captain

Dumas, that he would send him and his crew in the "*Cyrus*" to New York for trial; and that a few hours afterwards the "*Alert*" was seen going to sea, before Captain Dumas could possibly be apprized of the message. And deponent further said, that a few days afterwards the "*Cyrus*" disappeared, he, deponent not knowing by whom taken away. And deponent further said, that the "*Guatimozin*" left Cabinda on the 27th of June, in ballast, and arrived in the port of Rio de Janeiro on the 27th July last, in charge of the Mate, M. Challot—the Master, Decous, having died at sea during the passage; that the crew consisted of eight men; and that there were on board four passengers, namely, Captain P. C. Dumas, of New Orleans, late of the brig "*Cyrus*," Captain Recio and servant, by name Jose Ignacio, and M. do Coutto, of Cabinda, formerly of London. And further deponent said not.

(Signed) PAUL DESBORDES.

Sworn at the city of Rio de Janeiro, this 20th August, 1844, before me,
(Signed) GEORGE WILLIAM GORDON,

Consul, United States.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original in record at this Consulate.

Given under my hand and seal of office, this 24th August, 1844.

(Signed) GEORGE WILLIAM GORDON,
Consul, United States.

Deposition of Captain Clapp.

Consulate of the United States, Rio de Janeiro.

Personally appeared before the Undersigned, Consul of the United States of America, at the city of Rio de Janeiro, Joshua M. Clapp, late Master of the brig "*Gannecliff*" of New York, who being duly sworn upon the Holy Evangelists of Almighty God, deposed as follows:—

That he, deponent, arrived at Cabinda (coast of Africa) on the 28th March last past, in said brig "*Gannecliff*;" that on the 31st of the said month of March, arrived at Cabinda aforesaid the brig "*Cyrus*," of New Orleans, P. C. Dumas, Master; that on the 18th April following, he, deponent, being then on board the American brig "*Monte Video*," of New York, and lying within 50 or 60 rods from the brig "*Cyrus*" aforesaid, saw a boat from Her Britannic Majesty's brig "*Heroine*" (then at anchor in the offing) go alongside said brig "*Cyrus*," and after a moment's delay, saw an officer go on board said vessel; that he saw the same officer, after remaining on board the "*Cyrus*" 15 or 20 minutes, leave said vessel and return to his boat; that he (the officer) then proceeded to board the brig "*Monte Video*" before mentioned; that while the said officer was on board the brig "*Monte Video*" he, deponent, asked him (by name Spence, a Lieutenant) if he had a right to demand and insist upon examining the papers of an American vessel; to which he (the officer) replied, that he had not, and that he could not make a prize of any American vessel, under any circumstances; and further, that Captain Dumas, of the "*Cyrus*," had just refused to let him come on board said brig as a British officer to examine his papers, but admitted him as a private individual, and in that capacity he went on board; that when the British officer came on board the "*Monte Video*," he asked Captain Pendleton (the Master) the tonnage of the vessel, where he was from, what passage he had, and how long he had been lying at Cabinda, of all which he took note in a blank book he had with him; Captain Pendleton then asked him if he wanted to see his papers; he replied that he did not; but Captain Pendleton showed them to him, and he, the officer, examined them; that he, deponent, also asked the aforesaid British officer if he saw anything on board the "*Cyrus*" that was not right, or calculated to excite his suspicions; to which he replied, that he had not, excepting that she (the "*Cyrus*") hailed from New Orleans; that nothing further occurred at that time, and the officer left the brig "*Monte Video*." And deponent further stated, that he was several times on board the said brig "*Cyrus*" while her cargo was being discharged, and saw nothing at any time to excite the least suspicion, either in regard to the nature of the cargo, or in any other respects; that after the cargo of the said brig "*Cyrus*" had been wholly discharged, he, deponent, saw several casks taken on board; that he, deponent,

also saw the crew of said brig drawing salt water, for the purpose, as he then supposed, and now believes, of filling the said casks; and he, deponent, further testifies, that said casks, when thus filled, were used for ballast. And deponent further said, that he left Cabinda on the 28th April last, for Sangataya and Victoria (coast of Africa); that at Victoria he left the brig "*Monte Video*," and took passage, on the 9th June, on board the Brazilian schooner "*Augusta*," bound for Rio de Janeiro, where he arrived on the 4th July. And deponent further said, that at the time of his leaving Cabinda, Captain Dumas was lying sick of a fever at the house of his consignee; and that he, deponent, first met Captain Dumas thereafter at Rio de Janeiro on the 2nd of August instant. And further deponent said not.

Sworn at Rio de Janeiro, this 10th day of August, 1844, before me,

(Signed) _____ GEORGE WILLIAM GORDON,
Consul, United States.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original on record at this Consulate.

Given under my hand and seal of office, this 24th August, 1844.

(Signed) _____ GEORGE WILLIAM GORDON,
Consul, United States.

Deposition of M. P. Anderson, Seaman.

Consulate of the United States, Rio de Janeiro.

Personally appeared before the Undersigned, Consul of the United States, at the city of Rio de Janeiro, Martin P. Anderson, who, being duly sworn, deposed and said as follows:—That the deponent was born in Salem, Massachusetts, that he shipped at this port of Rio de Janeiro, on board the French bark "*Guatimozin*," Decous, Master, on or about the 12th day of April, 1844; from this port the "*Guatimozin*" sailed on or about the 13th of April aforesaid, and arrived at Cabinda, in Africa, on or about the 30th of May following; and that, while said bark "*Guatimozin*" was lying at anchor in the harbour of Cabinda, the American brig "*Cyrus*," P. C. Dumas, Master, of New Orleans, also lying at anchor within hailing distance of her, the "*Guatimozin*," on Sunday the 2nd day of June, 1844, in the morning or early part of the day, saw a brig lying at anchor several miles distant, and at or near the entrance of the harbour, which was afterwards discovered to be Her Britannic Majesty's brig "*Alert*," commanded by Captain Bosanquet; and, in the course of the forenoon of same day the said British brig dispatched, in the direction of the roadstead, a boat, which visited the vessels then lying there; that the deponent saw said boat from the British vessel approach the American brig "*Cyrus*" aforesaid, and after being delayed alongside a few moments, saw an officer and several men proceed from the said boat and go on board the said brig "*Cyrus*;" that, at this time, the American flag was flying at the mast-head of said brig, but was soon after hauled down; that, after the officer and men belonging to the English boat had been on board the "*Cyrus*" a short time he, deponent, saw them go aft, and appeared to be engaged in a parley with the Master of the brig; and that soon after he, deponent, saw some disturbance on board said brig, and, at that time, the Master of the "*Cyrus*" called to the "*Guatimozin*" for assistance; the American Master hailed the "*Guatimozin*" in the French language, and asked Captain Decous to send men to his assistance; that to this call Captain Decous made no answer and paid no attention, for the reason, as the deponent afterwards learnt, that the "*Cyrus*" was of a different nation, and Captain Decous thought it not prudent or proper to interfere. And deponent further said, that the officers and men belonging to the English boat remained on board the "*Cyrus*" about an hour, and that, on leaving the "*Cyrus*," they came in their boat and visited the "*Guatimozin*;" that there were on board the boat two officers, neither of whom were in uniform, but both wore frock-coats, and, as deponent thinks, with covered buttons and white pantaloons; also a young man, supposed to be a Midshipman, but not in uniform, and four men, three of whom, if not all of them, were negroes; that the officer commanding the boat and the Midshipman only came on board the "*Guatimozin*;" that they came on board without the permission and against the direction of Captain Decous; after a few minutes' conversation with

Captain Decous, and not being received with much politeness, they left the bark, and returned to their boat, the officer saying he should visit the "*Guatimozin*" again on the morrow. And deponent further said, that, on the same 2nd day of June, and after the visit of the "*Alert*'s" boat to the "*Guatimozin*" just described, Captain Dumas, of the American brig "*Cyrus*," with his Mate and crew, consisting of four men, came on board the "*Guatimozin*," and stated to Captain Decous that the English officer had taken from him, by force, the brig's papers, that he had insulted and trampled upon the American flag, and that he (Captain Dumas) had abandoned the "*Cyrus*" to the British Government, and requested Captain Decous to receive his men on board the "*Guatimozin*" for a day or two, until he could find an opportunity to send them away; and they were accordingly received on board. And deponent further deposed and said, that, on the following day, being the 3rd of June, the aforesaid British officer again visited the "*Guatimozin*" in the launch of "*Alert*," accompanied by a large number of men, two officers, and two marines, the latter armed with muskets; that the officer in command exhibited to Captain Decous a paper which he took from his pocket, whereupon Captain Decous immediately handed him the ship's papers, and invited him into the cabin; that soon after they returned on deck, and the English officer directed the hatches of the "*Guatimozin*" to be opened, and ordered the officer who was with him to examine the vessel throughout; and that, without waiting for the execution of said order, the officer in command left the "*Guatimozin*" and proceeded in his boat, accompanied by the two armed marines and several of his boat's crew, and went on board the "*Cyrus*;" after they had boarded the "*Cyrus*," deponent saw them baling water, as if preparatory to washing the decks; that, after they had remained on board the "*Cyrus*" for nearly half an hour, they returned to the "*Guatimozin*;" that after the commanding officer had again come on board the "*Guatimozin*," the said officer asked the other officer whom he had left to examine the vessel's hold, if he found all things right? and the answer was that he did; that the English officer in command, supposed to be Captain Bosanquet, addressed Captain Decous, and requested him, that should he see Captain Dumas, to say to him that he, the English officer, was going to send the "*Cyrus*" to New York, and that he would give Captain Dumas and his Mate a passage in the "*Cyrus*," if they wished; that the English officer, accompanied by all his men, then left the "*Guatimozin*" and returned to the "*Alert*." And deponent further said, that a few hours thereafter, and on the afternoon of the same 3rd day of June, and before Captain Decous had seen, or had time to find Captain Dumas, or to convey to him the message left by the English officer, the "*Alert*" got under weigh and proceeded to sea, leaving the "*Cyrus*" at anchor where she had been, and without any person on board. And deponent further said, that the "*Cyrus*" lay at anchor where she was when abandoned by Captain Dumas until Wednesday the 5th of June, without any one's being seen on board of her; and that on that day, towards evening, he, deponent, saw a boat go alongside the "*Cyrus*," with one white man and five or six blacks; and that on the next day, Thursday, the 6th June, the "*Cyrus*" was gotten under weigh and proceeded to sea, and that the deponent has seen nothing of the said brig "*Cyrus*" since. And deponent further said, that after the brig "*Cyrus*" had left Cabinda as aforesaid, he, deponent, heard Captain Decous say to the Mate of the "*Guatimozin*," by name Leroy, that as the "*Cyrus*" had been abandoned, and had lain in port two days with no one on board of her, she had been taken possession of by the authorities of Cabinda; but of this fact deponent could say nothing of his own knowledge. And deponent further said, that the "*Guatimozin*" left Cabinda on the 27th of June, 1844, in ballast, consisting of stone; that the Chief Mate of the "*Guatimozin*," by name Leroy, died two days before the bark left Cabinda and was buried on shore; that the Master, Captain Decous, died at sea on or about the middle of July, 1844, and that the vessel arrived at Rio de Janeiro, in charge of the Second Mate, by name M. Challot, on the 28th of same month of July; and that she touched at no place between Cabinda and the port of Rio de Janeiro, but came direct; Cape Frio being the first land made on the coast of South America; that the crew of the "*Guatimozin*," between Cabinda and Rio de Janeiro, consisted of himself, the deponent, and five other men, a cook, a steward, and an apprentice, by name J. Destordes; that there were four, and only four passengers, to wit, Captain Dumas, of New Orleans, late Master of the brig "*Cyrus*," who also did duty as

our officer on the passage between Cabinda and Rio de Janeiro as aforesaid, Captain Recio and servant, by name Jose Ignacio, and M. do Coutto, of Cabinda. And further deponent said not.

(Signed) MARTIN P. ANDERSON.

Sworn before me, at the city of Rio de Janeiro, this 22nd August, 1844,
(Signed) GEORGE WILLIAM GORDON,
Consul, United States.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original on record at this Consulate.

Given under my hand and seal of office, this 24th day of August, 1844.
(Signed) GEORGE WILLIAM GORDON,
Consul, United States.

Deposition of M. Challot and Luis Lamy.

Consulate of the United States, Rio de Janeiro.

Personally appeared before the Undersigned, Consul of the United States, M. Challot, at present Master of the French bark "*Guatimozin*," and Luis Lamy, a seaman belonging to said bark, and being severally duly sworn upon the Holy Evangelists of Almighty God, made oath and said, that the annexed document, written in the French language, and purporting to be an extract from the log-book of the bark "*Guatimozin*," of Bordeaux, hath been clearly and distinctly read over to them these deponents, and that the several matters and things therein contained are true in all respects as the same are therein particularly stated, declared, and set forth.

And the deponent, M. Challot, further deposed and said, that at the date of the transaction referred to and set forth in the annexed paper, to wit, the 2nd day of June, 1844, he was Second Mate of the said bark "*Guatimozin*," and that he succeeded to the command of said bark on the death of the former Master, by name Decous, who died at sea on or about the 16th day of July, 1844; and that the First Mate of said bark died at Cabinda on or about the 25th day of June, 1844.

And both deponents further deposed, that being on board the said bark "*Guatimozin*" they had full opportunity to know all the facts, and did witness all the circumstances alleged and set forth in the said paper or document hereunto annexed.

Sworn by the said deponents on this 20th day of August, 1844, before me,
(L.S.) (Signed) GEORGE WILLIAM GORDON,
Consul, United States.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original affidavit.

Given under my hand and seal of office, this 24th day of August, 1844.
(L.S.) (Signed) GEORGE WILLIAM GORDON,
Consul, United States.

Extract from the Log-Book of the bark "Guatimozin."

(Translation.)

On Sunday, the 2nd of June, 1844, about nine o'clock in the morning, the French flag having been hoisted at eight o'clock, perceived a brig just clear of the south-west point of the roadstead, which we discovered to be an English vessel of war. Towards 10 o'clock this brig dispatched, in the direction of the roadstead, a boat, which first accosted two brigs, American galottes, lying at anchor; the boat having boarded the second of them, the "*Cyrus*" of New Orleans, and the flag of that vessel having been lowered, the Captain hailed us from his deck, uttering these words, "*Envoyez moi des forces*,"—Send me assistance—which were distinctly heard by the whole crew and by other persons who were on board. Not considering myself entitled to interfere in the differences of

foreign nations, even if I had possessed the means of doing so, I made no answer to this appeal, which however I have thought it my duty to mention. Some time afterwards, the flag of the brig having been re-hoisted, the English boat, manned by four blacks, and having on board two officers and a boy of eight or ten years of age, came alongside of us. Having hailed the boat, in French, to know what it wanted, and then enquired if it carried the special orders of the French Government, authorizing a visit of the vessel, and not having received an answer, I repeated the last question in English, and was told by an officer that he had them, whilst he was mounting on board. On his reaching the deck, I requested him

exhibit his papers, without which, I said, I would protest against any visit. He then said that he had them on board his vessel, having left them, as he declared, in consequence of not having remarked the French flag; which appearing to me not to be the fact, as the flag of the English brig had been seen the moment the vessel came in sight, and consequently long before its boat was sent off; I persisted in my protest, not forcibly, but solely as a matter of right; upon which the officer re-embarked and returned to his brig. The name of "Alert" was inscribed upon the hats of the boat's crew, by which we discovered the name of the vessel. As to the rank of the officers we are ignorant, the two having nothing but straps without epaulettes. The Captain and crew of the "*Cyrus*" having abandoned their ship without a flag, after the departure of the English boat the Mate and some of the hands came on board of us to ask hospitality and the protection of the French flag, the American, according to their account, having been trampled upon by the English, and their papers taken by force and carried off by the officer commanding the visiting boat. I complied with their request, and offered them an asylum on board.

On the 3rd of June, at 10 o'clock in the morning, the barge of the "Alert," commanded by the Captain of Her Britannic Majesty commanding the same brig, came on board, and having found all right, the Commander was requested to acknowledge it here.

(Signed) **WILLIAM BOSANQUET,**
Commander of Her Britannic Majesty's sloop "Alert."

Further down on the same log-book it is said:—

On the 27th of June, ready for sea, Cabinda to the east, having taken on board four passengers, one of whom was Captain Dumas, of the brig "*Cyrus*," of New Orleans, and the aforementioned Jose Ignacio, a Portuguese sailor, the two latter having no papers, and not being able to procure any, in consequence of a want of authorities at Cabinda, and directed our course to Rio de Janeiro, not having any reason to continue on to Goree, on account of having disembarked all the passengers and discharged the whole cargo, and there being a decided advantage in going to Rio de Janeiro.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of a document certified by the Chancellor of the Legation of France at Rio de Janeiro, under date of the 10th August, 1844, to be a correct extract from the log-book of the French bark "*Guatimozin*," of Bordeaux, Captain Decous.

Given under my hand and seal of office, this 20th day of August, 1844.

(L.S.) (Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

Certificate of M. Challot and P. Desbordes.

(Translation.)

Cabinda, June 2, 1844.

We, the Undersigned, certify that Captain Dumas, commanding the American brig "*Cyrus*," of New Orleans, has, as also his crew, abandoned his vessel to the English, after Captain Bosanquet, of the British brig-of-war "Alert," had taken away his papers, and that from that time Captain Dumas has not set his foot on board his vessel.

Written at Cabinda roadstead, on board the "*Guatimozin*," of Bordeaux, on the day, month, and year above stated,

(Signed) **M. CHALOTT.**
P. DESBORDES.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original certificate this day exhibited to me by Captain Dumas, of New Orleans.

Given under my hand and seal of office, this 20th day of August, 1844.

(L.S.) (Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

*Deposition of M. Challot and P. Desbordes.**Consulate of the United States, Rio de Janeiro.*

Personally appeared before me the Undersigned, Consul of the United States, M. Challot and P. Desbordes, and being severally duly sworn upon the Holy Evangelists of Almighty God, made oath, each for himself, that the statement set forth and contained in the annexed certificate is true, and that their names at the foot of the same are of their own proper handwriting.

Sworn by the said deponents on this 20th day of August, 1844, before me,

(Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original affidavit.

Given under my hand and seal of office, this 24th day of August, 1844.

(L.S.) (Signed) **GEORGE WILLIAM GORDON,**
Consul United States.

Certificate of M. Coutto and Captain Recio.

Cabinda, June 3, 1844.

We, the Undersigned, certify that Captain P. C. Dumas has abandoned his brig, the "*Cyrus*," of New Orleans, after his papers were taken away from him by force, by the Commander of Her Britannic Majesty's brig "*Alert*," and that Captain P. C. Dumas has never put his foot on board of his vessel since.

(Signed) **P. J. DO COUTTO.**
ANTONIO L. DA COSTA RECIO.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, certify the foregoing to be a true copy of the original certificate, this day exhibited to me by Captain P. C. Dumas, of New Orleans.

Given under my hand and seal of office, this 22nd day of August, 1844,

(L.S.) (Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

*Deposition of M. Coutto and Captain Recio.**Consulate of the United States, Rio de Janeiro.*

Personally appeared before me the Undersigned, Consul of the United States, Peter J. do Coutto and Antonio Lopes da Costa Recio, and being severally duly sworn upon the Holy Evangelists of Almighty God, made oath, each for himself, that his name at the foot of the annexed certificate is of his own proper handwriting, and that the statement set forth and contained in said certificate is true.

Sworn by the said deponent, on this 23rd day of August, 1844.

(Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original affidavit.

Given under my hand and seal of office, this 24th day of August, 1844.

(L.S.) (Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

Certificate of Mr. Gough and Captains Rahl and Recio.

Cabinda, June 13, 1844.

This is to certify, that we, the Undersigned, do know that the hermaphrodite-brig, "*Cyrus*," of New Orleans, was abandoned by Captain Dumas and crew, on the 2nd of June, 1844, on account of the Commander of Her Britannic Majesty's brig "*Alert*" coming on board, and forcibly taking the vessel's papers, and we firmly believe that Captain Dumas has not put his foot on board of said brig "*Cyrus*" from that time.

(Signed)

R. S. GOUGH.

W. M. RAHL, *Captain of brig "Agnes."*

ANTONIO L. DA COSTA RECIO.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original certificate, this day exhibited to me by Captain P. C. Dumas of New Orleans.

Given under my hand and seal of office, this 22nd day of August, 1844.

(Signed)

GEORGE WILLIAM GORDON,

(L.S.)

*Consul, United States.**Deposition of Captain Recio.**Consulate of the United States, Rio de Janeiro.*

Personally appeared before the Undersigned, Consul of the United States, Antonio Lopes da Costa Recio, and being duly sworn upon the Holy Evangelists of Almighty God, made oath, that the statement contained and set forth in the annexed certificate is true, and that his name at the foot of the same is of his own proper handwriting. And the said deponent further made oath, that the signatures of R. S. Gough, Cabinda, and W. M. Rahl, Captain of brig "*Agnes*," also at foot of the annexed certificate, are each of their own and respective proper handwriting, and that said certifiers signed the same in his, the deponent's, presence.

Sworn by the said deponent, on this 23rd day of August, 1844, before me,

(Signed)

GEORGE WILLIAM GORDON,

*Consul, United States.**Consulate of the United States, Rio de Janeiro.*

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original affidavit.

Given under my hand and seal of office, this 24th day of August, 1844.

(Signed)

GEORGE WILLIAM GORDON,

(L.S.)

*Consul, United States.**Claim for loss sustained.*

<i>British brig-of-war "Alert,"</i>	<i>To Captain P. C. Dumas.</i>	Dollars.
To American brig " <i>Cyrus</i> ," of New Orleans, burden 112 $\frac{40}{100}$ tons, fit out new		10,000
Freight money received at Havana on account, in the trunk broken open		2,000
Ditto at Cabinda, balance of full freight		1,500
In a paper, 14 doubloons		224
Expenses to discharge the crew of said brig		1,300
Ditto to send ditto to the United States		1,600
A good chronometer, spy glass, charts, instruments, &c.		500
A gold watch		75
A trunk full of clothes		100
My passage from Cabinda to Rio de Janeiro		85
My expenses from 2nd of June to the United States, say		600
Damages for taking away my papers, and depriving me of my vessel, &c.		5,000
		22,984

Cabinda June 3, 1844.

I certify the said account to be correct and true.

(Signed)

P. C. DUMAS.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a true copy of the original account exhibited to me this day by Captain P. C. Dumas, late Master of the brig "Cyrus," of New Orleans.

Given under my hand and seal of office, this 26th day of August, 1844.

(Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

Receipts for Wages paid to Seamen.

American brig "Cyrus," of New Orleans,

To William Cromwell.

Shipped 15th of January, to 2nd of June, 1844, four months and 18 days, at \$20 per month	92.00
Credit—One month paid in Havana	20.00
	72.00

Cabinda, June 2, 1844.—Received payment.

(Signed) **WILLIAM CROMWELL.**

American brig "Cyrus," of New Orleans,

To William S. Osmers.

Shipped 15th of January, to 2nd of June, 1844, four months and 18 days, at \$20 per month	92.00
Charges—One month paid in Havana	20.00
	72.00

Cabinda, June 2, 1844.—Received payment

(Signed) **WILLIAM S. OSMERS.**

American brig "Cyrus," of New Orleans,

To James Johnson.

Shipped 15th of January, to 2nd of June, 1844, four months and 18 days, at \$20 per month	92.00
Credit—One month paid in Havana	20.00
One piece gingham	3.23
	69.00

JAMES JOHNSON ✕ his mark.

American brig "Cyrus," of New Orleans,

To Peter Anderson.

Shipped 15th of January, to 2nd of June, 1844, four months and 18 days, at \$20 per month	92.00
Charges—One month paid in Havana	20.00
	72.00

Cabinda, 2nd June, 1844.—Received payment.

PETER ANDERSON ✕ his mark.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be true copies of four original receipts, signed by William Cromwell, William S. Osmers, James Johnson, and Peter Anderson, this day exhibited to me by Captain P. C. Dumas, of New Orleans.

Given under my hand and seal of office, this 26th day of August, 1844.

(Signed) **GEORGE WILLIAM GORDON,**
Consul, United States.

No. 231.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, October 12, 1844.**(Received November 25.)*

MY LORD,

THE Brazilian Government have addressed to me the enclosed complaint against the Commander of Her Majesty's brig "Racer," who, when cruising lately in the vicinity of Bahia, fell in with the brig "*Principe Americano*."

Captain Reed's statement accompanies it, and it rebuts, or explains satisfactorily, all the charges preferred by the Master of the "*Principe Americano*."

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 231.

(Translation.)

*Senhor Franca to Mr. Hamilton.**Palace of Rio de Janeiro, September 20, 1844.*

THE Undersigned, &c. &c., is under the necessity of addressing Mr. Hamilton, &c. &c., in order to request from him some explanation regarding the proceedings of the English brigantine-of-war, which was cruising off the port of the bay of Todos os Santos, towards the Brazilian brig "*Principe Americano*," which on the 20th of August was making for that port, with a cargo of jerked beef, being at the time to the south of point S. Antonio, and two miles distant from the shore.

The Undersigned will not now enter into a discussion regarding this fact, and awaiting Mr. Hamilton's reply, limits himself to communicating a copy of the Despatch from Post-Captain Joaquim Leal Ferreira, addressed to the Minister of Marine, accompanied by the exposition made by Jose Joaquim Gomes dos Santos, Captain of the "*Principe Americano*," and signed by the different persons who were on board at the time of the insult being offered to the national flag, which was flying at the mizen of the Brazilian vessel.

The Undersigned avails, &c.

(Signed)

ERNESTO FERREIRA FRANCA.

Hamilton Hamilton, Esq.

&c.

&c.

Sub-Enclosure 1 in First Enclosure in No. 231.

(Translation.)

*Senhor Ferreira to Senhor F. d'Albuquerque.**Corvette "De Januaria," Port of Bahia,**August 24, 1844.*

MOST ILLUSTRIOUS AND EXCELLENT SIR,

THE Brazilian brig "*Principe Americano*" having entered this port, and her Captain addressed to me the report of which I annex a copy, and which I immediately transmitted to the Vice-President of this Province, in order that the measures should be taken which he might consider within his attributes, I deem it my duty to report the same to your Excellency, to the end that your Excellency, being made aware of the manner in which the English cruisers treat vessels of Brazilian ownership engaged in the coasting trade, may determine that which you may deem necessary to relieve Brazilian commerce from such vexatious proceedings, and order me how to act in similar cases.

God preserve your Excellency!

(Signed)

JOAQUIM LEAL FERREIRA.

His Excellency Senhor F. A. d'Albuquerque,

&c.

&c.

Sub-Enclosure 2 in First Enclosure in No. 231.

Senhor Santos to Senhor Ferreira.

Brazilian brig "Principe Americano,"

August 21, 1844.

MOST ILLUSTRIOUS SIR,

AN occurrence has just taken place which I neither can nor ought to omit communicating to you, as chief of the port, in order to its being taken into consideration, and a recurrence thereof prevented.

On my voyage from Rio Grande to this province, on board the Brazilian brig "*Principe Americano*," of which I am Captain, and whose owner is the merchant Francisco Jose Godinho, with a cargo of jerked beef, I was, on the evening of the 20th of the present month to the southward of point S. Antonio, and two miles from the entrance of this port, when a launch appeared, which, after hoisting the English flag, came on towards the brig, which also continued her course in the direction of this port, as already stated. The launch, however, making every effort by sailing and pulling to reach the brig, commenced firing muskets, so that there are marks thereof, not only in the hull, but several of the sails of the vessel have shot holes in them.

On observing this proceeding, and wishing to avoid a continuation of it, as well as any consequences which might result therefrom, and even to prevent the balls from wounding any one, I hove to, and although there was a national flag at the mizen, I showed another in the gangway; notwithstanding which, and in spite of my being little more than a mile from the batteries of the fortress, the crew jumped on board the brig, at two o'clock in the afternoon, and not only by force, and presenting a pistol, cocked, to my breast, but also making use, at pleasure, of threats and insults, opened and removed the hatches, destroyed their caulking, and searched the vessel throughout; and in like manner, and using the same means, which I saw would be very easily effected, they obliged me to stand out to sea to meet the English brig-of-war, which was cruising in the offing, when the vessel of which I am Captain was again searched, and then permitted to make for the port, which in fact I entered on the same day at six o'clock in the evening. Such a mode of proceeding, most Illustrious Sir, surprised and frightened me, as well because I was coming into the port in daylight, as because the vessel was at so short a distance from the land, and completely under the batteries of the fortress, where I believe English vessels of war have not the right of visiting ships, as no one doubts. In the meantime I had submitted to all that is above related through compulsion. I might make some further observations upon this subject, but they will not escape either you or the Government, and therefore I omit them, principally because my intention is to make only a statement of the occurrence to you, in order that proper measures may be taken. The firing of balls against the hull of the brig "*Principe Americano*" and her sails, still attest the fact which I have stated. And as to the rest, besides having been witnessed by many persons on the bar, it is certified by all the persons who came in the said brig, and sign the present document, and they may be interrogated in any manner that is necessary.

God preserve you!

Persons who came in the brig, and who certify to the contents of this report.

(Signed)

JOSE A. S. GUIMARAEUS, *Passenger.*

MANOEL M. DA COSTA, *Mate.*

JOSE F. PORTE, *Boatswain.*

JOSE M. FEIXEIRA, *Apprentice.*

MANOEL DE ALMEIDA, *Seaman.*

(Signed)

JOSE JOAQUIM GOMES DOS SANTOS.

His Excellency Senhor Ferreira,

&c.

&c.

Second Enclosure in No. 231.

Commander Reed to Commodore Purvis.

Her Majesty's brig "Racer," Rio de Janeiro

September 30, 1844.

SIR,

I HAVE to acknowledge the receipt of your letter, with its Enclosures, relative to the conduct of an officer belonging to Her Majesty's ship "*Racer*,"

CLASS B.

under my command, and at the time in charge of the pinnace during our late cruise off Bahia.

It is with feelings of deep regret that I find this occurrence of the "*Principe Americano*" has taken so grave a turn, having done all in my power, by the most strict investigation before two Brazilian officers belonging to the Captain-in-Chief's ship at the port of Bahia, to convince them of the erroneous statement of the Master of the merchantman, that any uncourteous conduct on the part of the officer took place. I can vouch for its being totally at variance with his general deportment.

At the period of the "*Principe Americano*" being boarded, I am assured she was at least five miles from any part of Brazilian territory, that the Master obstinately persisted in keeping sail on the ship, in fact *made more* (after the boat had got alongside, and missed laying hold of her), and then only blank cartridge was discharged at her, until her actions and behaviour led the officer to suppose her engaged in an illicit traffic, *when ball cartridge was fired*; and under the circumstances, as described to me, I have no doubt the provocation was great, otherwise the officer, whose judgment and discretion is good upon these trying occasions, would not have even had recourse to that measure by which he succeeded in bringing the "*Principe Americano*" to.

I cannot close this letter, Sir, without remarking upon the nature of the service in which we are engaged upon the coast of Brazil. We meet with nothing but obstruction from the authorities coastwise, whom I am convinced are *compelled* to it by the increased multitude of slave dealers at and near to the forts to the northward. You are, perhaps, not aware, Sir, of the number recently imported from the coast of Africa, since the month of August up to the present date. *I learn that about 3,000 Africans have been so, near to the port of Bahia alone.*

I also beg to enclose you two affidavits made by the officers in charge of the boat, taken before Her Majesty's Consul at Rio Janeiro, wherein you will observe they both deny, in the most positive terms, any conduct on their part reprehensible. And if the "*Principe Americano*," when so far distant from the land as described by those officers, persisted in trying to avoid that search stipulated for by Treaty, she brought upon herself the discharge of musketry the Master so bitterly complains of.

I have, &c.

(Signed) ARCHIBALD REED, *Commander.*

Commodore Purvis,
&c. &c.

Sub-Enclosure I in Second Enclosure in No. 231.

Affidavit of Mr. Dadd, of Her Majesty's brig "Racer."

BEFORE me, Robert Hesketh, Esq., Her Britannic Majesty's Consul at Rio de Janeiro, on this 1st day of October, 1844, personally came and appeared Edward Dadd, gunner on board Her Majesty's brig "*Racer*," who being duly sworn, declared:—

That the cutter of Her Majesty's brig, of which the deponent had charge, was, at the time she boarded the Brazilian brig "*Principe Americano*," on the 20th day of August, 1844, more than three miles from the nearest land, and deponent fully believes at least five miles; that deponent never presented a pistol, cocked or otherwise, at Captain Jose Joaquim Gomes dos Santos; that only one hatch was opened on board the "*Principe Americano*," and not all the hatches; that the vessel was not searched throughout, only two men having been down for four or five minutes, but without disturbing anything; that the deponent proposed to Captain Jose Joaquim Gomes dos Santos to go about and stand for the "*Racer*," then about 10 miles off, to which he immediately assented, and was in no way forced to do so.

(Signed) EDWARD DADD.

Sworn at Rio de Janeiro, on the day above written, before me,

(Signed) ROBERT HESKETH,

(L. S.)

Her Britannic Majesty's Consul.

Sub-Enclosure 2 in Second Enclosure in No. 231.

Affidavit of Mr. Strong, of Her Majesty's brig "Racer."

BEFORE me, Robert Hesketh, Esq., Her Britannic Majesty's Consul at Rio de Janeiro, this 1st day of October, 1844, personally came and appeared before me, James Henry Strong, Master's-Assistant on board Her Majesty's ship "Racer," who being duly sworn declared, that the cutter of Her Majesty's ship "Racer" was, at the time she boarded the Brazilian brig "*Principe Americano*," on the 20th of August, 1844, more than three miles from the nearest land, and deponent fully believes at least five miles; that Mr. Dadd did not present a pistol cocked, or otherwise, at Captain Jose Joaquim Gomes dos Santos, deponent having been close to him the whole time he was on board; that only one hatch was opened on board the "*Principe Americano*," and not all the hatches; that the vessel was not searched throughout, only two men having been down four or five minutes, but without disturbing anything.

And deponent further declares, that Mr. Dadd proposed to Captain Jose Joaquim Gomes dos Santos to go about and stand for the "Racer," then about 10 miles off, to which he immediately consented, and was in no way forced to do so.

(Signed) JAMES HENRY STRONG.

Sworn at Rio de Janeiro, the day first above written, before me,

(Signed)

ROBERT HESKETH,
Her Britannic Majesty's Consul.

(L. S.)

No. 232.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, October 12, 1844.

(Received November 25.)

MY LORD,

THE Minister of Foreign Affairs and the Envoy of the United States have severally addressed to me communications, of which copies are enclosed, respecting the recent detention off Bahia, by Her Majesty's ship "Racer," under suspicion of being engaged in Slave Trade practices, of a brig called the "*Sooy*."

Under the belief that this vessel was taken possession of within the territorial waters of Brazil, Senhor França contends that, on that account, "it belongs not to the English cruiser, but to the authorities of the country, to take cognizance of the matter;" and he asks for information on the subject.

Mr. Wise, under an impression, from circumstances which he enumerates, that she may be American property, or that American citizens may in some measure be interested in her, asks for information "respecting the capture and character of the brig, so far as the same may concern the flag, or the character and conduct of citizens, of the United States."

Having transmitted these two communications to Commodore Purvis, calling on him to provide me with the information in question, that officer has replied by the accompanying letters, which have been passed, in copy, to Senhor França and Mr. Wise.

It is probable I shall have to address your Lordship again on this affair.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

First Enclosure in No. 232.

(Translation.)

*Senhor França to Mr. Hamilton.**Palace of Rio de Janeiro, September 20, 1844.*

THE Undersigned, &c. &c. has to address Mr. Hamilton Hamilton, &c. &c., in order to his being furnished with the necessary information regarding the fact which he is about to relate, and which has been communicated to the Undersigned by the Minister of Marine, in consequence of a Despatch from the officer in command of the central naval station of Brazil, and also by the President of the Province of Bahia, in a Despatch of the 8th of the present month.

On the 21st of last month, the English brig-of-war "Racer" appeared off the bar of the port of the bay of Todos os Santos with a brig-schooner, apparently captured, of American build; and it was generally said she was called the "Sooy," which sailed from that port on the 26th of April for the coast of Africa, with a cargo of tobacco and other goods, bearing the American flag, and the Captain being M. H. Luds.

This vessel, on her return to the said city, being chased by a launch belonging to the English brig, ran on shore to the southward of the false bar; and, being in this state, was got off and captured by the launch above referred to.

The Brazilian Commander sent a naval officer on board the "Racer" to learn the cause of the detention of the "Sooy," and to state, that being on the shores of Brazil it belonged not to the English cruizer, but to the authorities of the country, to take cognizance of the matter, even although there should be suspicions of her being engaged in the traffic in slaves. The Commander of the "Racer," however, did not attend to this representation, answering that he should bring the prize to this capital, in order to the question being decided.

The Undersigned, awaiting the information from Mr. Hamilton upon this subject, will not lose the present opportunity of reiterating, &c.

(Signed)

ERNESTO FERREIRA FRANCA.

Hamilton Hamilton, Esq.

&c.

&c.

Second Enclosure in No. 232.

*Mr. Wise to Mr. Hamilton.**United States Legation,**Rio de Janeiro, September 21, 1844.*

THE Undersigned, &c. &c., is confident that your Excellency will duly appreciate the motives with which he addresses to you the enclosed copy of a letter to him from the Consul of the United States at this port. The fact that the brig referred to, lately captured by a British cruizer, and brought into this harbour as a prize, is certainly of that construction which is peculiar to the northern parts of the United States; that she has plainly lettered upon her stern the words "Sooy," Newport, surmounted with a carved spread eagle; that Newport is the name of one of the ports in the United States, where vessels of a construction similar to hers are built; that she has written in pencil on one of her berths the words "Captain William J. Tyler, brig 'Sooy,' of Tortugas;" (the word "of" probably meant for the word "off;") and that, as the Undersigned is informed, there are other rumours current, and credited here, besides those mentioned by the enclosed, which implicate American citizens; all these circumstances make it proper to request of your Excellency officially all the information in your possession, or which you can cause to be given respecting the capture and character of this brig, so far as the same may concern the flag, or the character and conduct of citizens, of the United States. It is deemed sufficient to say, in explanation of this request, that the objects are to ascertain, first, whether the flag of the United States, and papers issued by their authority, if that vessel was sailing under their protection, were duly respected in her chase and capture by Her Britannic Majesty's cruizer "Racer;" and, second, whether there is any testimony or evidence to prove that any citizen or

citizens of the United States have, in this instance, been guilty of violating the laws of the United States enacted against the African Slave Trade; and, if so, that the Undersigned may be enabled to take every possible step in his power to detect and to cause the arrest of the culprits, and to bring them to trial and condign punishment.

The Undersigned avails, &c.

Hamilton Hamilton, Esq.
&c.

(Signed)

HENRY A. WISE.

Sub-Enclosure in Second Enclosure in No. 232.

Mr. Gordon to Mr. Wise.

*Consulate of the United States, Rio de Janeiro,
September 19, 1844.*

SIR,

SEVERAL days ago I learned that a small brig had arrived at this port in charge of a British officer and crew; that she had been sent in by a British cruizer as a prize to the British Government; and a report is in circulation that said brig is American, or of American construction. In consequence of this report I have endeavoured to obtain information in regard to her and the circumstances of her capture; and with this object I went on board of her this morning, in company with the British Consul. From what I learn, it appears that this vessel was fallen in with by a British cruizer called the "Racer," (now lying in this port) upon the coast of Brazil, about 50 or 60 miles south of Bahia; on being chased, she made for the land, and was run upon a reef, where the "Racer" could not follow or approach; while the "Racer" was manning her boats to pursue her, she was abandoned by her crew, or by all on board of her, who escaped to the shore, taking with them her colours and papers, if she had any, and everything transferable that was calculated to designate her character, ownership, or nationality, with the exception of a few letters and loose papers, apparently accidentally overlooked. Thus situated and abandoned, she was taken possession of by the Commander of Her Britannic Majesty's brig "Racer," and sent into this port, where she arrived on or about the 4th instant. It is also stated that this vessel recently landed near Bahia about 600 slaves; and further, that the papers found on board of her implicate, as connected with her, a French mercantile house, and an English ship-chandler at Bahia, and that some of them were signed "W. J. T."

The vessel is an hermaphrodite brig, according to new measurement of 225 tons burden; her length over all is 89 feet, and within 85 feet 6 inches; depth 10 feet 2 inches; she has on board 54 water-casks. At present, she has no extra or slave-deck, but there are traces of there having been one laid over her water-casks. In her hold, near her cabin, are some extra fixtures, that might have been for the accommodation of slaves. Her cabin is large, with berths for 12 persons. On the ceiling, over one of the berths, is written with pencil, "Captain William J. Tyler, brig 'Sooy,'* of Tortugas." On her stern is painted, somewhat blurred at present, but sufficiently intelligible to be read, the words, "'Sooy,' Newport," surmounted with a carved spread eagle. There is painted on her topsail the letter "S"; on her fore-topsail, "O."; on her top-gallant sail, "O."; and on her royal sail, "Y." She appears to be a well-built vessel, and not old. Her model, style of rigging, and general appearance, all indicate that she is of American construction; and this, taken in connection with the fact that she bears upon her stern the name of an American port, presents strong presumptive evidence that she was once American property. But, notwithstanding all these facts and circumstances, and in the absence of any claimant or claimants, the evidence, I think, must be considered insufficient to show that she was American property at the time of her capture. And I do not understand that there is any evidence or pretence on the part of any one, that she showed or had American papers or colours at the time of her capture. And for the honour of the American flag and the nation, if she were a slaver, or engaged in any illicit trade justifying her seizure, it is to be hoped that no American

* It may be that this "of" was put for the word "off."

citizen possessed ownership or interest in her at that time, whatever might originally have been her national character.

I have, &c.

Henry H. Wise, Esq.
&c. &c.

(Signed) GEORGE WILLIAM GORDON,
Consul, United States.

Third Enclosure in No. 232.

Commodore Purvis to Mr. Hamilton.

*"Alfred," in Rio de Janeiro,
September 25, 1844.*

SIR,

I do myself the honour to enclose to you the report forwarded to me by Commander Reed of Her Majesty's ship "Racer," stating the capture of a vessel having, painted on her stern "*Sooy,*" of Newport," and of American build. No ship's papers, it appears, were found on board, no colours, or any one of her crew; but the latter, in escaping from the vessel, fired upon the British colours displayed in the "Racer's" boat. Captain Reed informs me he received information when at Bahia that this vessel left that port about the month of April last under American colours, and that the day before he took her she landed, to the southward of the false bar, 650 slaves.

I have, &c.

(Signed) J. B. PURVIS, *Commodore.*

Hamilton Hamilton, Esq.
&c. &c.

Sub-Enclosure in Third Enclosure in No. 232.

Commander Reed to Commodore Purvis.

*Her Majesty's brig "Racer,"
Bahia, August 21, 1844.*

SIR,

I do myself the honour to report to you the circumstances under which a boat, manned and armed, belonging to Her Majesty's brig under my command, fell in with and detained a brigantine deserted by her crew, and having painted on her stern "*Sooy,*" of Newport," evidently American built. No colours, or papers of any description, to prove her nationality, were found on board her; but bills of lading of slaves, &c., and a letter in English from a noted house in Bahia, pointing out the method by which the cargo of slaves was to be landed, and implicating in the transaction, I regret to say, an English resident there by the name of Youds. The officer reports, that he observed a vessel about six or seven miles from the land making every effort to avoid him, and immediately he saw a large boat quit her, and some time after another boat, evidently containing the crew, who, coming within range of musketry, fired into Her Majesty's boat, who had the *national colours and pendant displayed*, fortunately without effect. The officer also reports, that whilst he was in chase the vessel was under full sail, running towards a reef of rocks; and upon the officer getting on her deck, he found she had (without aid on his part) from having touched *floated off again*, with not a soul on board. I have, therefore, deemed it proper to send her to Rio to await the issue of any claim the Government of Brazil may make, or private individuals in shape of owners; the latter I should very much doubt, as there is no question of the traffic in which she has been engaged, having on board a large number of water-casks, slave irons, a slave-deck, &c. &c.

I should, in obedience to the instructions with which you furnished me prior to leaving Rio de Janeiro, have delivered this vessel up to the Brazilian Commodore at Bahia; but having learnt that she sailed from that port in April last, under American colours, for the coast of Africa, the crew when leaving the vessel having discharged several musket-shots at the boat of Her Majesty's ship "Racer," and other circumstances presenting themselves, as discovered by a letter in the English language found on board her, in which is developed the

artifices practised to evade the execution of the Treaty between Great Britain and Brazil, together with the augmented disclosure apparently of *Frenchmen, our own countrymen, and Americans, aiding and abetting*, I considered it imperative on me, both for the safety of the vessel and to put Her Majesty's Minister and yourself in possession of a transaction of such novelty and interest, to order her to the seat of Government of His Imperial Majesty.

I have, &c.

(Signed) ARCHIBALD REED, *Commander.*

Commodore J. B. Purvis,

&c.

&c.

Fourth Enclosure in No. 232.

Commodore Purvis to Mr. Hamilton.

SIR,

"*Alfred*," Rio de Janeiro, October 7, 1844.

I BEG to acquaint you, that in accordance with the instructions received by me from the Lords Commissioners of the Admiralty relative to the vessel captured by Her Majesty's brigantine "Dolphin," and the suggestion contained in your letter under date the 24th ultimo, I have directed Commander Reed, of Her Majesty's ship "Racer," to surrender the "Sooy" to the Brazilian authorities, as a vessel *found derelict* within the territorial jurisdiction of that Government.

The peculiar circumstances under which she is found on the coast of Brazil render it incumbent on me to expose one of the various artifices practised by slave dealers. The "Sooy" is of American build, has on her stern the eagle carved, and painted in large letters "Sooy, of Newport." This vessel, it is well known, sailed from the port of Bahia under the American flag, with an American crew on board, for a port on the coast of Africa, with an understanding that when the slaves were *actually* on board, the master and crew should leave her, which they did; and she was surrendered to the captain and crew of a *slave dealer there, who lunded on the coast of Brazil 625 slaves.* She was met with by the "Racer's" boat not far from the rocks where the crew had deserted her, having struck on the shoal and drifted off. Papers which have been placed before me implicate an *Englishman*, and a *French house in Bahia*; and I cannot but believe the Americans who sailed from Bahia in her *equally culpable*; so, in this instance, is developed the impropriety of conduct of natives of *all three countries* so strenuously opposed to the inhuman traffic, and whose respective Governments are using, in accordance with the true faith upon which Treaties are based, all the means in their power to repress it. I would willingly hope the Government of the Empire of Brazil will, in this instance, enact a part and create an example, by using *all the means* within its reach to bring the offending parties to light, and mark the same with *condign punishment.*

I conclude with remarking, that in my opinion the Commander of the "Racer" supplicates *no more* from the Brazilian Government than, under all the circumstances attending this case, he appears to me to be entitled to.

I have, &c.

(Signed) J. B. PURVIS, *Commodore.*

Hamilton Hamilton, Esq.

&c.

&c.

Sub-Enclosure in Fourth Enclosure in No. 232.

Commander Reed to Commodore Purvis.

Her Majesty's brig "Racer,"
Rio de Janeiro, October 7, 1844.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, ordering me to deliver up the vessel called the "Sooy" to the proper Brazilian authorities; and beg to represent to you that, from the peculiar circum-

stances under which the vessel was detained, as described in my letter of the 21st August, I beg to request you will not allow her to be given up without the payment of the usual salvage upon the full value of the vessel, which I consider to be a fair demand, she having been found deserted by her crew in a place abounding with rocks and shoals.

I have, &c.

(Signed)

ARCHIBALD REED, *Commander.*

Commodore J. B. Purvis,
&c. &c.

No. 233.

M. Lisboa to the Earl of Aberdeen.

York Place, Décembre 20, 1844.
(Received December 21.)

LE Soussigné, &c. &c. a reçu de son Gouvernement l'ordre de soumettre à son Excellence le Très-Honorable Comte d'Aberdeen, &c. &c. la demande d'indemnité formée par l'armateur du bric Brésilien "*Relampago*," pour la détention illégale qu'a subi ce navire.

La correspondance à laquelle ce nouveau cas de détention illégale par les croiseurs Anglais, au détriment de sujets Brésiliens a donné lieu à Rio de Janeiro, dispense le Soussigné, d'en entretenir longuement Lord Aberdeen. Il se bornera à rappeler à son Excellence que le "*Relampago*," détenu par le bric-de-guerre Anglais "*Dolphin*" à l'entrée de Macahé, fut à son arrivée à Rio de Janeiro, sur le champ relâché par le Capitaine Sir Thomas Pasley, qui y avait provisoirement le Commandement de la station de Sa Majesté Britannique.

Ce fait est en lui même assez significatif; on en doit logiquement déduire la preuve évidente de la conduite arbitraire du Capitaine du "*Dolphin*," et conséquemment le droit d'indemnité de l'armateur du "*Relampago*."

La droiture et la rectitude avec lesquelles Sir Thomas Pasley, a agisse trouvent d'ailleurs confirmées par le témoignage de Monsieur Hamilton. Ce Ministre, en se référant à la décision de Sir Thomas, distinctement déclare en effet que "any further proceedings by the British authorities afloat are at present out of the question."

Il est facile de reconnaître d'un autre côté, que des circonstances alléguées par M. Hamilton, et qui lui ont paru suspectes (comme le manque du manifeste, et autres dont il est fait mention dans sa note du 25 Avril dernier), ne peuvent justifier en aucune manière la conduite arbitraire du Capitaine du "*Dolphin*." Monsieur Hamilton lui même ne le prétend point soutenir; il se borne à signaler ces indices au Ministre des Affaires Etrangères, le quel juge plus compétent dans l'espèce (car il ne s'agissait que de réglemens de police intérieure,) n'y a pas trouvé matière à diriger toutes les poursuites suggérées par Monsieur Hamilton contre le "*Relampago*," déjà relâché, sans restriction aucune par l'officier supérieur du Capitaine qui l'avait détenu.

Cette réparation des autorités Britanniques ne sera toutefois complète que moyennant le paiement réclamé, à titre d'indemnité d'après la protestation qu'en tems opportun l'armateur du "*Relampago*," avait faite contre qui de droit, par devant le *Juiz Conservador*, et dont ce magistrat lui a donné acte en la forme usitée.

Ce compte d'indemnité (dont copie sous ce pli) arrêté à Rio de Janeiro, le 12 Juillet, 1844, s'élève à 4,456,8492 reis, avec intérêts de six pour cent jusqu'à l'époque du paiement final. Le Soussigné est chargé de réclamer de Lord Aberdeen l'expédition des ordres nécessaires pour qu'il soit dûment réglé.

L'acte illégal dont le Soussigné vient de réclamer la réparation prouve malheureusement que le Gouvernement de Sa Majesté Impériale malgré ses nombreuses représentations (soit à Rio de Janeiro, auprès de la Légation Britannique, soit par l'entremise du Soussigné, auprès du Foreign Office,) n'est pas encore parvenu à obtenir un résultat pratique, que néanmoins lui assurent les stipulations des Traités en vigueur: la scrupuleuse observance des clauses Convenues entre les deux Couronnes et qui *seules* doivent déterminer la détention des navires criminellement employés dans la traite des nègres.

Et à ce sujet en présence de la note que son Excellence le Ministre des Affaires

Etrangères a passée à Monsieur Hamilton, sous la date du 6 Mai dernier, le Soussigné ne peut que se féliciter d'avoir spontanément anticipé à Lord Aberdeen (entr' autres par sa note du 27 Juin, de cette année,) l'opinion si clairement émisé par le Gouvernement Impérial sur son opposition formelle et constante à toute innovation, que sans son concours préalable on prétendrait faire subir aux susdites clauses Convenues entre les deux hautes parties contractantes.

Le Soussigné, &c.

(Signé)

MARQUES LISBOA.

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

Enclosure in No. 233.

Account of Loss and Damage sustained by the brig "Relampago."

(Translation.)

Rio de Janeiro, July 12, 1844.

ACCOUNT of the losses and damages sustained by the Brazilian brig "Relampago," and occasioned through her detention by the English brig "Dolphin," from the 20th April, 1844, to the 2nd May of the same year; the latter having returned the passport and the other papers belonging to the said "Relampago," which thereupon resumed her voyage to Macahé:—

Delay amounting to the time requisite for a voyage	reis	800,\$000
Damage of sails, masts, cordage, and in general by detention	.	200,\$000
Wages to Master and crew	.	420,\$000
Cost of subsistence for ditto	.	197,\$000
Articles totally destroyed or wasted, viz.—		
2 Crates of earthenware, all broken	reis	41,\$280
198 Ditto or baskets of dried flesh meat, completely spoiled		475,\$200
2 Hogsheads of crockery, partly broken	.	9,\$820
2 Pipes of Lisbon wine, emptied	.	340,\$000
1 Ditto of Tarragona, ditto	.	120,\$000
1 Barrel of white wine	.	36,\$000
9 Ditto of red	.	324,\$000
1 Large bottle of Portuguese brandy, broken	.	15,\$000
2 Hogsheads of gin, broken	.	52,\$000
2 Large flasks of sweet oil, broken	.	30,\$000
152 Alqueires of salt	.	212,\$000
½ Pipe of vinegar, emptied	.	38,\$000
		694,\$500
Difference in 1,000 arrobas of flesh meat, which if it had arrived on the 22nd April, 1844, would have yielded		
500 reis more per arroba	.	500,\$000
Ditto in 400 alqueires of salt ditto ditto 1000 reis		400,\$000
Ditto in 700 arrobas of bacon ditto ditto 500 reis		35,\$000
		935,\$000
Interest at 6 per cent per annum, from 20th April, 1844, to 16th July, same year	.	56,\$632
Costs incurred by protest of Senhor Jarga	.	32,\$160
Summons, proceedings, sentence, seals, agency	.	20,\$000
Fee to the Advocate M. Pereira da Silva	.	100,\$000
		152,\$160
		Reis 4,456,\$192

Signature of the agent of the owner, certified by the Notary Public.

JOAQUIM JOSE DE CASTRO.

No. 234.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, December 31, 1844.

I ENCLOSE, for your information, a copy of a memorandum explanatory of the manner in which it is intended that liberated Africans placed at the disposal of the British Government at foreign stations should henceforward be removed to the West Indies; and also a copy of a letter from the Colonial Department to Mr. H. C. Ouseley, respecting the change contemplated in the nature and amount of the remuneration allowed for the services which he appears to have already performed, in furtherance of this object, for some of the colonies concerned. And I have to request, that should Mr. Ouseley be unwilling, for any reason, to undertake the duty on its altered footing, or should you see any objection to his combining this with his other duties, you will have the goodness to make provisionally the best arrangements in your power for the discharge of the service, and to report it for consideration.

I have, &c.

(Signed) ABERDEEN.

Hamilton Hamilton, Esq.
 &c. &c.

 First Enclosure in No. 234.

(See Sub-Enclosure in First Enclosure in No. 270. Class A.)

 Second Enclosure in No. 234.
Mr. Stephen to Mr. Ouseley.

SIR,

Colonial Office, December 20, 1844.

I AM directed by Lord Stanley to communicate to you, for your information, the accompanying memorandum on the regulations under which liberated Africans are henceforward to be removed from foreign stations to the West Indies; and I am to state that his Lordship regrets he is unable to sanction the continuance of the fixed salaries of 200*l.* per annum, which appear to have been hitherto allotted to this service by the colonies of British Guiana and Trinidad, but that should you be willing to perform the same duties for them and Jamaica on the general footing explained in the enclosed memorandum, his Lordship will be happy to accept your services. In that case, I am to request you will guide yourself in all respects by the contents of the memorandum, which you may consider as instructions addressed to yourself on this subject.

You will observe, that the Africans are no longer to be forwarded only to British Guiana and Trinidad, but likewise to Jamaica. You will also perceive, that, for the present, the amount of the highest charge to be incurred for conveyance, and also the length of period for which the vessels should be required to be supplied with provisions, are left to be settled by you in such manner as may have been usual under the previous arrangements at Rio.

But in order to admit of some more definite arrangements on these points, I should be glad to receive from you a statement of the different parties of Africans who may have been dispatched during the last two or three years, and the terms agreed upon in each instance, so as to exhibit the amount of charge per head for passage. And I would likewise request to be informed, what may have been the period for which the vessels were required to be victualled in proceeding to British Guiana and Trinidad, and what addition it may be proposed to make for the longer passage to Jamaica.

I have, &c.

(Signed) J. STEPHEN.

H. C. Ouseley, Esq.
 &c. &c.

BRAZIL. (Consular)—Rio de Janeiro.

No. 235.

Mr. Hesketh to the Earl of Aberdeen.

Rio de Janeiro, November 11, 1843.

(Received January 8, 1844.)

MY LORD,

HER Majesty's Minister at this Court having transmitted to your Lordship a correspondence occasioned by Manoel Pinto da Fonseca's complaint to the Brazilian Government that I had refused to grant an attestation, and having suggested that I should also transmit an explanation of my conduct, I have consequently the honour to make the following statement.

In May last a voluminous document was left at this office to have attested the signature of Joaquim Jose de Castro, a Notary Public, who had granted notarial certificates to certain parts of the document; and this ordinary act of the Consular routine was promptly commenced, by attaching the documents under seal with the required certificate. However, owing to the variety of these documents, they were not then returned to the parties but retained for further examination, especially so when found to belong to the well-known slave dealer Manoel Pinto da Fonseca, whose perseverance in such piratical acts have proved so troublesome to all the British authorities in this quarter.

On examining the different parts of the document, the reason for requiring every possible weight to the Notary's signature became apparent; for the notarial certificate purported to give authenticity and public faith to the signatures of several persons, who declared themselves to be residents of Rio de Janeiro, and who profess to corroborate and to certify the truth and legality of certain affidavits and other acts made and recorded on the coast of Africa, in order that the value of certain property lost in Africa may be shown; whereas, the general terms, and the insufficient declarations in the Notary's certificate, render it altogether unsatisfactory, and inadmissible for such a purpose, as will appear on reference to the document itself, such certificates being, in reality, merely the attempts of a Brazilian functionary to render valid most suspicious and totally worthless African documents. Consequently, by attesting the Notary's signature he should have granted a certificate certainly as to a fact; but also knowing that the certificate would be applied to a fraudulent purpose, and should have acted contrary to the principle laid down by the 16th query of those annually put respecting the routine business of the Consulate.

He, therefore, cut off the half sheet on which the attestation had been written, without thereby defacing the document, and returned it.

Some time after Fonseca repeated by letter his application for the attestation in question, which he again refused verbally.

Fonseca then obtained from three or four principal British merchants a certificate proving the signature of the Notary, and afterwards called himself at Mr. Hesketh's office, accompanied by nearly all those who had signed that certificate, and who collectively requested that he (Mr. Hesketh) should certify their respective signatures. However, he replied, that though their signatures were as genuine as that of the Notary, still he had motives for refusing to affix his official signature to the document they produced, and that Fonseca must rest satisfied with the testimony of the merchants.

All these occurrences were subsequently published in the newspapers by Fonseca, and he also then complained to the Brazilian Government.

I have, &c.

(Signed) **ROBERT HESKETH,**
Her Britannic Majesty's Consul.

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

&c. &c. &c.

No. 236.

The Earl of Aberdeen to Mr. Hesketh.

SIR,

Foreign Office, March 6, 1844.

YOUR Despatch of the 11th November last, stating your reasons for refusing to attest a signature to certain documents required by Don Manoel Pinto da Fonseca, has engaged the attention of Her Majesty's Government, and has been referred to the proper law officer of the Crown for his opinion upon the case. Full justice is done to your motives in refusing your attestation, under the circumstances stated; and it is considered, that if you had granted the attestation which was required, with the knowledge that it would be applied to a fraudulent purpose, you would have acted against the principle comprised within the queries addressed to you under the directions of the Secretary of State.

You are, however, to understand, that the queries referred to by you must not be construed as an instruction to refuse to attest a signature, the authenticity of which is well known to you, but which is affixed to a paper which you have reason to suppose will be used to support claims about to be preferred at law by persons whom you believe to be guilty of trading in slaves. You will remember, that it is the authenticity of the signature only that you attest, and not the truth of the statements made in the document signed. And the belief that the person on whose account you are asked to attest a signature is a slave trader, is not a sufficient ground on which to refuse the attestation, unless you are aware that it is likely that a fraudulent and illegal use will be made of the instrument.

At the same time, if a case should occur in which you may see reason to fear that the appearance of your name upon a document would lead to misapprehension and give an undue value to the contents of the document, it might be well to accompany your signature by a short explanation of the purpose for which alone it is affixed.

Robert Hesketh, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 237.

*Mr. Hesketh to the Earl of Aberdeen.**Rio de Janeiro, January 4, 1844.**(Received March 14.)*

MY LORD,

I HAVE the honour to enclose herewith returns of the arrivals from, and the departures for, the coast of Africa during the last quarter, showing five arrivals and eight departures.

The intercourse between all the outposts in this district and the coast of Africa, has been carried on to a great extent during the last quarter, and a vast number of African negroes have been landed at all the stations provided for these illicit transactions; but such is the system adopted to conceal and guard the acts of the slave dealers that it is impossible to ascertain either the amount of slaves imported or the number of vessels which, after landing their cargoes, have refitted and again returned to Africa.

I have, &c.

(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

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

First Enclosure in No. 237.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending December 31, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1843.								Days.		
October 23	Smack	Alegria Constante	F. J. Pimenta	Brazilian	46	7	Benguela	33	Wax and oil	Detained by police.
December 3	Brig	Relampago	J. A. de Carvalho	Ditto	137	9	Ditto	28	Ballast	Ditto.
" 13	Brig	Emelia	A. J. Fernandes	Portuguese	132	13	Angola	25	Sundries.	
" 17	Bark	Lucy Penniman	J. Kelly	American	270	9	Quilimane	50	Ballast	In quarantine.
" 27	Brig	Sterling	C. I. Lovett	Ditto	202	8	Angola	32	Ditto.	

ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 237.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending December 31, 1843.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
1843.									
October 1	Brigantine	Romeo	J. J. Ruchert	Hamburg	162	11	Angola	Sundries.	
" 8	Ditto	Empreendedor	P. N. V. de Mello	Brazilian	123	15	Cape Verds and Africa	Ditto.	
" 8	Ditto	Agua de Mangaratiba	F. A. de Silveira	Ditto	99	13	Loanda	Ditto.	
November 5	Ditto	Josephina	J. L. da Silva	Ditto	226	12	Lisbon, Benguela, and Angola	Ditto.	
" 14	Smack	Alegria Constante	Francisco de Oliveira	Ditto	44	8	Benguela	Ballast.	
" 16	Bark	Guatimozin	A. Decous	French	233	11	Goa and Africa	Sundries.	
December 8	Brig	Caçador	J. A. Natividade	Brazilian	240	15	Cape Verds, <i>viâ</i> Loanda	Ditto.	
" 14	Smack	Harmonia	D. F. Coelho	Ditto	74	7	St. Thomas and Princes	Ditto.	

ROBERT HESKETH, Her Britannic Majesty's Consul.

No. 238.

*Mr. Hesketh to the Earl of Aberdeen.**Rio de Janeiro, April 2, 1844.**(Received June 20.)*

MY LORD,

I HAVE the honour to transmit herewith a return of the arrivals at Rio de Janeiro from the coast of Africa during the quarter ending 31st ultimo. The Enclosure No. 2 is a list of the vessels that have sailed for Africa during the same period.

These returns afford no criterion as to the extent of intercourse between this district and the coast of Africa, as the clandestine importation of slaves at most of the outports is carried on as extensively as ever.

I have, &c.

(Signed)

ROBERT HESKETH,

*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

First Enclosure in No. 238.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending March 31, 1844.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported nature of Cargo.	Remarks.
1844. January 4	Brig . . .	Trinidad	Luiz Jose Maria . . .	Portuguese . . .	252	21	Angola and Benguela . .	Sundries.	
" 31	Brigantine . . .	Bella Maria . . .	J. M. Mourity . . .	Brazilian . . .	107	12	Loanda . . .	Ditto.	
March 3	Brig . . .	Curieux . . .	M. Socieucy . . .	French . . .	253	10	Africa . . .	Ditto.	
" 5	Brig . . .	Agnes . . .	E. Godet . . .	American . . .	147	8	Benguela . . .	Ditto.	

ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 238.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending March 31, 1844.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1844. January 4	Bark . . .	Elena . . .	William Henburg . . .	American . . .	301	11	Africa . . .	Days. 43	Ballast . . .	In quarantine.
" 5	Smack . . .	Conceicao Flora . . .	J. S. Delegado . . .	Brazilian . . .	80	5	Sierra Leone . . .	29	Wood and oil . . .	Ditto.
" 5	Brigantine . . .	Porpoise . . .	S. Libby . . .	American . . .	160	9	Cabinda . . .	27	Ballast . . .	Ditto.
March 8	Smack . . .	Guatimozin . . .	M. Decous . . .	French . . .	142	12	Ditto . . .	38	Ditto . . .	Detained.

ROBERT HESKETH, Her Britannic Majesty's Consul.

No. 239.

Mr. Hesketh to the Earl of Aberdeen.

Rio de Janeiro, April 2, 1844.

(Received June 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of the Circular, Slave Trade series, dated December 31st, 1843, enclosing two printed copies of the Act 6 & 7 Vict. cap. 98, dated August 24th, 1843, entitled "An Act for the more effectual suppression of the Slave Trade." In obedience to your Lordship's directions, I have annexed a copy of that Act, and of the Circular Despatch as Enclosures to the 26th section of my General Instructions, and I have also affixed a copy of that Act in a conspicuous place in this office, and taken every measure to render the purport of the Act known to Her Majesty's subjects resident within the district of this Consulate.

I have to express my thanks for the explanations your Lordship has been pleased to furnish of the Act referred to, and I shall not fail to carry into effect your Lordship's orders in all cases which may come to my knowledge of any infringement of the same.

I have, &c.

(Signed)

ROBERT HESKETH,

*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 240.

Mr. Hesketh to the Earl of Aberdeen.

Rio de Janeiro, April 20, 1844.

(Received June 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, dated the 6th of March last, in reference to my refusing to attest a signature to certain documents required by Don Manoel Pinto da Fonseca.

I beg leave to express my grateful acknowledgments for the instructions your Lordship has been pleased to give for my future guidance, and to assure your Lordship they shall be strictly followed.

I have, &c.

(Signed)

ROBERT HESKETH,

*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 241.

Mr. Hesketh to the Earl of Aberdeen.

Rio de Janeiro, July 1, 1844.

(Received September 30.)

MY LORD,

I HAVE the honour to transmit enclosed, a return of vessels that have arrived at Rio de Janeiro from the coast of Africa during the quarter ending 30th ultimo. I also transmit a list of vessels that have sailed from this port for the African coast during the same period.

I have, &c.

(Signed)

ROBERT HESKETH,

*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 241.

ARRIVAL at Rio de Janeiro from the Coast of Africa during the Quarter ending June 30, 1844.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1844. May 16 .	Brigantine .	Paquete de Campos .	Jose de O. Silva . .	Brazilian .	203	12	Benguela . . .	Days. 39	Ballast . . .	In quarantine.

ROBERT HESKETH, *Her Britannic Majesty's Consul.*

Second Enclosure in No. 241.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending June 30, 1844.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported nature of Cargo.	Remarks.
1844. April 13 .	Bark . . .	Guatinozin . .	A. Decous . . .	French . . .	223	12	Coast of Africa . .	Sundries.	
" 30 .	Schooner . .	Gago . . .	M. A. Dias . . .	Portuguese . .	48	10	Angola	Ditto.	
May 7 .	Bark . . .	Bella Angela .	A. D. Pinheiro . .	Ditto	284	20	Ditto	Ditto	
" 8 .	Brig	Luiza	F. I. Pimenta . .	Brazilian . . .	172	15	Benguela and Angola	Ditto.	Detained outside this harbour by Her Majesty's ship "Dolphin."
cc June 24 .	Brig	Consolacao . .	F. P. Monteiro . .	Ditto	260	16	Angola	Ditto.	

ROBERT HESKETH, *Her Britannic Majesty's Consul.*

No. 242.

*Mr. Hesketh to the Earl of Aberdeen.**Rio de Janeiro, July 27, 1844.**(Received September 30.)*

MY LORD,

I HAVE the honour to acquaint your Lordship, that some time since I refused to attend to a notification made by Senhor Manoel Pinto da Fonseca's attorney, to attend before the British Judge Conservator, either personally or by substitute, to take cognizance of proceedings having for their object the establishment by legal proof that he had shipped on board of an American bark called "*John a Robb*," H. Ordeman, Master, in the commencement of the year 1842, for Cabinda, a cargo of sundry merchandize, the value of which was reis 306,405, \$715 or about 31,917l.; that the whole of this shipment was destroyed, on the 23rd of May, 1842, at Cabinda, by the crews of Her Majesty's ships "*Madagascar*" and "*Waterwitch*;" and that the profit of 50 per cent. on the above value would have accrued, from an investment in orchel weed, ivory, and other lawful products of Africa, if the shipment in question had not been destroyed.

The object of these proceedings was to substantiate a claim on Her Majesty's Government for about 48,000*l.* However, after great exertions on the part of Fonseca to produce evidence of the real value of his shipment by the "*John a Robb*," the Judge Conservator gave, on the 20th instant, his reasons for deciding, that the asserted value of the merchandize was not legally proved.

Senhor Fonseca may possibly appeal to a higher court, but it is not probable that the decision of the Judge Conservator will be disregarded.

I have, &c.

(Signed) ROBERT HESKETH,
*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

No. 243.

The Earl of Aberdeen to Mr. Hesketh.

SIR,

Foreign Office, October 7, 1844.

I HAVE received your Despatch, marked Slave Trade, of the 1st of July last, and I beg to call your attention to the fact, that the returns therein enclosed of arrivals from and departures to the coast of Africa during the quarter, to the 30th of June last, do not mention so many vessels as the returns for the same period transmitted to me by Her Majesty's Commissioners, copies of which I herewith enclose for your information. I have to desire, that in future you will use your best endeavours to render these returns as full and accurate as possible. This is the more necessary, as the House of Commons during the last session presented an address to Her Majesty, praying that copies of all such returns in the possession of Her Majesty's Government might be laid before that House for their information.

I am, &c.

Robert Hesketh, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosures in No. 243.

*(See lists enclosed in Rio Commissioners' Despatch, July 4, 1844.
Class A. No. 137.)*

No. 244.

*Mr. Hesketh to the Earl of Aberdeen.**Rio de Janeiro, September 25, 1844.**(Received November 19.)*

MY LORD,

I HAVE the honour to state to your Lordship, that a boat belonging to Her Majesty's sloop "*Racer*," Commander Reed, then cruising in the neighbour-

hood of Bahia, boarded on the 18th ultimo a vessel found in a perilous position amongst shoals, abandoned by her crew, and without colours or ship's papers on board, but with equipments, and under circumstances, leading to the conclusion that a cargo of slaves had been recently landed from her. Several loose papers were picked up on board, consisting of various letters, and some documents relating to the cargo of the vessel, and inducing the belief that she was called both "*Sooy*" and "*Fortuna*."

The vessel in question having reached this harbour, I have had an opportunity of examining the letters and documents alluded to, and found amongst them a letter addressed to Mr. Topham, signed Gantois and Pailhet, dated Bahia, August 16, 1844, an exact copy of which I enclose, in compliance with the directions given by the Circular dated Foreign Office, December 31, 1843, marked Slave Trade, believing that J. Gouds (the person alluded to in the letter) is a British subject.

I have requested Mr. Whately, the British Vice-Consul at Bahia, to transmit to your Lordship all the information he can obtain respecting J. Gouds, and also Gantois and Pailhet.

I have, &c.

(Signed)

ROBERT HESKETH,

Her Britannic Majesty's Consul.

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

&c.

&c.

&c.

Enclosure in No. 244.

Letter found on board the "Sooy."

Bahia, August 16, 1844.

Mr. TOPHAM, or any seaman coming on board.

IN consequence of an English brig-of-war, called the "*Racer*," cruising so as to prevent any vessel to come in, or proceed to the place of destination pointed out by Mr. Sala, we avail ourselves this day of sending out a whale-boat, which we are in every hopes of meeting you, to give you the following notice.

As soon as you meet the boat and our letters you will please to make out to sea, to the north-by-north of the Torre, as far as you can, so as to calculate your return to the same place from the time you receive these our advices, say in 48 hours, so as by your return to the same place you will meet, by that time, nine or ten whale-boats, to take the cargo of slaves you have on board. You should be aware and not neglect to throw overboard all the pipes, wash the vessel, not let any boards, ovens, or anything else suspicious remaining on board. You have not any occasion of sand or ballast. Make two manifests, one of which shut up, declaring what the vessel brings. In short, I hope you will take every precaution as to prevent any suspicion. Recollect that the vessel-of-war has also a large boat, with a gun, and goes a cruising. Endeavour to keep as far north as possible, for safety sake. The bearer of this is the nephew of Mr. Gantois, J. Gouds, who is known on board. After your reading this letter please to tore the same up, so that you will not have anything on board which may be a hold on you.

You may forward us the correspondence and any little thing you may have on board for us, to be forwarded as soon as possible to us.

We remain, &c.

(Signed)

GANTOIS & PAILHET.

I, Robert Hesketh, Her Britannic Majesty's Consul at Rio de Janeiro, do hereby certify, that the above and before written is an exact verbatim copy of an original letter, which, to the best of my belief, was written and signed by one of the partners in the firm of Gantois and Pailhet, of Bahia.

Witness my hand and seal of office, at Rio de Janeiro, this 25th day of September, 1844.

(Signed)

ROBERT HESKETH,

Her Britannic Majesty's Consul.

No. 245.

*Mr. Hesketh to the Earl of Aberdeen.**Rio de Janeiro, October 2, 1844.*
(*Received November 25.*)

MY LORD,

I HAVE the honour to transmit herewith a return of the vessels that have arrived at Rio de Janeiro from the coast of Africa during the quarter ending 30th ultimo.

I also transmit a list of the vessels that have sailed from this port for the African coast during the same period.

I have, &c.

(Signed)

ROBERT HESKETH,
*Her Britannic Majesty's Consul.**The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

First Enclosure in No. 245.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending September 30, 1844.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported nature of Cargo.	Remarks.
1844.								Days.		
July 28	Bark	Guatimozin	A. Decous	French	242	9	Cabinda	30	Ballast	In quarantine.
August 9	Brigantine	Constante Amigade	J. Pestana	Brazilian	169	14	Benguela	28	Ditto	Ditto.
" 21	Brig	Relampago	J. A. de Almeida	Ditto	Not stated	9	Cabinda	23	Ditto	Ditto.

The above three vessels are suspected of bringing slaves, but no proof of the fact can be obtained.

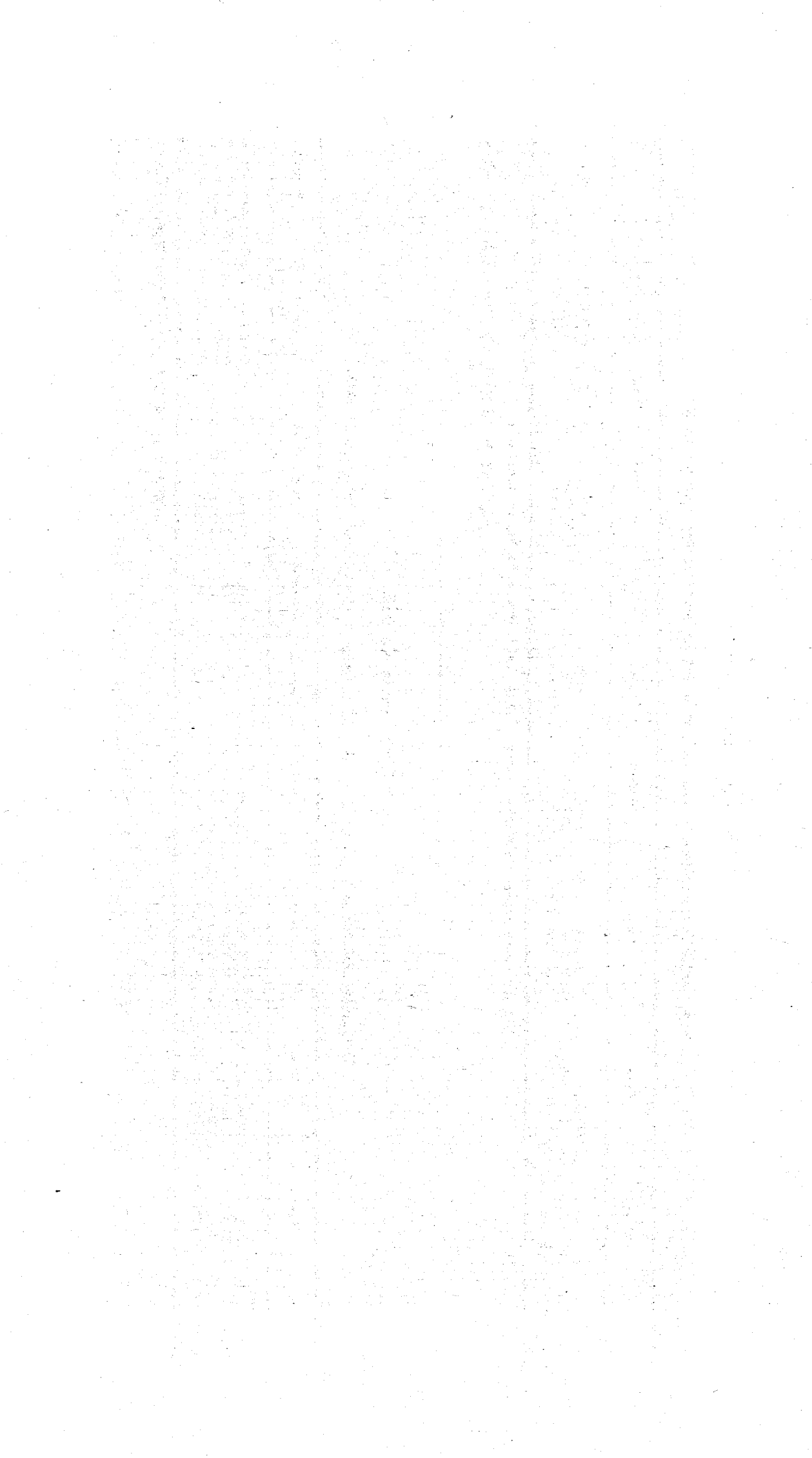
ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 245.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending September 30, 1844.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
1844.									
July 20	Brig	Sea Eagle	M. G. Smith	American	279	10	Angola	Sundries	These four vessels have, no doubt, been chiefly loaded with equipments and cargo destined for the Slave Trade.
August 8	Brig	Beranger	M. Richardson	French	121	8	Africa	Ditto	
" 29	Bark	Duart IV.	F. A. dos Santos	Portuguese	377	15	Angola and Benguela	Ditto	
September 5	Brigantine	Dispique da Inveja	J. M. Pereira	Brazilian	112	15	Angola	Ditto	

ROBERT HESKETH, Her Britannic Majesty's Consul.



BRAZIL. (*Consular*)—*Bahia*.

No. 246.

Mr. Porter to the Earl of Aberdeen.

Bahia, September 30, 1843.

(Received January 8, 1844.)

MY LORD,

I HAVE the honour to transmit herewith returns No. 1 and 2, of the trade between this place and the coast of Africa for the quarter ending this day.

It is with much satisfaction I have to inform your Lordship, that the slave brig "*Furia*," which sailed from this on the 17th June last, has been captured on the coast, having on board about 600 slaves.

The vessel mentioned in List 1, under date of the 29th September, I have discovered to be the Sardinian schooner "*Magdalena*," which sailed from this on the 16th May last. She was sold on the coast by the Master, who returned hither as Captain of the French bark "*Industrie*," mentioned in the aforesaid list under date of 7th September.

I have &c.

(Signed) EDWARD PORTER, *Consul.*

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

&c.

&c.

&c.

First Enclosure in No. 246.

List of Vessels which have entered the Port of Bahia from the Coast of Africa from July 1 to September 30, 1843.

Bahia, September 30, 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	July 16	Sardinian	Brig	Galileo	177	12	M. Fedescki.	N. Dodero	Ballast	Onim	25	
2	" 20	French	Bark	Touville	310	17	Bonvans	Levasin	General	Ditto	27	
3	August 16	Swedish	Brig	Augusta	321	11	C. J. Thudin	C. R. Roth	Ballast	Ditto	24	
4	" 16	American	Schooner	Leda	72	..	Particulars not known,	as she brought no papers and was seized by the Brazilian Government.				
5	" 16	Portuguese	Yacht	Graciosa Vingativa	24	8	Joaõ Luiz	Lopes Vianna	Ballast	Onim	31	Landed 270 slaves.
6	September 7	French	Bark	Industrie	250	14	A. Dodero	Louchet	General	Ditto	36	Landed 102 slaves.
7	" 21	American	Brig	Escalus	200	12	P. R. Stanhope	Levy Sampson	Ditto	Ditto	25	Master and mate died on the coast.
8	" 29	Particulars not known	supposed to have had no papers and returned to the coast without giving entry.								..	Landed 320 slaves.

EDWARD PORTER, Consul.

Second Enclosure in No. 246.

List of Vessels which have sailed from the Port of Bahia for the Coast of Africa from July 1 to September 30, 1843.

Bahia, September 30, 1843.

No.	Date of Sailing.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Cleared for	Remarks.
1	July 1	American	Schooner	Sooy	197	9	M. H. Leeds	N. Sooy	General	Coast.	
2	" 10	Sardinian	Polacca	Rustico	141	11	Joao Baptista	J. B. Carneiro	Ditto	Ditto	
3	August 9	Ditto	Brig	Anseatico	228	14	Angelo Torres	S. Noli	Ditto	Ditto	
4	" 10	Belgian	Bark	Amalia	435	14	E. Knelson	Belgian Navigation Company	Ditto	Ditto	
5	" 11	Portuguese	Schooner	Emilia	135	13	..	..	Ditto	Loanda	
6	" 11	Brazilian	Cutter	Prompto	27	9	Manoel Francisco	..	Ditto	Prince's island	Suspicious.
7	" 19	Portuguese	Brig	Caador	163	19	M. J. Fernandez	M. A. J. Carvalho	Ditto	Loanda	Slaver.
8	" 23	Brazilian	Yacht	Trez Irmaos	30	10	J. M. d'Oliveira	..	Ditto	Prince's island	Suspicious.
9	" 31	Ditto	Schooner	Theodosia	173	12	S. J. Torres	Custodio Jose da Senhor	Ballast	S. Catharina.	Slaver.
10	" 31	Ditto	Yacht	Linda	71	9	T. N. de Passos	Ditto	Ditto	Ditto	Ditto.
11	September 26	Sardinian	Schooner	Colombiano	..	..	..	..	General.	Coast.	

EDWARD PORTER, Consul.

No. 247.

*Mr. Porter to the Earl of Aberdeen.**Bahia, December 31, 1843.*
(*Received March 16, 1844.*)

MY LORD,

I HAVE the honour to lay before your Lordship the accompanying returns, Nos. 1 and 2, of the trade between this place and the coast of Africa for the quarter ending this day.

I regret much to state to your Lordship that slave traffic is still on the increase, several vessels having been purchased and are now being equipped for this detestable traffic.

I have, &c.

(Signed)

EDWARD PORTER, *Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 247.

List of Vessels which have entered the Port of Bahia from Africa from the 1st October to the 31st December, 1843.

Bahia, December 31, 1843.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Name of Master.	Name of Owner.	Cargo.	Whence.	Days out.	Remarks.
1	1843. 30 October	Brazilian	Schooner	Theodosia	173	12	S. J. de Torres	C. J. da Silva	Ballast	Reported to have put back.	55	Landed 540 slaves.
2	November 1	American	Schooner	Sooy	197	9	H. M. Leeds	N. Sooy	Ditto	Coast.	55	
3	December 2	Belgian	Bark	Amalia	435	11	E. Knelson	Belgian Navigation Company	Ditto	Onim.	34	
4	December 27	French	Bark	Jeune Leon	165	11	C. Serenie	C. J. Enet	Ditto	Agné.	50	

EDWARD PORTER, Consul.

Second Enclosure in No. 247.

List of Vessels which have sailed from the Port of Bahia for Africa from the 1st October to the 31st December, 1843.

Bahia, December 31, 1843.

No.	Date of Clearance.	Nation.	Class.	Name.	Tons.	Crew.	Name of Master.	Name of Owner.	Cargo.	Whither bound.	Remarks.
1	1843. 14 October	Brazilian	Yacht	Mariquinhas	45	8	Manuel Francisco	C. J. da Silva	Ballast	Pernambuco	Slaver.
2	October 21	Ditto	Brig	Anna Constança	163	20	M. F. Braga	Dom. J. A. Guimaraes	General	Benguela.	
3	November 13	Ditto	Yacht	Vivo	34	8	S. J. Torres	C. J. da Silva	Ditto	Prince's island	Slaver.
4	December 15	Ditto	Schooner	Theodozia	173	12	S. J. Torres	C. J. da Silva	Ballast	St. Catharina	Slaver.
5	December 24	French	Bark	Ceres	418	17	Leloup	Bernard	General	Coast.	

EDWARD PORTER, Consul.

No. 248.

*Mr. Whately to the Earl of Aberdeen.**Bahia, March 31, 1844.**(Received June 20.)*

MY LORD,

I HAVE the honour to lay before your Lordship the accompanying 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) JOHN WHATELY, *Vice-Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 248.

List of VESSELS which have entered the Port of Bahia from the Coast of Africa, from January 1st to March 31st, 1844. Bahia, March 31, 1844.

No.	Date of Entry.	Nation.	Class.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Cargo.	Whence.	Remarks.
	1844.										
1	January 11	Brazilian	Yacht	Prompto	27	7	M. F. Pinto	F. C. Madail	Ballast	Onim	106 Slaves.
2	" 19	Portuguese	Ditto	Graciosa Vingativa	24	6	J. L. Gomez	M. Durano	Ditto	Ditto	100 ditto.
3	" 28	Brazilian	Folacca	Bom Destino	140	14	B. Agranta	C. J. de Sá	Ditto	Put back	500 ditto.
4	February 6	Ditto	Schooner	Theodozia	173	..	S. J. de Torres	J. P. Maria	Ditto	Onim.	480 ditto.
5	" 18	Ditto	Yacht	Vivo	26	8	F. J. da Rocha		Ditto	Onim.	..
											1186

JOHN WHATELY, Vice-Consul.

Second Enclosure in No. 248.

List of VESSELS which have sailed from the Port of Bahia for the Coast of Africa, from January 1st to March 31st, 1844. Bahia, March 31, 1844.

No.	Date of Entry.	Nation.	Class.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Cargo.	Whither.	Remarks.
	1844.										
1	January 18	Belgian	Bark	Adèle	237	14	Cornellier	Chankell	General	Coast.	Slaver.
2	February 10	Brazilian	Yacht	Vingador	52	11	A. J. do Valle	F. J. R. Sacavem	Ditto	Ditto	Slaver.
3	" "	Ditto	Ditto	Prompto	27	7	M. F. Pinto	F. C. Madail	Ditto	Ditto	
4	" 24	French	Brig	Syphide	165	10	Requier	C. Therimbre	Ditto	Aracaty	Slaver.
5	" 24	Brazilian	Ditto	Maria	290	13	Gonçalo Jose	Not known	Ballast	Coast.	
6	" 28	American	Ditto	Joseph Cooperthwait	170	9	J. Noble	J. Cooperthwait	General	Ditto	
7	" 28	Ditto	Bark	Herschel	271	9	Wm. Hutchens	Wm. Hutchens	Ditto	Ditto	
8	" 28	Sardinian	Brig	Federico	188	13	J. Balduino	P. Jacome	Ditto	Ditto	Slaver
9	March 2	Portuguese	Yacht	Graciosa Vingativa	24	7	Manoel Gonçalves	Manoel Durano	Ditto	Angola.	
10	" 2	Brazilian	Brig	Jupiter	123	16	L. J. da Silva	J. J. Pinheiro	Ditto	Coast.	
11	" 19	Sardinian	Brig	Rosa	256	12	Dodero	P. Ardovin	Ditto	Ditto	
12	" 24	French	Brig	Lisbonnais	26	8	E. Doncet	J. P. Maria	Ditto	S. Thomé	Slaver.
13	" 24	Brazilian	Yacht	Vivo	152	9	F. J. da Rocha		Ditto	Coast.	
14	" 30	French	Brig	Courier de la Seine	43	4	Dutot	Gabriel Moura	Ditto	Onim	Slaver.
15	" 30	Brazilian	Yacht	Diligente	43	4	A. E. Pessoa		Ditto	Onim	Slaver.

JOHN WHATELY, Vice-Consul.

No. 249.

Mr. Whately to the Earl of Aberdeen

MY LORD,

Bahia, May 7, 1844.
(*Received June 20.*)

I HAVE the honour to acknowledge the receipt of Foreign Office Despatch, Slave Trade series, of December 31st, 1843, enclosing copies of the Act 6 & 7 Vict. cap. 98, and to assure your Lordship that proper measures shall be taken to make its purport known to the British subjects resident within this Consulate.

I have, &c.

(Signed) JOHN WHATELY, *Vice-Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c. &c. &c.

No. 250.

MY LORD,

Bahia, June 30, 1844.
(*Received September 30.*)

I HAVE the honour to lay before your Lordship the accompanying 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) JOHN WHATELY, *Vice-Consul*.*The Right Hon. the Earl of Aberdeen, K.T.*

&c. &c. &c.

First Enclosure in No. 250.

List of Vessels which have entered the Port of Bahia from the Coast of Africa, from 1st April to 30th June, 1844.

Bahia, June 30, 1844.

No.	Date.	Nation.	Class.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Whence.	Remarks.
	1844.										
1	April 22	Austrian	Brig	Eliza Louisa	146	8	A. Verona	J. Bouschek	General	Onim.	
2	" 24	French	Bark	Ceres	418	17	Leloup	Bernard	Ballast	Ditto.	
3	May 9	American	Brig	Escalus	195	11	Rogers	L. Saunpson	Ditto	Coast.	
4	June 6	Portuguese	Yacht	Graciosa Vingativa	24	6	J. L. Gomes	M. Durano	Ditto	Onim	130 slaves.
5	" 6	Sardinian	Brig	Frederico	161	14	Joao Bento	Pedro Jacome	Ditto	Coast.	
6	" 9	Belgian	Brig	Adèle	238	13	A. Cornelisse	W. D. Chautrel	Ditto	Ditto.	
7	" 12	British	Schooner	Isabella Anna	87	10	A. Faircloth	A. Faircloth	Palm oil	Sierra Leone.	530 slaves. Changed her name from "Theotostia."
8	" 19	Brazilian	Schooner	Felicidade	173	12	J. J. da Silva	..	Ballast	Reported as "put back"	
9	" 22	American	Bark	Herschel	227	9	W. H. Adams	W. H. Dow	Ditto	Coast.	
10	" 24	Brazilian	Yacht	Vivo	26	..	F. J. da Rocha	J. P. Maria	Ditto	Onim	190 slaves.

JOHN WHATELY, Vice-Consul.

Second Enclosure in No. 250.

List of Vessels which have sailed from the Port of Bahia for the Coast of Africa, from 1st April to 30th June, 1844.

Bahia, June 30, 1844.

No.	Date.	Nation.	Class.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Cargo.	Whither.	Remarks.
	1844.										
1	April 7	Brazilian	Schooner	Felicidade	173	12	J. J. da Silva	..	Ballast	Para	Slaver.
2	" 12	Ditto	Yacht	Maria	136	7	J. F. Victor	C. J. de Sa	Ditto	S. Catharina	Ditto.
3	" 24	American	Schooner	Sooy	207	17	H. M. Leeds	N. Sooy	General	Coast.	
4	" 30	Brazilian	Schooner	Leocadia	132	17	F. P. d'A. Vianna	..	Ballast	Para	Ditto.
5	May 2	Ditto	Yacht	Nimpha	76	6	L. V. da Silva	..	General	S. Thomé	Ditto.
6	" 11	American	Schooner	Albert	136	8	J. Woodbury	A. W. Standley	Ditto	Coast.	
7	" 14	Brazilian	Poacca	Bom Destino	162	16	J. J. Soares	..	Ditto	Ditto	Ditto.
8	" 14	Ditto	Yacht	Ave Maria	34	11	M. J. d'Almeida	..	Ditto	Ditto	Ditto.
9	" 30	French	Bark	Ceres	418	18	Leloup	Bernard	Ditto	Ditto	Ditto.
10	June 4	Brazilian	Yacht	Maria Angelica	32	9	J. M. Bastos	..	Ditto	Ditto	Ditto.
11	" 10	Ditto	Yacht	Grande Poder de Deos	13	6	J. de C. Ribeiro	..	Ditto	Ditto	Ditto.
12	" 26	Ditto	Brig	Caçador	..	..	..	..	..	..	Ditto.

JOHN WHATELY, Vice-Consul.

No. 251.

*Mr. Whately to the Earl of Aberdeen.**Bahia, September 30, 1844.
(Received November 19.)*

MY LORD,

I HAVE the honour to lay before your Lordship the enclosed lists, Nos. 1 and 2, of the trade between this port and the coast of Africa for the quarter ending this day.

Your Lordship will perceive, by Enclosure No. 1, that nearly 3,000 slaves have been landed in this vicinity during the last three months, besides others, of whom accounts may not have reached this Consulate. The success which the slave dealers have met with in consequence of the absence of British cruizers tends to animate, not only those who reside here, but also encourages those in other provinces of the Empire to direct their vessels hither to effect a discharge.

I have, &c.

(Signed) JOHN WHATELY *Vice-Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c. &c. &c.

First Enclosure in No. 251.

List of Vessels which have entered the Port of Bahia from the Coast of Africa, from July 1 to September 30, 1844.

Bahia, September 30, 1844.

No.	Date of Entry.	Nation.	Class.	Name of Vessels.	Master.	Owner.	Tons.	Crews.	Reported Cargo.	Whence.	Days out.	Remarks.
1	1834.											
1	July 20	French	Brig	Sylphide	Francisco Victor	Campion and Co.	165	10	Ballast	Ajuda	27	
2	" 20	Brazilian	Yacht	Vivo	Francisco J. da Rocha	Filia Cosme	26	9	Ditto	Coast	26	Said to have landed 260 slaves.
3	" 21	Ditto	Schooner	Gratidao	Francisco dos Santos	M. B. Ferraz	80	12	Ditto	Onim	28	Ditto 420.
4	" 17	Prussian	Brig	Die Biene	C. Schaver	J. C. Graffi	250	12	Ditto	Sierra Leone	24	
5	August 1	American	Ditto	Joseph Cooperthwait	J. Noble	J. Cooperthwait	170	8	General	Onim	23	
6	" 4	Brazilian	Schooner	Leocadia	F. P. d'Aranjo	Dos. J. Martins	132	15	Ballast	Put back	46	Ditto 680.
7	" 20	American	Brig	Sooy	M. H. Leeds	N. Sooy	..	..	..	..	..	Ditto 600. Taken by Her Majesty's brig "Racer," after having landed the slaves.
8	" 21	Brazilian	Yacht	Ave Maria	M. J. d'Almeida	J. F. de S. Taraiso	34	11	Ditto	Onim	29	Ditto 225. Taken by Her Majesty's brig "Racer," after having landed their slaves.
9	September 7	Ditto	Polacca	Bom Destino	J. J. Soares	..	162	16	Ditto	Onim	..	Ditto 400. Was the Sardinian polacca "Rustico."
10	" 15	Spanish	Felucca	Pepita	Juan Mas	Jose Boce	70	27	Ditto	Barcelona	70	Ditto 450. Said to be armed by license by the Spanish authorities.

JOHN WHATELY, Vice-Consul.

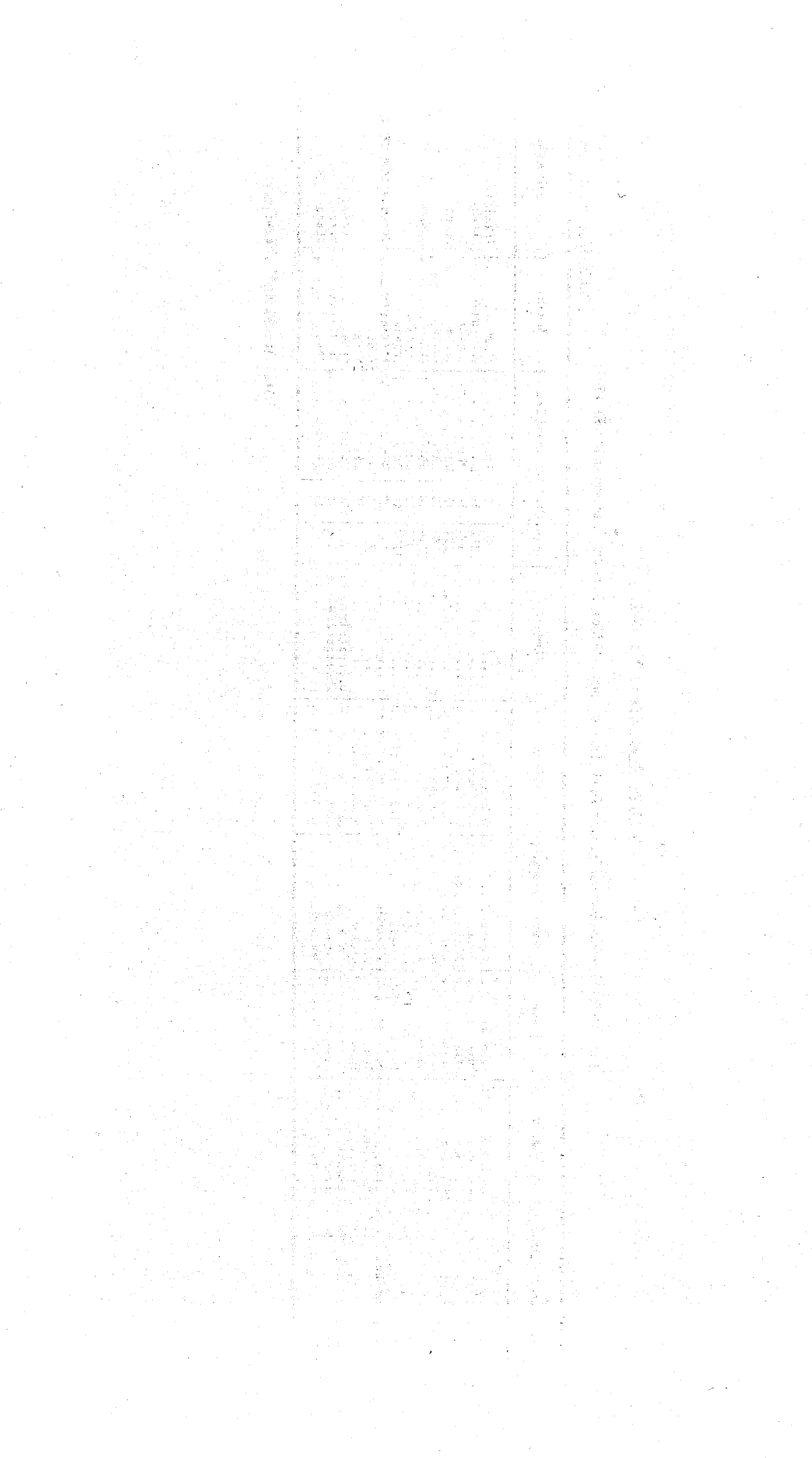
Second Enclosure in No. 251.

List of Vessels which have sailed from Bahia for the Coast of Africa, from July 1 to September 30, 1844.

Bahia, September 30, 1844.

No.	Date of Clearance.	Nation.	Class.	Name of Vessel.	Master.	Owner.	Tons.	Crew.	Reported Cargo.	Whither.	Remarks.
1	1844.										
1	July 5	Sardinian	Schooner	Esperanca	Domingos Pascal	..	28	9	General	Coast	Suspicious.
2	" 31	Brazilian	Brig	Izabel	S. J. Torres	..	216	18	Ditto	Rio Grande	Slaver.
3	" 31	Portuguese	Ditto	Maria Segundo	C. Urbano	..	168	14	Ditto	Angola.	
4	August 8	Brazilian	Schooner	Esperanca	Antonia da Costa	..	164	12	Ditto	Santos	Slaver.
5	" 16	Ditto	Smack	Minerva	J. F. Soares	..	76	16	Ditto	Coast.	
6	" 22	Ditto	Yacht	Diligente	A. F. Feliz	..	38	10	Ditto	Onim	Slaver.
7	" 27	Ditto	Schooner	Beya-flor	D. Felintes	..	118	15	Ditto	Loanda.	
8	" 28	Ditto	Brig	Amelia	M. J. Fernandes	..	173	16	Ditto	Angola.	
9	September 7	Ditto	Schooner	Felicidade	J. Joaquim da Silva	..	133	13	Ditto	S. Catharina	Slaver, was the "Theodosia."
10	" 16	Sardinian	Ditto	Iride	Andre Denigre	..	100	10	Ditto	Coast.	
11	" 19	Ditto	Ditto	Carlota	Francisco Rose	..	293	10	Ditto	Onim	
12	" 23	Brazilian	Yacht	Ave Maria	M. J. d'Almeida	J. F. de S. Paraiso	34	11	Ballast	Onim	Slaver.
13	" 28	Ditto	Schooner	Leocadia	F. P. d'Aranjo	Domingos J. Martins	132	15	Ditto	Rio Grande	Slaver.
14	" 30	Ditto	Ditto	Raphael	A. J. do Valle	..	90	15	General	Onim	Slaver.

JOHN WHATELY, Vice-Consul.



BRAZIL. (Consular)—Maranhã.

No. 252.

Mr. Corbett to the Earl of Aberdeen.

Maranhã, April 23, 1844.
(Received June 19.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, of Slave Trade series, of the 31st December last, transmitting to me two copies of an Act passed during the last session of Parliament for the more effectual suppression of the Slave Trade; which Act declares it to be unlawful for any British subject, whoever he or she may be, to be employed in dealing or in trading in, purchasing, selling, bartering, or transferring slaves; and instructing me to cause a copy of this Act of Parliament to be affixed in some conspicuous part of the Consulate, and to take the proper measures for making its purport known to the British subjects resident within this Consulate for their information.

In obedience to your Lordship's commands, I shall not fail in paying strict attention to these instructions.

I have, &c.

(Signed) R. FALCONER CORBETT, *Consul.*

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

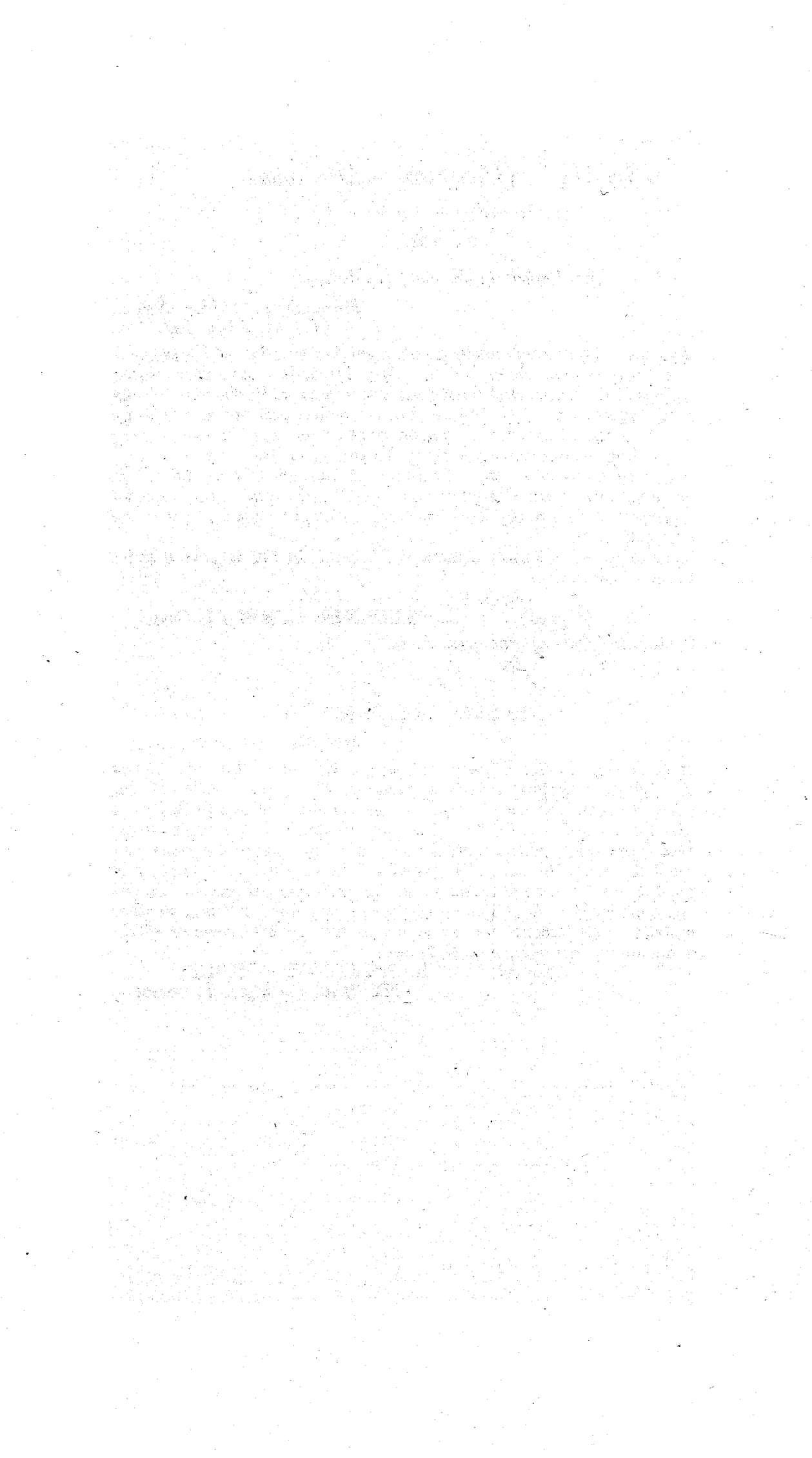
&c. &c. &c.

Notice in the "Commercio."

Maranhã, April 24, 1844.

THE Undersigned, Her Britannic Majesty's Consul at this city, hereby gives notice to all Her Majesty's subjects residing within the district of this Consulate, that for their information and guidance there is affixed in this office a copy of the Act of Parliament 6 & 7 Vict. cap. 98, entitled "An Act for the more effectual suppression of the Slave Trade," in which the prohibitions contained in the Act 5 Geo. IV. cap. 113, 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.

(Signed) R. FALCONER CORBETT,
Her Britannic Majesty's Consul.



BRAZIL. (Consular)—Para.

No. 253.

(Extract.)

Mr. Ryan to the Earl of Aberdeen.

Para, November 11, 1843.

(Received January 13, 1844.)

MY LORD,

THE almost total want of correct statistical returns of the population of this province in the possession of the authorities has been the unavoidable cause of delay in not sooner replying to your Lordship's Circular Despatch of the 8th March last, and which I had the honour to receive on the 28th July.

Thus disappointed in obtaining the information required where it should exist, I had to recur to the Ecclesiastical Dignitaries, as well of this city as to all those of all the other principal towns and villages in the districts of the Lower and Upper Amazon, and which constitute the province of Para, calling on them for the returns of their parishioners, both free and slave; and in this tedious operation I would have experienced a much longer delay in obtaining answers, had it not been for obliging co-operation on the part of the Second Dignitary of the Church here.

But, my Lord, previous to drawing your Lordship's attention to my returns of population, and in reply to the first, second, third, and fourth paragraphs of your Lordship's Despatch, I have to make the following report:—That on a careful reference to the Consular correspondence from this with Her Majesty's Government during the five years ending on the 31st December, 1842, no ships coming direct from the coast of Africa, with or without slaves on board, have arrived on any part of the coast of this province, nor have any ships within this period been fitted out for slaving purposes within its territory.

Slaves have been introduced at this port by Brazilian coasting ships from the southern ones of the Empire; their yearly numbers, however, never exceeded 30 to 40; and to avoid detention by Her Majesty's cruizers on the voyage, they have been always passed either as the servants of Brazilian passengers, or made to appear as part of the vessels' crews until safely smuggled ashore.

I am happy to inform your Lordship, that public notice has been given here by the agents of the line of steam-packets sailing between this and the intermediate ports to Rio de Janeiro, that in future no slaves will be admitted on board except such as are proved to be *bonâ fide* servants to passengers.

The rebellion that took place in this province, and continued for nine months, during the years 1835-6, and for which space of time the Imperial authorities and military were expelled from this city, obliged all the then rich resident Portuguese merchants to abandon, and finally to break up their establishments here, and return to their native country. These men were previously almost all more or less concerned in the Slave Trade; and the total want of capitalists since that period up to this day in the province has given a death blow, within its limits, to this nefarious traffic, as far as regards the continued importation of slaves from the coast of Africa.

The wanton destruction by the rebels of every species of property that came within their range while in power, both in this city and all the other principal places and plantations within the province, has ever since kept it in a backward state; and I am sorry to have to remark, as far as my observation goes I see no chance for its amelioration under its present Government, particularly so as nothing active or good can ever be looked to from the extremely indolent habits, and

absence of anything bordering on either religious or moral feeling, of the Brazilians in the province, whose Provincial Assembly do all in their power to impede instead of encourage emigration.

I have now the honour to transmit your Lordship the returns, as ordered, of the population of this province, with its augmentations and decrease, as furnished me by the sources of information to whom I had to apply, and for the five years ending on 31st December, 1842, distinguishing the number of whites, foreign and Brazilian, free coloured and slaves; remarking, that the first class, or foreigners, are fully nine-tenths Portuguese, and the free coloured, in proportion are three-fifths the offspring of the Indian and white, and the remainder spring from a mixture of casts including the black. I have great confidence, my Lord, that this census is the nearest to correct that can be obtained.

I have, in proof of this assertion, the honour to enclose returns of the inhabitants of all the province, to say, those of the Lower Amazon, and those of the Upper, or district of Rio Negro, distinguishing the places of residence, and the free from the slave residents. These documents are marked Nos. 1 and 2, and will be found to corroborate with the general census for 1842.

I have also the honour, my Lord, to transmit separate returns, for the five years ending on the 31st December, 1842, of all produce cultivated by slave labour, and exported to foreign countries, and which are numbered progressively 1 to 5. These returns are of very limited amount, as the bulk of slave labour is engaged in the cultivation of sugar, rum, and coffee for provincial consumption.

The principal exports of the province are cocoa and Indian rubber shoes, which are exclusively cultivated and manufactured by half-cast Indians, called Tapuios, and who can only be prevailed on to undertake such light work.

The slaves in this province, owing, perhaps, to their very limited number, and from the consequent interest of their owners to preserve them, are never hard worked; they are abundantly fed with mandioca flour salted, and fresh fish, salt beef, and vegetables and fruit; those employed as house servants generally have the same food as their masters. As regards their clothing, this latter class, particularly the females, are dressed well, and are very clean in their persons. The field labouring slaves only dress in pantaloons and petticoats, their bodies down to the hips being uncovered, young and old; and even this slight covering their masters have great difficulty in getting them to wear, owing to the heat of the climate.

As regards the emancipation of slaves, I have to report to your Lordship, that such instances of liberty are of rare occurrence in this province, and are principally conceded by wills for long and good services to masters; the number of blacks and mulattoes so freed, and now existing in the province, does not amount to 400 individuals, and who are generally advanced in years.

Slaves brought up to trades, and porters employed in this city, are in the habit of earning four to six shillings daily wages, of which they are entitled to retain about one-third part for themselves, and could, if they had prudence, save sufficient in a few years to purchase their liberty; but such instances are of extremely rare occurrence.

It is painful to have to report to your Lordship, that little or no attention is paid, either by clergymen or masters, to the religious or moral education of either the free or slave population. Marriages amongst either class (working) are of very rare occurrence; and masters of female slaves, with few exceptions, rather encourage than repress their libertine conduct, solely calculating that all offspring produced become their slaves, and add to their fortunes.

Slaves, for all ordinary offences, are solely under the control of their owners, as regards the punishment they choose to inflict on them; but when crimes are committed by slaves against other persons, these have the right to demand justice from the courts of law, or they can, if they prefer such course, also demand it from the owners of the slaves, and which prevents cognizance of the crime being taken by tribunals.

Slave evidence in courts of law can only be admitted when that of free people cannot be obtained; and the slave has no right to demand justice against his master for any bad treatment this latter inflicts. But, my Lord, flogging of slaves is nearly out of practice in this province, owing no doubt to the absence of slave importations for many years back, and the consequent kind feeling that grows up between the slave of years' standing and the master.

As regards what would be the conduct of the authorities here in case of

importing slaves from Africa, or of fitting out ships in the province for slaving purposes, my conviction is, that if such operations were in practice they would be protected to the utmost extent by said authorities, and without any regard to the existing Treaties that make such acts criminal.

The general opinion entertained here is, that the cultivation of sugar, coffee, and rum, and which is entirely produced here by slave labour, must annually diminish in quantity as the African slaves die off, as country born slaves have not the same energy or strength to work the soil.

The total want of the Government of general information as regards the number of Indians in the province makes it impossible to form any judgment on this point; some assert that they amount to 200,000, others say 100,000, and many affirm they do not exceed 60,000: but I am assured by an intelligent Brazilian, who has lately returned from Rio Negro, where he presided as Chief Judge for two years, that all the Indian tribes in the entire province of Para with whom the Brazilian Government has had communication up to the day, or have any knowledge of as existing, do not exceed altogether 8,000. As to any number of this class dedicating themselves to useful purposes, except as far as regards their own immediate necessities, nothing has as yet been advanced towards their civilization, except in very rare instances of their being carried off from their tribes when infants, and brought up in river boats, or in houses as servants.

The military force of this province is composed of 1,350 troops of the line, in three battalions, of which one is artillery, and 12,000 national guards; but this latter force, if it really does exist in such numbers, from the immense extent of the province can be of no use in repelling a foreign enemy, and is only serviceable for local police duty. Both descriptions of force in this province, as far as they are occupied in the ranks, are composed of Tapuios, an unwarlike race, who are incapable to form either attachment to their country or its Government, and who invariably avail of every opportunity to desert and return to the woods.

The navy force stationary here and up the river Amazon is at present composed of one brig of 10 guns, six schooners of four to eight guns each, and one steamer of four guns; they are all badly armed, equipped, and manned, half their crews being composed of slaves belonging to the officers on board, and the other half pressed from the river boats.

In conclusion, my Lord, I have to say, that such has been the want of good government in this province from the day of its independence up to the present moment, that notwithstanding the unrivalled fertility of its soil, its vast extent, occupying nearly one-third of the Empire, its countless navigable rivers, running in every possible direction to facilitate communication and render that by land quite superfluous, and in the midst of all these natural resources, entitling it to hold the first rank for riches in America, it is painful to see its actual position, that only produces in revenue sufficient to meet half its expenses, and look to the Imperial Government for the other half, which they rarely ever supply, and which is a cause of continued general discontent amongst the military classes in Government pay, as well as civil officers.

I have, &c.

(Signed) RICHARD RYAN, *Consul.*

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

&c.

&c.

&c.

First Enclosure in No. 253.

RETURN of the Population of the Province of Para, in the Brazils, including its White, Free Coloured, and Slave Inhabitants, in the year 1838.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,408	4,211	5,260	2,359	} 17,256
Whites, foreigners	6,212	2,725	8,145	1,492	
Free Coloured, natives	43,088	64,000	85,200	21,888	107,088
Slaves	15,203	17,052	24,782	7,473	32,255
Total	68,611	87,988	123,387	33,212	166,599

Three-fourths of the free coloured population as particularized in this return are descended originally from the white and Indian races, intermixture with blacks having evidently been frequent in former times, and actually producing eight different shades of colour, under the denomination of Tapuiú, Mameluco, Cafuz, Curiboca, Mestisso, &c.

RETURN of the Population of the Province of Para, in the Brazils, including its White, Free Coloured, and Slave Inhabitants, in the year 1839.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,425	4,221	5,280	2,366	17,362
Whites, foreigners	6,980	2,736	8,192	1,524	
Free Coloured, natives	45,141	67,205	89,460	22,886	112,346
Slaves	14,899	16,712	24,188	7,423	31,611
Total	70,445	90,874	127,120	34,199	161,319

Three-fourths of the free population of colour as particularized in this return are descended originally from the white and Indian races, intermixture with blacks having evidently been frequent in former times, and actually producing eight different shades of colour, under the denomination of Tapuiú, Mameluco, Cafuz, Curiboca, Mestisso, &c.

RETURN of the Population of the Province of Para, in the Brazils, including its White, Free Coloured, and Slave Inhabitants, in the year 1840.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,595	4,318	5,451	2,461	7,913
Whites, foreigners	7,425	2,760	8,640	1,545	10,185
Free Coloured, natives	47,396	70,565	93,930	24,031	117,961
Slaves	14,603	16,378	23,565	7,416	30,981
Total	73,019	94,021	131,586	35,454	167,040

Three-fourths of the free coloured population as particularized in this return are descended originally from the white and Indian races, intermixture with blacks having evidently been frequent in former times, and actually producing eight different shades of colour, under the denomination of Tapuiú, Mameluco, Cafuz, Curiboca, Mestisso, &c.

RETURN of the Population of the Province of Para, in the Brazils, including its White, Free Coloured, and Slave Inhabitants, in the year 1841.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,770	4,533	5,721	2,582	8,303
Whites, foreigners	7,895	2,795	8,980	1,710	10,690
Free Coloured, natives	49,761	74,090	98,625	25,226	123,851
Slaves	14,311	16,052	23,095	7,268	30,363
Total	75,737	97,470	136,421	36,786	173,207

Three-fourths of the free coloured population as particularized in this return are descended originally from the white and Indian races, intermixture with blacks having evidently been frequent in former times, and actually producing eight different shades of colour, under the denomination of Tapuiú, Mameluco, Cafuz, Curiboca, Mestisso, &c.

RETURN of the Population of the Province of Para, in the Brazils, including its White, Free Coloured, and Slave Inhabitants, in the year 1842.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites natives	3,955	4,758	6,006	2,707	8,713
Whites, foreigners	8,285	2,930	9,425	1,790	11,215
Free Coloured, natives	52,246	77,790	103,555	26,481	130,036
Slaves	14,025	15,732	23,568	6,189	29,757
Total	78,511	101,210	142,554	37,167	179,721

Three-fourths of the free coloured population as particularized in this return are descended originally from the white and Indian races, intermixture with blacks having evidently been frequent in former times, and actually producing eight different shades of colour, under the denomination of Tapuiú, Mameluco, Cafuz, Curiboca, Mestisso, &c.

Second Enclosure in No. 253.

RETURN of the Population of the City of Para, and all other Towns and Villages existing in that part of the Province of Para denominated the Lower Amazon.

Names of Places.	Free Inhabitants.	Slaves.	Total.
Para	6,772	5,715	12,487
Santo Domingos de Boa Vista	882	1,047	1,929
Rio de Capim	992	663	1,655
Rio do Bojarú	799	915	1,714
Rio do Acará	1,539	1,437	2,976
Rio do Mojú	1,429	1,728	3,157
Igarepé-miri	1,734	1,839	3,573
Abaité	2,425	1,639	4,064
Barcarema	472	365	837
Bemfica	913	72	985
Arraiollos	405	20	425
Almeirim	305	..	305
Alter do Chao	818	10	828
Lugar de Aveiro	273	40	313
Villa de Alemguer	1,208	440	1,648
Lugar dos Breves	227	..	227
Villa de Braganza	6,365	482	6,847
Lugar de Baiao	1,500	450	1,950
Villa de Beja	886	..	886
Lugar da Boa Vista	382	13	395
Villa de Borin	708	..	708
Villa de Collares	466	18	484
Villa de Cintra	4,319	465	4,784
Villa de Camutá	8,068	1,382	9,450
Villa de Conde	400	..	400
Lugar de Carrazedo	401	..	401
Missao de Curi	1,000	14	1,014
Villa de Espozende	363	..	363
Villa Franca	2,736	152	2,888
Villa de Faro	1,989	93	2,082
Lugar de Gurupi	223	..	223
Villa de Gurupá	1,208	248	1,456
Lugar de Itaituba	398	..	398
Missao de Juruti	385	..	385
Villa de Melgaco	4,615	1,104	5,719
Villa de Macapa	1,963	597	2,560
Villa de Mazagao	827	325	1,152
Villa de Monte Alegre	1,780	298	2,068
Villa Nova del Rei	1,190	202	1,392
Villa de Ourem	509	160	669
Frequenzia do Irituia	807	108	915
Frequenzia de S. Miguel	629	442	1,071
Villa de Oeiras	3,621	323	3,944
Lugar de Odivellas	335	..	335
Lugar de Outeiro	342	20	362
Villa de Obidos	2,987	1,294	4,281
Lugar do Piria	53	..	53
Villa de Portel	2,170	80	2,250
Villa de Porto de Moz	705	53	758
Villa de Pombal	806	8	814
Villa de Pinhel	865	16	881
Lugar das Salinas	485	30	515
Lugar de Santarem Novo	29	..	29
Villa de Souzel	678	3	681
Villa de Santarem	3,985	1,270	5,255
Missao de Santa Cruz	540	14	554
Lugar de Turiassu	1,553	1,000	2,553
Lugar de Tapara	129	10	139
Villa da Vigia	4,801	329	5,130
Lugar de Vizen	179	..	179
Lugar de Villarinho de Monte	511	48	559
Villa de Veiros	475	..	475
Island of Marajo	10,689	1,640	12,329
Lugar de Uxituba	485	4	489
Total	101,733	28,635	130,368

Third Enclosure in No. 253.

RETURN of the Population of that part of the Province of Para denominated the Upper Amazon, or the District of Rio Negro.

Names of Places.	Free Inhabitants.	Slaves.	Total.
Lugar da Barra	3,809	379	4,188
Lugar de Airao	241	1	242
Lugar de Arvellos	354	8	362
Lugar de Alvaraens	264	4	268
Villa de Barcellos	403	44	447
Lugar da Boa Vista, R. N.	118	..	118
Lugar da Boa Vista, Amazonas	130	..	130
Villa de Borba	410	47	457
Missao de Canuma	223	8	231
Lugar de Caroviro	523	..	523
Lugar de Castanheiro Novo	154	..	154
Lugar do Carmo Rio Negro	75	..	75
Lugar do Carmo Rio Branco	155	..	155
Lugar de Castro de Avelans	57	..	57
Villa de Ega	384	22	406
Lugar de Fonte Boa	280	5	285
Missao de Itapu	350	..	350
Lugar de Lamalonga	209	1	210
Missao de Minés	1,564	63	1,627
Capella do Bom Retiro	118	..	118
Villa de Moreira	399	17	416
Lugar de Moura	235	1	236
Lugar de Nogueira	344	2	346
Villa de Olivença	430	15	445
Lugar de Poiares	172	1	173
Lugar de S. Anna	45	..	45
Lugar de S. Barbara	122	..	122
Lugar de S. Bernardo Camanau	42	..	42
Lugar da S. das Caldas	58	..	58
Lugar de S. Felipe	52	..	52
Lugar de S. Gabriel de Cochoera	144	..	144
Lugar da S. da Guia	127	..	127
Lugar da S. Isabel	186	..	186
Lugar de S. Joaquim	94	..	94
Lugar de S. Joano Bapt. de Mabé	69	..	69
Lugar de S. Joaquim de Coani	122	..	122
Lugar de S. Jose de Marabitanas	159	..	159
Lugar de S. Joao de Crato	9	..	9
Lugar de S. José	88	..	88
Lugar da S. do Loretto	123	..	123
Sitro da Capella	154	..	154
Lugar de S. Maria	264	..	264
Lugar de S. Miguel do Iparana	98	..	98
Lugar de S. Marcellino	40	..	40
Lugar da S. do Nazaréth	95	..	95
Lugar de S. Pedro	96	..	96
Villa de Silves	1,627	167	1,794
Villa de Serpa	729	79	808
Villa de Thomar	431	8	439
Lugar de Tonantins	65	..	65
Lugar da Tabatinga	92	..	92
Missao de Villa Nova da Rhr.	1,349	90	1,439
Lugar do Uatuma	332	..	332
Total	18,213	962	19,175

Fourth Enclosure in No. 253.

RECAPITULATION

	Free Inhabitants.	Slaves.	Total.
Return No. 1	101,733	28,635	130,368
Return No. 2	18,213	962	19,175
Living in wigwams on the banks of the Lower Amazon	25,335	138	25,473
Living in wigwams on the banks of the district of the Rio Negro	4,683	22	4,705
Total amount of inhabitants .	149,964	29,757	179,721

Fifth Enclosure in No. 253.

RETURN of Value of the different Staple Productions in the Province of Para, entirely or principally by Slave Labour, during the year 1838, and brought out in British Currency, at the average Exchange of the year.

Articles.	Weight.	Value.
	cwt.	£
Annatto	240	2,634
Cocoa	53,333	71,000
Cotton	4,571	9,500
Hides, wet	47,000	11,750
Rice	68,142	44,500
Sarsaparilla	138	580
Total . . . . .	..	139,964

RETURN of Value of the different Staple Productions cultivated in the Province of Para, entirely or principally by Slave Labour, during the year 1839, and brought out in British Currency, at the average Exchange of the year.

Articles.	Weight.	Value.
	cwt.	£
Annatto	686	5,560
Cocoa	110,000	148,600
Cotton	9,200	19,400
Hides	27,200	23,800
Rice	140,000	90,000
Sarsaparilla	284	1,250
Total . . . . .	..	287,610

RETURN of Value of the different Staple Productions cultivated in the Province of Para, entirely or principally by Slave Labour, during the year 1840, and brought out in British Currency, at the average Exchange of the year.

Articles.	Weight.	Value.
	cwt.	£
Annatto	492	6,150
Cocoa	112,000	152,000
Cotton	9,315	18,000
Hides	28,000	24,500
Rice	143,000	92,000
Sarsaparilla	280	1,110
Total . . . . .	..	293,760

RETURN of Value of the different Staple Productions cultivated in the Province of Para, entirely or principally by Slave Labour, during the year 1841, and brought out in British Currency, at the average Exchange of the year.

Articles.	Weight.	Value.
	cwt.	£
Annatto	280	3,800
Cocoa	64,000	82,000
Cotton	5,200	9,600
Hides	19,000	16,500
Rice	86,000	57,000
Sarsaparilla	192	800
Total . . . . .	..	169,700

RETURN of Value of the different Staple Productions cultivated in the Province of Para, entirely or principally by Slave Labour, during the year 1842, and brought out in British Currency, at the average Exchange of the year.

Articles.	Weight.	Value.
	cwt.	£
Annatto	130	1,700
Cocoa	38,000	48,000
Cotton	2,800	6,200
Hides	10,500	9,200
Rice	49,000	31,000
Sarsaparilla	105	440
Total . . . . .	..	96,540

No. 254.

(Extract.)

Mr. Ryan to the Earl of Aberdeen.

Para, November 24, 1843.

(Received January 13, 1844.)

MY LORD,

THE time required to obtain the necessary information on some of the questions enumerated in the 14, contained in the Despatch your Lordship did me the honour to address me under date of the 30th May last, but which only arrived here on the 12th September, has prevented my more early reply, and which I have now the honour to transmit your Lordship, observing the same numerical order in my answers as followed in said Despatch.

1st. The enclosed returns, Nos. 1 to 3, show the amount of population in this province at the present time, and that during the years 1832 and 1837, distinguishing males from females, and free people from slaves.

2nd. The accompanying return No. 4, shows the number of slaves imported into this province direct from the coast of Africa within the last 10 years. As regards indirect importation during the said term of years, in coasting Brazilian ships from the southern ports of the Empire, the yearly number of slaves landed has varied from 30 to 40; and their total number during this period I have calculated, males and females, at 350, as appears by the annexed voucher No. 5.

3rd. The slave in this province has no protection by law against the acts of his master, except in cases of extreme severe punishment inflicted on the former by the latter, a complaint against which being brought before the competent tribunal and proved, the Judge decrees the sale of the slave by the master, to prevent him the power to renew his cruel acts on the individual; but the law provides no other description of punishment for slave owners under such circumstances.

4th. No protection by law is secured to the slave against the acts of his master, except that described in answer No. 3.

5th. Slave evidence, either against free people or slaves is only admitted when all attempt to produce free evidence fails.

6th. The slave in this province is abundantly fed, as in addition to his ration of dried beef, and salt fish, and mandioca flour, the field labourer, always located on

First Enclosure in No. 254.

STATEMENT of the Population of the Province of Para, distinguishing Males from Females, and Free People from Slaves, in the year 1832.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,748	4,632	5,801	2,579	} 18,981
Whites, foreigners	7,604	2,997	8,959	1,642	
Free Coloured, natives	47,718	70,580	94,303	23,995	118,298
Slaves	15,963	17,904	26,021	7,846	33,867
Total	75,033	96,113	135,084	36,062	171,146

Second Enclosure in No. 254.

STATEMENT of the Population of the Province of Para, distinguishing Males from Females, and Free People from Slaves, in the year 1837.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,398	4,196	5,239	2,355	} 17,168
Whites, foreigners	6,871	2,703	8,068	1,506	
Free Coloured, natives	43,027	63,896	85,104	21,819	106,923
Slaves	15,219	17,078	24,839	7,458	32,297
Total	68,515	87,873	123,250	33,138	156,388

The decrease of the population which appears in this year's return, as compared to that of 1832, is owing to the destruction of life in the rebellion of 1835-6, during which period fully 15,000 of the free and slave inhabitants of the province perished.

Third Enclosure in No. 254.

STATEMENT of the Population of the Province of Para, distinguishing Males from Females, and Free People from Slaves, in the year 1843.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,949	4,754	6,001	2,702	} 19,934
Whites, foreigners	8,298	2,933	9,421	1,810	
Free Coloured, natives	52,473	73,187	103,546	27,114	130,660
Slaves	14,013	15,717	23,534	6,196	29,730
Total	78,733	101,591	142,502	37,822	180,324

Fourth Enclosure in No. 254.

RETURN of Slaves imported into the Province of Para, direct from the Coast of Africa, during the last 10 years, up to this date.

Name of Ship.	Flag.	From whence arrived.	Where landed.	Number of Slaves.	When landed.
Name unknown, being sunk after landing slaves	Portuguese .	Angola . .	Caeté . .	507	February 7, 1835.

Fifth Enclosure in No. 254.

RETURN of Slaves imported into the Province of Para, indirect from the Coast of Africa, during the last 10 years, up to this date.

Names of Ships.	Flag.	From whence arrived.	Where landed.	Number of Slaves.	When landed.
Coasting vessels .	Brazilian .	Southern ports .	Para . . .	350	{ During the 10 years just expired, averaging 35 slaves per year.

No. 255.

Mr. Ryan to the Earl of Aberdeen.

Para, December 31, 1843.
(Received March 14, 1844.)

MY LORD,

I HAVE the honour to report to your Lordship, that during the three months ending to-day, nothing has occurred within the limits of this province, either in the outfit of ships for slaving purposes, or landing of slaves from Africa.

The Brazilian steam-packets between this and Rio de Janeiro having ceased to admit slave passengers, except *bonâ fide* servants, the facilities for transmitting slaves from one port to another for sale has been considerably impeded, particularly as regards this port, as only otherwise visited during the year by three small sailing craft from Maranham, but which, in the absence of British cruisers on the coast, carry slaves from one port to the other, for the purpose of sale.

If Her Majesty's Consuls were authorized to visit and examine such coasting ships, on their arrival at the different ports, it would be the surest means of putting a stop to this coasting traffic in slaves, and would do away with the necessity of Her Majesty's cruisers on the coast of Brazil visiting such vessels, that is so frequently the cause of complaint on the part of the Brazilian Government.

The coasting ships being occupied in the carriage of merchandize, and such being naturally insured, masters of such vessels, for the limited passage money they could receive, could never be induced to land slave passengers at any other place than the port of their destiny; but their manifests should prove their number of boats, that none might be detached from the vessel until after the Consul's visit.

I have, &c.

(Signed) RICHARD RYAN, *Consul.*

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

No. 256.

Mr. Ryan to the Earl of Aberdeen.

Para, January 10, 1844.
(Received March 14.)

MY LORD,

IN compliance with the instructions contained in your Lordship's Circular Despatch of the 8th March, 1843, marked Slave Trade, I have now the honour to transmit the census of this province of Para, made up to the 31st December, 1843.

I refrain, my Lord, from enlarging on this subject in this Despatch, as anything I could say would only be a repetition of that I had the honour to address your Lordship on transmitting, under date of the 10th November last, like returns for the years 1838 to 1842 inclusive; and the present return of census, is entirely founded on that I had the honour to transmit your Lordship, in my Despatch of the 24th November ultimo, made up to the end of the

previous month of October, as since then no new information has been obtained as regards this subject.

I have, &c.

(Signed) RICHARD RYAN, *Consul*.

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

&c.

&c.

&c.

Enclosure in No. 256.

STATEMENT of the Population of the Province of Para, distinguishing Males from Females, and Free People from Slaves, in the year 1843.

Classes.	Males.	Females.	Adults.	Children.	Total.
Whites, natives	3,951	4,756	5,999	2,708	} 19,942
Whites, foreigners	8,301	2,934	9,416	1,819	
Free Coloured, natives	52,478	78,192	103,532	27,138	130,670
Slaves	14,010	15,714	23,526	6,198	29,724
Total	78,740	101,596	142,473	37,863	180,336

Three-fourths of the free coloured population, as particularized in this return, are descended originally from the white and Indian races, intermixture with blacks having been evidently frequent in former times, and actually producing eight different shades of colour, under the denomination of Tapuiú Mameluco, Cafuz, Curiboca, Mestisso, &c. This return is founded on that transmitted under date of the 10th November, 1843, as there has, since that period, been no census taken in this Province.

No. 257.

Mr. Ryan to the Earl of Aberdeen.

Para, January 19, 1844.

(Received March 14.)

MY LORD,

YOUR Lordship's Despatch, marked Slave Trade, and bearing date the 9th October, 1843, came to hand on the 15th instant, and, in conformity with the instructions it contains, my conduct shall be guided in the disposal of the slave property it refers to.

I have, &c.

(Signed) RICHARD RYAN, *Consul*.

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

&c.

&c.

&c.

No. 258.

Mr. Ryan to the Earl of Aberdeen.

Para, April 1, 1844.

(Received May 30.)

MY LORD,

I HAVE the honour to report to your Lordship, that during the quarter ended yesterday, nothing has occurred within the limits of the coast of this province, either in the outfit of ships for slaving purposes, or arrivals from Africa with slaves; nor have I been able to learn that any importation of slaves has occurred from the southern provinces of the Empire by coasting ships during the said quarter.

I have, &c.

(Signed) RICHARD RYAN, *Consul*.

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

&c.

&c.

&c.

No. 259.

*Mr. Ryan to the Earl of Aberdeen.**Para, May 12, 1844.**(Received July 1.)*

MY LORD,

I HAVE the honour to own the receipt of your Lordship's Circular Despatch of 31st December, 1843, transmitting enclosed two copies of an Act passed during the last session of Parliament, entitled "An Act for the more effectual suppression of the Slave Trade."

I have, in conformity with the instructions contained in said Despatch, advised all Her Majesty's subjects resident in this province that the said before-mentioned Act is open for their perusal at this Consular office, and I shall carefully watch their proceedings in any future attempts on their part to transgress the provisions laid down in the said Act, bearing date the 24th August, 1843, as well as the former one to which it refers, say the Act 5 Geo. 4, cap. 113.

I will also, in obedience to your Lordship's instructions, annex a copy of your Lordship's now acknowledged Circular Despatch, as also the Act of the 6 & 7 Vict. cap. 98, as Enclosures 22 B. and 22 C. to the 26th section of Consular Instructions.

I have, &c.

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

&c. &c. &c.

No. 260.

*Mr. Ryan to the Earl of Aberdeen.**Para, July 1, 1844.**(Received September 26.)*

MY LORD,

I HAVE the honour to report to your Lordship, that during the quarter ended yesterday nothing has occurred on any part of the coast of this province, either in the outfit of ships for slaving purposes, nor have any ships arrived from the coast of Africa with slaves.

I have, &c.

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

&c. &c. &c.

No. 261.

*Mr. Ryan to the Earl of Aberdeen.**Para, October 1, 1844.**(Received December 17.)*

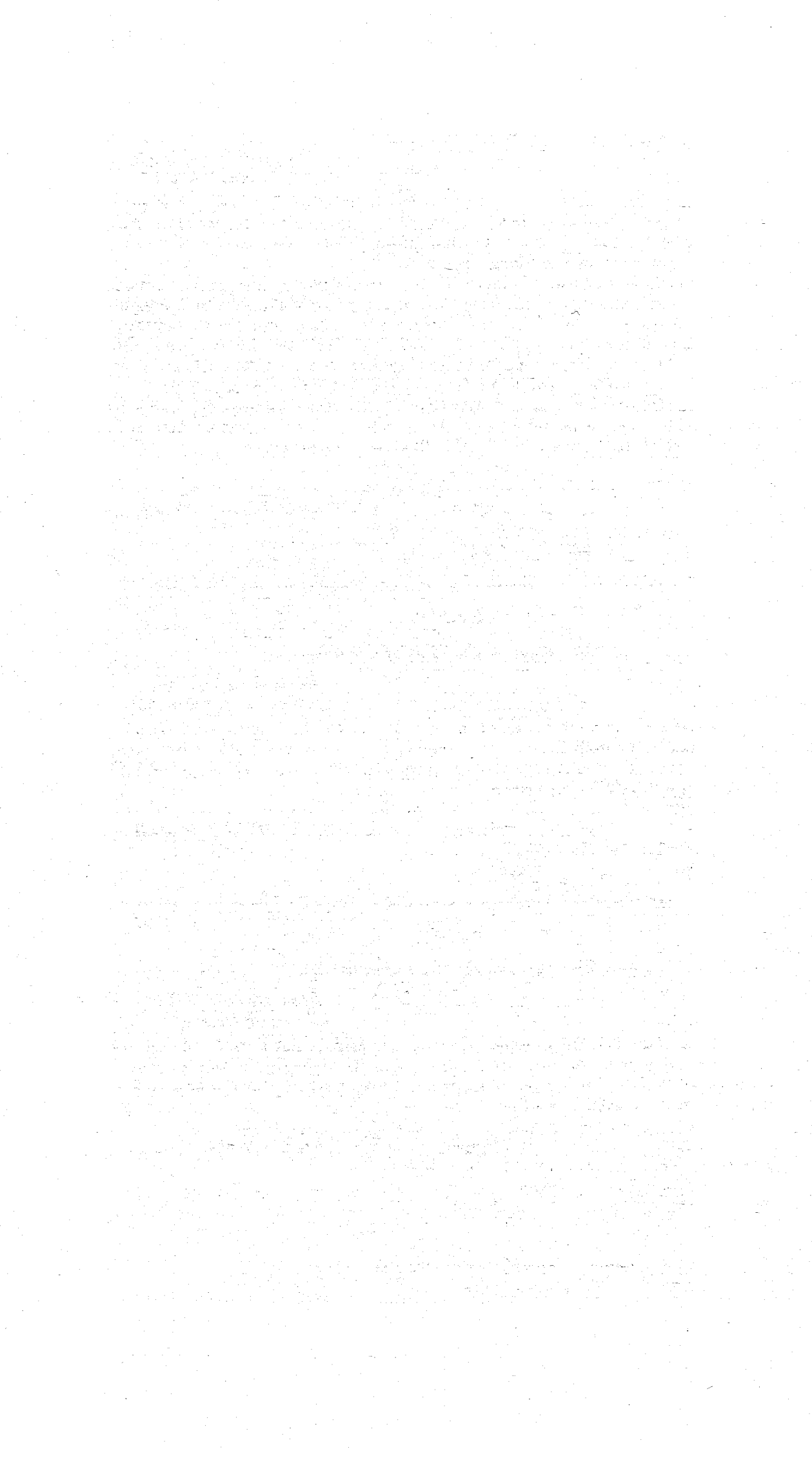
MY LORD,

I HAVE the honour to report to your Lordship, that during the quarter ended yesterday no occurrence has taken place in any part of this province, as regards either the fitting out of ships for slaving purposes, or the importation of any slaves from Africa or other place.

I have, &c.

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

&c. &c. &c.



BRAZIL. (Consular)—Paraíba.

No. 262.

Mr. Newcomen to the Earl of Aberdeen

Paraíba, April 3, 1844.
(Received May 23.)

MY LORD,

I HAVE to acknowledge the receipt of your Lordship's Circular Despatch of December 31, 1843, transmitting two copies of an Act passed during the last session of Parliament, entitled "An Act for the more effectual suppression of the Slave Trade," whereby the several matters and things prohibited in the 5 George IV. cap. 113, entitled "An Act to amend and consolidate the laws relating to the abolition of the Slave Trade," 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.

In conformance with the instructions contained in your Lordship's Circular, a copy of this Act has been affixed in a conspicuous part of my office, and the proper measures are being taken for making its purport known to the British subjects resident within my Consulate: and should information be given to me, or should it come to my knowledge, that any subjects of her Majesty are implicated in transactions forbidden by either of these Acts, I shall not fail to transmit to your Lordship a statement thereof, with a view to such steps being taken as Her Majesty's Government may deem advisable.

I have, &c.

(Signed) BEVERLEY NEWCOMEN, *Consul.*

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

No. 263.

Mr. Newcomen to the Earl of Aberdeen.

Paraíba, May 29, 1844.
(Received August 10.)

MY LORD,

I HAD commenced a Despatch to your Lordship on the Slave Trade and slavery in Brazil, and the effects which a reduction of duties on her sugar would be likely to have on the same; but finding it became rather too voluminous to admit of its being docketed in conformity with the instructions, I judge it more convenient to send it in the form of a report, and as such I have the honour herewith to transmit it to your Lordship. On reading it over I discovered many errors, as also a want of explanations where they may be required; but not being able to copy it in time to admit of its being forwarded by this mail, I have rudely corrected the former, and given the latter, which should have been in the body of the report, in marginal notes, for which irregularities I must, under the circumstances, beg your Lordship will forbear to censure me.

I have, &c.

(Signed) BEVERLEY NEWCOMEN, *Consul.*

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

Enclosure in No. 263.

(Extract.) *Mr. Newcomen's Report on the Slave Trade.*

MY LORD,

Paraiba, May 29, 1844.

YOUR Lordship, giving me credit for a faithful discharge of my duties, will have attributed the non-reception from this Consulate of quarterly returns of the number of vessels entered from, or cleared out for, the coast of Africa, to the proper cause, namely, that since my occupation of the post no such entrances or clearances have been made at any port within my district.

Fain would I from this fact deduce matter whereon to congratulate Her Majesty's Government as the friends of humanity; but to do so were a deceit and a mockery, knowing, as I do, that it arises neither from an improved tone of moral feeling in the inhabitants, nor from any rectitude of principle in the authorities, which could give birth to a belief that such vessels, whatever evidence they might afford of being or having been engaged in the contraband traffic in slaves, would be molested or interfered with by them; but, from the province of Maranhão to the northward, and Pernambuco to the southward, being deemed by the Companies who carry on the illicit traffic in slaves better adapted for their purposes than Paraiba or Rio Grande do Norte, as affording markets in which they can obtain wholesale purchasers for their cargoes of human beings, who by these retail dealers are soon dispersed, either by land or coastwise, through the adjoining provinces, where they are disposed of at a profit.

I had anxiously entertained the hope of being able to forward to your Lordship quarterly returns of the number of contraband slaves imported into this province overland and coastwise by means of jangadas or catamarans, but have been obliged to abandon it, as, from the great extent of country through which those slaves are distributed, from their being for the most part imported without passports or despatches, and from the utter impossibility of obtaining the cordial co-operation of the authorities, I found it would not be feasible to prepare such returns with any degree of accuracy; I have, however, adopted measures which will, I trust, enable me in my annual slave report to furnish your Lordship with a tolerably correct list of the slaves imported, and an estimate of the mortality among them within the year.

Rumours have been for some time rife among the mercantile classes here of an immediate reduction by the British Government of the duties on Brazilian sugar; and I believe credit is attached to them principally from Her Majesty's Prime Minister having made a statement to the effect, that independent of other considerations the extravagant nature of the propositions made by the Imperial Government through Senhor Ribeira rendered it impossible for Her Majesty's Government to treat with them; from whence the conclusion has been jumped at, that on the Imperial Government moderating their demands a Treaty would ensue, by which Her Majesty's Government would make an extensive reduction on Brazilian sugar, without a reference either to that inhuman traffic for a continuance of which they would by such reduction be holding out additional inducements, or to the condition of that portion of the human race at present existing in a state of slavery in Brazil; since it is known in well-informed circles that Senhor Ribeira was sent to London, partly with a view of retorting upon Her Majesty's Government what the Imperial Government were pleased to consider their burlesque in sending to this country an Ambassador Extraordinary, avowedly for the formation of a Treaty, but with powers which limited him to the proposition of terms for its basis such as Her Majesty's Government might have been perfectly aware the Imperial Government could not even entertain, and partly because the latter, supposing that principles of humanity must form the basis of any Treaty to be entered into with Great Britain, desired, by making propositions so absurd as would at once break off all negotiations on the subject ostensibly upon grounds not directly connected with the Slave Trade, to avoid being placed in the humiliating position of having been unable to come to terms with her solely from having refused to the good cause for which she contended those concessions which they, affecting to believe that the prosperity of their country would be ruined thereby, had determined not to make, but that, should Her Majesty's Government evince a disposition to extend their commercial relations with Brazil, without demanding from her as a *quid pro quo* the specification of a time for the general emancipation of her slaves, the institution of an enquiry into the contraband slave property now held by her subjects,

or at least some security beyond her mere word for a more honest fulfilment in future of those obligations into which she has already entered for the suppression of the Slave Trade, the Imperial Government would gladly meet them half-way, and no difficulties of any moment would arise in the adjustment of minor points, some of which, such as payment of the packet service money, they treat with a degree of levity somewhat unbecoming, considering that they are defaulters to a very large amount; indeed, I have been assured that the idea of such a demand being made afforded them much merriment, as they said that such claims could only be advanced by Her Majesty's Government in the hope that by afterwards generously foregoing them they might create among Brazilians those feelings of gratitude of which experience had shown they so well knew how to avail themselves. These are, however, opinions and reports, on the correctness of, and credit due to which, your Lordship is more competent to decide than I am. But I much mistake the spirit of my instructions, and greatly err as to the nature and extent of my duties, if the fact of an extension of our commercial relations with Brazil being under the consideration of Her Majesty's Government does not in itself render it imperative upon me to put them in possession, to the utmost of my ability, of such information as may tend to a solution of the difficulties in which the question appears to be enveloped, and of my own opinions as to the effect which would be produced upon the Slave Trade and slavery in Brazil by any material reduction of the duties at present imposed upon her sugar, the admission of which to a competition with that of our own colonies is, it is self-evident, the only means by which so desirable an object can be brought about.

This country contains throughout two great political parties, distinguished in the several provinces by different local appellations, the origin and meaning of which it would be difficult to ascertain, but which may be generally classed under the heads of Lusitanian and Brazilian, as being, perhaps, the terms most significative of their respective opinions. The latter of these is composed of the majority of the agricultural classes, who constitute the great bulk of the people, and who, looking upon slavery as the curse of their country, and condemning a continuance of the Slave Trade upon principle, are opposed to the abolition of the one and the suppression of the other solely from interested motives, while, grateful to Great Britain for past favours, they would gladly treat with her upon principles of reciprocity, were it not for the prevalent impression that she would require as a *sine quâ non* what they believe would be injurious to themselves individually and to the country at large, stipulations for a *bonâ fide* enforcement of the obligations for the suppression of the Slave Trade, under which their Government have already laid themselves by Treaties made and laws past. The former, or Lusitanian, is, as its name implies, composed principally of European and naturalized Portuguese (constituting almost exclusively the commercial or trading classes,) and of some influential Brazilians, many of whom report states to be in their pay. The majority appear, independently of their interests, to have imbibed a deep-rooted love of slavery for its own sake, and presume, even in this enlightened age, to defend the Slave Trade, upon the principle that the benefits which it confers upon the negro, by enabling him to obtain baptism into the Roman Catholic Church, more than counter-balance the evils which it inflicts by reducing him to a state of life-servitude without any remuneration in the shape of wages; while they appear to count as nothing, that in tearing him from his home, his country, his friends, it must indubitably blight all the fondly-cherished hopes of his youth, and by rending those ties which tend to bind man to his fellows in brotherly love, crush the better and kindlier feelings of his nature. On the score of self-interest, also, they are bitterly opposed to the abolition of slavery and to the suppression of the Slave Trade, whereby the large portion of their capital, vested therein, would be thrown out of employment. Fear, therefore, that an extension of the commercial relations between the countries would tend to deprive them of their favourite mode of acquiring wealth, and a deep, though partially concealed, hatred toward Great Britain, arising from envy of the height to which she has risen as contrasted with the depth to which Portugal has fallen in the scale of nations; from the difficulties she opposes to a successful prosecution of the contraband traffic in slaves; and from her having been enabled, by the friendly part she acted toward Brazil in the obtaining of her independence to make a Treaty upon terms such as gave her almost a monopoly of that trade

they had been previously well-nigh in the exclusive enjoyment of,—renders them hostile to the formation of a Treaty with her, even though she offered to negotiate upon principles as nearly approaching to a substantial reciprocity as would be at all consistent with the due protection of the existing rights of the large portion of her subjects interested in the cultivation of the sugar cane by free labour. The contraband slave trading Companies have been formed by the European Portuguese, who are the monied men of this party, and being the very *canaille* of the Miguelite faction, are remarkable for bigotry so excessive, and ignorance so gross, that I should not be at all surprised to find them adopting the opinion, which I have seen advocated by a low journal published in the southern States of North America, that “it is absurd to decry the African Slave Trade upon grounds of humanity, since it is quite clear that the negroes are not of the human but of the ourang-outang species; as, though gifted with the faculties of speech and the power of understanding, they are so in such a secondary degree, that in the former they are rivalled by the parrot, and in the latter surpassed by what is termed the instinctive sagacity of many domestic animals.”

With a view to enabling Her Majesty's Government to judge of the fears they have to combat and the prejudices to overcome on the part of Brazil, in extending their commercial relations with her, I have thus cursorily glanced at the feelings entertained and opinions held by her people, whom I have divided into two political parties, classing them either under the head of Lusitanians or Brazilians; it being, however, always understood, that I do not thereby seek to refute the old maxim *quot homines, tot sententiæ*, but which are sometimes (as the variety of shades produced by one dye are not sufficiently distinct one from another to constitute separate colours) so finely shaded into and so little distinct from each other, as to preclude the possibility of such lines of demarcation being drawn as would divide the holders of them into distinct and well defined political parties. And taking it to be a point conceded on all hands, that on the expiration of our present Treaty the only means by which we can keep the Brazilian market open to our manufactures at moderate duties is the admission of her sugar, by a reduction of the duties thereon, to a fair competition in the British market with that of colonial production, shall now canvass, as they present themselves to my view, the arguments which are used *pro et con*, such a reduction being made on free trade principles, irrespectively of existing interests and moral considerations.

Some there are, though I trust but few, who, blinded by their prejudices in favour of free trade, and conceiving the chief obstacle to the ascent which they anticipate for their hobby to the throne of public opinion to be the principles of humanity by which, clearly in accordance with the wishes of a great majority of the people, the British Government are actuated in the formation of Treaties with slaveholding Powers, would insinuate that England should abandon the cause of the negro race for which she has contended so long, as, after enumerating the sacrifices she has made and the expenses she still incurs therein, they say that the former have been made and the latter are being incurred utterly *re infectâ*, for that not only does the African Slave Trade continue to be prosecuted with unabated vigour, but its horrors have been much added to by the presence of British cruisers, having caused (for the better avoiding them) a small and low class of vessels to be used, in which the sufferings of, and number of deaths among, the negroes, kept constantly below deck, where they can never attain an upright position, are materially aggravated and increased. Such statements, unworthy the name of arguments, should never be noticed by or call forth a reply from me, were it not that among many unthinking people assertions uncontradicted pass for established facts. That the African Slave Trade continues to be carried on, notwithstanding all England has done and is doing, and that her interference may tend, as is said, to increase the sufferings of the negroes on board slave vessels, I must admit; but that she has frequently sacrificed commercial interests, and expended time, trouble, and treasure *re infectâ*, I deny. Her end was to benefit, as much as possible, the negro race, and in this she has eminently succeeded, considering the difficulties and prejudices which were to be contended against. She has herself given freedom to millions, who now constitute respectable members of society, being more intelligent (I say it advisedly) than the generality of the working classes in any country in Europe, who would, for the most part, be incapable of forming

Companies to rent estates, and cultivate them so successfully on joint-stock account that in a few years they might become proprietors by purchase of the same, as the negroes in Demerara do and have done. Through her exertions the annual importation of African slaves has, on an average, decreased 80 per cent. all over the world, the trade being now, in the letter, abolished by almost all nations, and in the spirit by many, who have even declared it piracy for their subjects to engage in it. Such also is the change, which by precept and example she has wrought in public opinion, that, though the trade was formerly supported by many sensible well-disposed people,* the man is now looked upon as a barbarian who seeks to defend it upon principle; and even those nations who still connive at its continuance, and, with few exceptions, those individuals who still engage in its prosecution, seek to justify themselves only upon the policy of necessity and expediency, which, experience teaches, must in the end inevitably yield to that of principle. And if, as is asserted, she be the indirect cause of increasing the sufferings, and even the mortality, among negroes on board slavers, it must be attributed solely to the imperfection of man's best works, and to that alloy of evil which, being a component part of fallen nature, mixes itself up with his most praiseworthy actions. And it must be remembered, that she has so meliorated the condition of the slave in Brazil, (and I believe the same rule will be found to apply to most other slaveholding countries,) that the annual mortality among slaves has, within the last 10 years, decreased 22 per cent., they being now shorter lived than free people by only 10 years, and this more from the vicious habits and drunken propensities contracted by urban slaves, than from any bad treatment they undergo; for though on sugar estates they are still hard worked and badly used, some regard is had to the preservation of their health and physical strength, which was not the case formerly, when (I use the language in which it has been admitted to me by one of the most wealthy and intelligent *Senhore d'Engenho* in this province,) it was considered more economical to purchase annually 20 or 30 new slaves, all of the male sex, and to work them hard upon a very moderate (which is, I suppose, tantamount to a very insufficient) supply of food, than, as at present they are obliged to do, in consequence of the difficulties opposed by Her Majesty's cruizers to their obtaining fresh supplies from the coast of Africa, with a view to breeding slaves upon their own estates, to purchase their original stock with a just regard to an equality of the sexes, which much conduces to morality, and to work them within the limits of the strength, and give them food sufficient to satisfy the wants which nature has assigned them. Therefore, supposing that the slaves employed in the cultivation of sugar average, which they do not, 100 to each estate, it is evident that among this class, upon the showing of the Brazilians themselves, England has effected an annual saving of human life of 20 per cent. at the least; for the inference is natural, that the man who set out with a full stock of 100 slaves, and to keep up this complement was obliged to purchase 30 annually, must by his cruelty have brought on the death of 20 yearly, allowing the remaining number, above his full stock, to have been on the sick list, or to have died according to the usual course of nature.

The extension of our commercial relations with Brazil is a reason assigned for a reduction of the duties now imposed upon her sugar, to the prohibition scale of which is very erroneously ascribed the decrease in her imports of, and the flatness of the demand in her market for, British manufactures, with which sugar can have little or nothing to do; for we find our exports to her (always greatly above the demand) have been much greater than at present at periods when her sugar crop was infinitely less. However, the amount of our exports to, is not a fair means of judging of the state of our trade with, her, because manufacturers will, rather than stop the working of their mills, carry on a forced and losing trade for a long time, in the hope of better things turning up. The proper criterion would appear to be, the amount of sales made, and the terms upon which they have been effected, by British merchants here; and, upon their admission, I find that neither the nature nor extent of business done by them have been in the slightest degree affected by the sugar crops being good or bad, or the prices obtained therefore high or low. Thus, taking this province for a

* As being the most effectual means of bringing the negro within the pale of the Christian Church.
—B. N.

sample, their sales were greater by one-fourth, and effected on better terms, in 1839, when the crop yielded 1,742 tons and sold for 24,684*l.*, than in 1841, when it yielded 2,498 tons, and sold for 31,838*l.*, which is obviously to be attributed, as I shall presently demonstrate, to the cotton crop of the former having exceeded that of the latter year by 1,093 bags, being, at the price of the day, 6,564*l.* The fact is, the production of sugar is considered so laborious, and the degradation attached to it, from its being looked upon as more peculiarly the province of the slave,* is so great, that no remuneration for labour could be offered which would be deemed by free people a sufficient inducement to undertake personally the cultivation of cane, which is, therefore, by the amount of capital required for the purchase of slaves adequate to the working of even a second-rate estate, confined to a few individuals, who do not spend one-tenth of the yearly proceeds in the purchase of British manufactures. I have been enabled to ascertain, by an inspection of the accounts current of several *Senhors d'Engenho*, for a series of years, that, on a general average, a planter who makes 100 cases of sugar annually, which, at present prices, fetches him in this market 10,000,000 reis, or, at the current exchange of 9,600 reis per pound sterling, 1,041*l.* 13*s.* 4*d.*, spends of that amount but 900,000 reis, or 93*l.* 15*s.* in the purchase of British goods, the remainder being laid out in building, and in buying slaves. Having thus shown that, as the markets of Brazil are always overstocked with British manufactures, the price of, and demand for which, are not in the slightest degree affected by the price of sugar or the amount of her sugar crops, (which, on an average of the five years terminated December 31, 1843, have increased seven per cent. above those of the five years terminated December 31, 1838,) the decline in our trade with her has not been caused by the exclusion of her sugar from the British market, it would, perhaps, be advisable, ere leaving this part of my subject, to state the cause to which in reality that decline is owing. The sugar of Brazil being in the hands of a few individuals, cotton, coffee, and hides (her other articles of export being a *bagatelle*), are all that the mass of the people, upon whom our trade usually depends, have to give in exchange for our manufactures. The coffee plantations in the northern provinces do not yield a sufficiency for internal consumption; Brazil wood, being a Royal monopoly, they were better without; and the number of hides exported is very trifling; but cotton may be regarded as their sterling currency, nine-tenths of which is employed in the purchase of British goods, and not, as the proceeds of the sugar crops, in the purchase of contraband slaves; which accounts for the circumstance that in this, and I know the same is the case in the other sugar growing provinces, the slaves employed on sugar estates average one-third creoles and two-thirds Africans, half of the latter being contraband, while in the cotton districts the creoles average four-fifths, and the Africans (almost all imported prior to 1831, when they sold at one-third of the price they now bring) one-fifth. Indeed the sugar estates, being all situated close to the coast, with a view to a water conveyance, as you advance into the country it is very rare to meet a newly-imported slave, which is easily accounted for by those mixing and communicating with the inhabitants, who, with simple habits and few wants, are able of themselves, or with the assistance of their domestic slaves, if they possess any, to supply their families with an abundance of plain wholesome food by rearing fowls, planting tobacco, and raising *mandioca*, Indian corn, and rice. The remainder of their time is devoted to the planting of cotton; and as they dispose of their little crop upon the spot, without any expense, to a middle man, who, possessing the requisite machinery, cleans and takes it to market, they are enabled to devote the entire proceeds to the purchasing a little finery for their wives and daughters, in the shape of cotton-prints. When, therefore, it is found, that in consequence of the plant being destroyed by an insect, which appeared for the first time within the last few years, this staple article has decreased nearly one-half, (the crops for the five years terminated December 31, 1842, averaging annually only 12,560 bags, while those for the five preceding years averaged 23,300,) can it be wondered at, that such a blight having come over the currency of the people, the pulse of trade should beat feebly in proportion? or, now that this new blight is passed off (16,363 bags were last year

* The prejudice, strange to say, is toward slavery, not toward those enslaved, and is felt even less by the white than by the free coloured population. For example, were I to ask my cook, who is an African, to do even things which I should not object to do myself, his reply would be, as it often has, *Eu sou lativo?* When, therefore, this condition ceases to be, the latter objection dies with it.—B.N.

exported from this port, and 21,000 bags have been already brought to market this year) is it unreasonable to expect that, provided we can keep the market open, our trade will become brisk as ever without any recourse being had to a remedy so foreign to, and so much worse than, the disease, as an extensive reduction of duties on Brazilian sugar, while the Imperial Government, and more particularly the House of Deputies,* are in a frame of mind so little favourable or honourable to humanity.

Lord Howard de Walden, Her Majesty's Minister at Lisbon,† calculated that the result of the crisis to which the Slave Trade had been brought by the signature of the Treaty with Great Britain, combined with the provisions of the commercial Treaty, would have a tendency to substitute general trade in African produce and manufactures to that of the exclusive monopoly of the supply of the Brazilian and Spanish markets in South America with negroes. The correctness of this surmise, notwithstanding that the negotiations which had then been pending for the formation of a commercial Treaty were subsequently broken off, succeeding events have partially proved, but, as was to be feared from the intimate connection existing between the slave trading Companies in Portugal and Brazil, a great portion of the capital driven out of the former was transferred to the latter country, where it is already invested, or waits a favourable opportunity for investment, by Brazilian Portuguese in the carrying on of the contraband Slave Trade. That the importation of slaves to the northern provinces of Brazil has been latterly so limited is not, therefore, to be attributed to a want of capital sufficient to carry on the trade upon a scale extended as ever, but to the vigilance of Her Majesty's cruizers having caused a rise in the value of negroes imported, proportioned to the risk of capture by them, which the importer undergoes, as a primary and as a secondary cause, to the profits of the sugar-planters,‡ whose estates, for want of labourers, are not at present half cultivated, not being sufficient to induce them to add largely to the number of their slaves by the purchase of Africans at the high prices§ which Slave Traders are obliged to demand, in order to compensate themselves for losses arising from vessels captured or liable to be so; consequently a reduction of duties so great as, by raising the price of sugar in this market, would increase the profits afforded by its production to an amount which would incite the planter to purchase slaves adequate to the working of his engenho to the full extent of his capabilities||, and the capitalists to become purchasers of estates and growers of cane, as being more eligible investments for their money than the purchasing or building of houses, (which pay about eight per cent. per annum,) or in the discounting of bills, (which, according to the credit of the parties, pays 12, 18, and even 24 per cent. per annum,) must by causing a demand for slave labour, such as would enable the importer to command his own price, give an impetus to the trade, which, it is to be feared, the utmost exertions of Her Majesty's Government would be insufficient to counteract.

Of this, one glance at the mode in which, such an impetus having been given, the slave trade Companies will conduct their operations, must satisfy us. A great number of vessels will be constructed upon the plan of those two which landed slaves to the southward of Pernambuco** the other day, and which, for I have not seen them, were described to me as being mere launches decked over, rigging similar to that of two-masted schooners, not more than 35 feet long, but of a breadth which would probably make them register 120 tons, capable of carrying, in the manner slaves are stowed away, 200 persons, peculiarly flat-bottomed, drawing very little water, and fitted for pulling as well as sailing. The number of slaves which such vessels will require to constitute a full cargo can always be had, even without notice: they can, therefore, run in, load, and be off again in 48 hours, so there is little chance of their being caught while taking off cargoes. With a sea like a mill-pond, and a wind which, from Africa to Brazil, they will have right aft 10 months in the year,†† any land-lubber can work these little craft

* The Ministry must have recourse to a dissolution of the Assembly, which has probably taken place ere this.—B.N.

† Class B. No. 142. Dated, August 10. Received, August 30.—B.N.

‡ Sugar now sells at 7,000 reis, or 14s. 7d. per cwt. and pays seven and a half per cent. per annum if the mill be worked by horse, eight and a-half by steam, and nine by water-power, on capital invested.—B.N.

§ In 1833 able-bodied negroes sold for 250,000 reis, at the then exchange of 6,650 reis per pound sterling—37l. 10s. Those sold in Pernambuco, the other day fetched 650,000 reis, at present exchange of 9,600 reis per pound sterling—67l. 14s. 2d.—B.N.

|| Engenho are not at present half worked, from the number of slaves being so limited, sometimes for want of capital, but frequently from other investments being considered preferable.—B.N.

** See returns of that Consulate, for quarter to end June 30, 1844.—B.N.

†† Eighteen slaves have been brought across in an open boat by three men.—B.N.

across ; and though they be loaded to the water's edge, no danger is likely to accrue. Her Majesty's vessels, generally cruising off the larger ports, they can easily avoid. Indeed the effectual blockade of such an extended line of coast by half a dozen vessels against some 50 of these little yachts is a moral impossibility, as, should they be chased, they have only to run into a depth of water which will not admit of their being followed ; and, should they be becalmed, their oars prevent their becoming a prey to boats. The chances of their being taken out to sea are 50 to 1 in their favour, as the cruize of Her Majesty's vessels is generally close off shore, as above stated ; and were it even otherwise, they lie so low in the water, and carry so little canvass, that they can see, and avoid without being seen, in return. Finally, from the great number of vessels which would be employed, from the extraordinary profits every successful adventure would leave, and from the great wealth of the slave trading Companies, a few captures could tend very little toward checking the traffic. Another objection to such an extensive reduction is, the deterioration it would effect, by causing their masters to become lavradores, in the condition of slaves held by the middle class of agriculturists, which may at present, in all but a moral point of view, be compared to that of farmers' assistants in England. Lavrador, literally meaning nothing more than husbandman, in its general acceptation here signifies a person who, possessing a few slaves, plants cane upon the ground of some Senhor d'Engenho, and afterwards brings it to his mill, on condition of its being there ground and converted into sugar, which is to be sold for mutual benefit, the proceeds being, according to the usual tenor of such contracts, equally divided.

Government are accused of inconsistency in that, while excluding sugar upon the ground of its being produced by slave labour, they admit cotton, coffee, and tobacco. With regard to Brazil, such a policy, dubious though it would certainly be, might be supported and defended by many arguments deduced from the relative inferiority in the condition of slaves employed in the production of the former to that of those engaged in the planting of the latter commodities ; but they are needless, because the accusation must fall to the ground before the oft-repeated declaration of Government that they never did exclude sugar as being the produce of slave labour. Those, therefore, who would have the sugar of Brazil admitted to the British market upon terms approximating to free trade, can only affect ignorance of the cause for a distinction being made between it and her other staple articles of commerce, in order that they may, upon a supposititious case, cavil at a Government with whose real motive for making and maintaining such distinction they would blush, for very shame sake, to find fault. The philanthropist has ever been enabled to benefit mankind more by the good which he caused others to do than by any which he himself could personally have done. Acting upon this great truth, Government, not satisfied with having given freedom to the slaves within, considered how they might be most likely to obtain the conferment of a similar boon upon those without, their power, and at length very judiciously selected their colonies as the point from whence the most vital blow could be struck at the chains which bound them ; and this, not as would be insinuated, by the paltry means of crippling the resources, but by the more rational and enlightened one of convincing the minds of other nations that slavery, upon economical as upon moral considerations, was indefensible. To effect this, it was necessary practically to prove, by an experiment made upon some one staple article of slave labour production, that the cost of free and paid is equal, or, if possible, less than that of slave labour ; sugar was, for many reasons, the adducing of which would be foreign to the case as it now stands, chosen as the article upon which that experiment might best be made ; and thus, happily, the coloured subjects of Great Britain, yet reeling beneath the intoxicating effects of the cup of liberty she had bestowed on them, are employed in furnishing the proof required ere the freedom of their still captive brethren can be fully achieved. It must be evident to every impartial person, that in this question Government are to be regarded as guardians of humanity, and not as protectors of colonies. In establishing the principle which they justly deem essential to the interests of their ward, they have to contend against fearful odds ; however, the crisis being already past, a successful result to their experiment is by no means to be despaired of, but on the contrary ; as the widowed mother, while folding to her breast, and sheltering from every blast, her infant boy, expects from his right arm protection for her after years, and as the skilful general, while guarding his newly raised levies from a collision with veteran troops, anticipates the

day when, having attained the necessary discipline, they will enable him to meet and engage his adversaries with success, so there is every reason to hope that the offspring of humanity, free negro labour, still in its infancy will, if duly nourished and protected in childhood, on arriving at years of discretion amply repay the cost of its nurture. The derangement of the entire social system which slavery inflicts upon Brazil is so universally felt, as long since to have obtained for it the name of "a necessary evil," or, according to the literal meaning of the Portuguese expression, "an evil which cannot be got rid of without self-annihilation." When the present flourishing condition of Great Britain is given as an instance of the futility of such fear, Brazilians say, and with truth, that there is no analogy between the two cases. It is therefore evident that they require, ere taking a single step towards the emancipation of their slaves, a practical refutation of the supposition that self-immolation must be attendant thereon; this refutation can only be afforded by the success of the experiment which the British Government are now making, with the view of reducing to practice the theory that the cost of production is not greater by free than by slave labour, and that the want of labour immediately consequent upon the emancipation of slaves is only temporary, as being an evil which gradually corrects itself, in proportion to the wearing away of the prejudices which those recently emancipated naturally feel to what they had so lately been compulsorily engaged in. It is therefore to be desired that the great object contended for may not be sacrificed to policy of an expediency somewhat doubtful; because, on the one hand (without reference to slavery or the Slave Trade) any benefit accruing to our trade with Brazil from an extensive reduction of duties on her sugar would be more than counterbalanced by the contraction of the East and West India markets, which would be consequent upon their sugar estates having been thrown out of cultivation; while, on the other hand, there is ample ground for supposing, from the rapidity with which the cultivation of cane is being extended in the East, and from the return of the negroes to habits of industry, as free labourers in the West Indies, that, with a sufficient colonial protection, we shall shortly have an abundant supply of cheap sugar, without having recourse to that of foreign production. It is, however, to be hoped that Government will not resort to arguments of expedience, but as upon the firm basis of principles of humanity they have grounded, so they will defend their policy. Let their nursing, free labour, be cherished yet a little, and I confidently expect, ere a quarter of a century goes by, she will have so recommended herself to slaveholders, that with their own hands they will knock off the shackles from their captives.

From the fertility of the soil, the economical mode of working estates, the abundance and low price of all the necessaries of life, the extremely temperate habits of the planters, and the simplicity of the apparatus used in the production of sugar in Brazil,* the cost will be found less than it was in the West Indies during the most palmy days of their slave labour prosperity. Therefore, what we seek to accomplish is, not to produce sugar by free, as cheaply as others do, but as cheaply as we ourselves have done by slave labour. When this end has been attained, but not till then, the duties on sugar become a question of colonial protection.

"*Est modus in rebus, sunt certi denique fines, quos ultra citraque nequit consistere rectum;*" and the object in dealing with the sugar duties should be, to keep within those limits, or, in other words, to endeavour to accomplish the maximum of good with the minimum of evil.

It is necessary to ascertain what are the real evils arising to our trade with Brazil out of the present scale of duties, and to consider how far they may be remedied, without prejudice to the ends of humanity for which those duties are being maintained. The great cause of complaint is, that they amount to a prohibition, which obliges British merchants either to make their returns in bills drawn on London by foreign sugar shipping houses, and negotiated here at a very low rate of exchange, in consequence of the great demand for them, or to send their sugar to foreign parts, where it is disposed of, and the proceeds remitted to London; and thus our merchant vessels, unable to compete with those of foreigners upon such disadvantageous terms, are deprived in great measure of the sugar carrying trade. It may also be objected that, being higher than a sufficient protection for free labour requires, they give a colouring of truth to the charge brought against

* It is most probable the cost of production will gradually increase in Brazil, while it must of necessity diminish in the West Indies.—B.N.

Government,* of making Slave Trade and slavery a cloak for the protection of the monopoly of the West India planters. Not only may all these evils be remedied by such a reduction of duties on Brazilian sugar as would merely admit it to the British market, enabling our merchants' vessels to compete successfully in this branch of the carrying trade with their foreign rivals,† and merchants to sell sugar at their own doors, effecting a saving thereby of the five per cent commission which they have now to pay on sales made by their correspondents in foreign ports, but by the rise in the exchange which must follow the large amount of British capital now in Brazil in the shape of outstanding debts will be increased in value about 20 per cent. As it may appear advisable to Government to make concession to the popular outcry for cheap sugar by a reduction of duties both on that of Brazil and colonial production, I give, for their information, an estimate of the price at which the former can now be sold in England, duty paid.

Costs, Expenses, &c.	Brazilian Currency.	English Currency.			Remarks.
	Reis.	£	s.	d.	
Market price per cwt.	7,000	0	14	7	I have been told, that grocers do not charge any profit on the retail of sugar, but as I cannot understand upon what principle they should not, I calculate five and a quarter per cent. for retailing.
Export duty, 12 per cent. <i>ad valorem</i>	840	0	1	9	
Five per cent. commission, and other expenses in loading	540	0	1	1½	
Freight and insurance	2,400	0	5	0	
Import duty	30,240	3	3	0	
Total	41,020	4	5	5½	
By retail, at five and a quarter per cent. profit per lb. }	..	0	0	9½	

I would remark, that the present prices of sugar, according to which this calculation is made, are above the average of the last five years, and that so Brazilians, looking more to colour than grain or strength, materially weaken their sugar by excessive claying, those with whom household economy is an object would probably give a preference to West India sugar at the same price.

It is evident that until there is some change in the tide of public opinion in Brazil, the Imperial Government dare not, however well disposed, enter into such stipulations as we would desire with respect to slavery and the Slave Trade, but we are not on this account to forego the advantages of a Treaty, should we be able to make one, of a purely commercial nature, upon terms such as would not tend to give an increased impetus thereto, and such a Treaty I have every reason to believe might be made, by an admission of her sugar upon payment of duties substantially equal to those imposed upon that of our colonies, that is to say, with a due regard to the relative cost of production, which is indeed all Brazil can well demand. I am not possessed of the means of forming an estimate of the cost of production in our colonies, but I should say, that with a differential duty of 24s. there can be no danger in subjecting them to a competition with Brazil; nor is it at all probable that slavery or the Slave Trade would be increased thereby, because the remuneration to the planter would not be sufficient to induce an extension of his business. For example, the cost of producing sugar here on a well managed estate possessing a water power is 6,370 reis, or 13s. 3¼d. per cwt. consequently at the present prices of 7,000 reis, or 14s. 7d., the planters' profits per cwt. are 630 reis, or 1s. 3¼d. which, according to the best information I can obtain, will be about nine per cent. interest on the capital employed. Supposing then that the effect of a reduction of 23s. on Brazilian, and 8s. on colonial would be a rise in this market of 210 reis, or 5¼d., the planter would still be receiving an interest of only 12 per cent. upon his capital; whereas money can be lent on mortgage of houses and lands, or the security of the most unexceptionable mercantile firms, at one and a half per cent. per month, or 18 per cent. per annum.

Anything which may appear an incoherence in this report, I must hope your Lordship will place to the account of the difficulties under which I labour, in

* The intended reduction of duties on foreign sugar produced by free labour will be a practical refutation of this charge, and will have the effect of moderating the tone of Brazilians.—B.N.

† Foreign vessels are preferred for coffee, from delivering their cargoes in better order. But this preference does not extend to sugar.—B.N.

that, while treating of our commercial relations with Brazil generally, courtesy to my brother officers obliges me, in adducing statistical facts in support of my arguments, to confine myself to those afforded by my own Consulate, a comparatively insignificant portion of the Empire.

I have, &c.

(Signed)

BEVERLEY NEWCOMEN.

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

&c.

&c.

&c.

No. 264.

Mr. Newcomen to the Earl of Aberdeen.

Paraíba, July 22, 1844.

(Received October 7.)

MY LORD,

It appears, by a table of the population of the province of Paraíba, contained in my Slave Trade Despatch of July 24, 1843, that, while within the five years terminated on the 31st of December, 1842, the adult Indian population had decreased about 10 per cent., the children had increased upwards of 40 per cent.

The information which enabled me to form an estimate of the Indian population bring derived principally from the Vigários, the Direitos dos Índios, and the baptismal registers, its correctness could not well be doubted; yet I felt the absolute necessity of accounting, both to myself and others, for the existence of facts so seemingly incompatible as those above alluded to; but the Brazilians being a people who interest themselves very little in seeking cause for effect, I was not able to come to any satisfactory conclusion on the subject, and was, therefore, obliged to close and send in my Despatch without making any comment thereon.

By constant and widely-extended enquiries, and minute personal observation, I am at length enabled to assign a cause for the disproportionate increase in the infant as compared with the decrease in the adult Indian population of this province within the last few years, and I hasten to put your Lordship in possession of it, not only as being explanatory of what, while unaccounted for, would appear to have been an error of mine, but, firstly, because it constitutes what seems to me a most interesting and important consideration, namely, that a few years' settled and comparatively industrious life can so much more than compensate in the increase of population for the decrease consequent upon a similar period of idleness and incivilization; and, secondly, because it bears materially upon the great question of slavery and the Slave Trade, as I hope presently to be able to show.

The indigenes have never thoroughly amalgamated with the settlers in Brazil; but, preferring a wandering to a settled life, have invariably retreated before the advance of civilization, and, like their brethren in North America, have dwindled away to such an extent, that in those provinces which are most thickly inhabited by the descendants of the colonists, scarcely a remnant remains. Till within the last few years little interest appears to have been taken in their movements, habits, or manner of living; but at length the poor people vulgarly called Matutas, who live by tending cattle, planting cotton, tobacco, and mandioca, and raising Indian corn and rice, finding it impossible, from the increase in the value of slaves, consequent upon the difficulties attendant on, and the risks undergone in their illicit importation, to provide themselves with assistance in the shape of African slave labour, were induced to turn their attention to the aborigines, of whose labour they might avail themselves should they succeed in alluring them to exchange their wandering and hunting life for one of settled and industrious habits. In this they have been tolerably successful, since two-thirds of the adult Indian population may now be said to be occupied as agricultural labourers; and among these, some of whom have intermarried with free negroes and mulattoes, a rapid increase is taking place, which is, however, confined to the infant, as being the effect of a cause too recent to have produced a corresponding increase among the adult, population, the decrease in whose numbers is accounted for by the fact, that one-third of them continue to lead a nomadic life. These

remarks are of course only applicable to a short space of time; as, supposing the increase in the infant Indian population to have commenced in 1836, in 1846 a corresponding increase among the adults must be the consequence; since, attaining puberty at 12 or 14 years of age, they cannot after 10 be well classed under the head of children.

The Brazilian Government last year appointed a mission of Capuchins, for the purpose of civilizing, and affording religious instruction to, the Indians. This province they have not yet visited; but, by the reports which they have made from the scenes of their labours to the Imperial Home Office, I find the result of my own observations comparatively confirmed, as they show, in some instances, an increase of $6\frac{1}{4}$ per cent. per annum amongst Indians leading a regular and settled life, and employed in the cultivation of land as free labourers; whereas, in those villages, or rather flying encampments, such as Nictheroy, Cabo Frio, Itaborahy, Reyeude, Mangaratiba, Valença, &c., which are inhabited by tribes who retain their idle and unsettled habits, a constant and almost incredible decrease is taking place.

A reduction of the duties on slave grown sugar, which would admit of any material advance in the bonded price, must go to encourage production; this would call for, and increase the value of, labour—slave labour, and thus give an impetus to the African Slave Trade; but the greater the necessity, the greater chance of some other source of labour being discovered, as in the case of the Indians alluded to; and so the only real remedy for slavery and the Slave Trade might be worked out. I believe this principle is sound, but must allow that the Brazilians, from their extreme natural and individual indolence, are the very people to whom it would least apply. However, it is sufficiently specious in theory to warrant my suggesting that, by increasing the demand for labour, provided the difficulties attendant upon the procurement of slave labour from Africa were increased in a proportionate degree, Her Majesty's Government would probably be striking the most vital blow at slavery, and would, at all events, indirectly meliorate the condition of slaves in proportion to the increase in their value.

I have, &c.

(Signed)

BEVERLEY NEWCOMEN, *Consul*.

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

&c.

&c.

&c.

BRAZIL. (*Consular*)—Pernambuco.

No. 265.

Mr. Cowper to the Earl of Aberdeen.

Pernambuco, January 1, 1844.

(Received March 16.)

MY LORD,

I HAVE the honour to transmit, in accordance with your Lordship's instructions conveyed to me in your Despatch of the 8th March last, my annual report upon the state of slavery and Slave Trade.

As respects the traffic in slaves, your Lordship will perceive, by my Enclosure No. 1, that seven vessels have sailed for the coast of Africa from this port, six have arrived thence, and 1,115 slaves have been landed in this province during the past year. This decrease in the trade has been in a great measure owing to the absence of our squadron from Rio de Janeiro, in the river Plate, which has thrown open the former and more profitable market to the speculations of the slave dealer. Indeed from the nature of the political institutions of Brazil, the wealth of the Empire accumulates at the capital, impoverishing the provinces to such a degree that it is impossible for any of them to compete with it. Whatever is sold at Rio de Janeiro, whether chains of gold or iron, the flesh of man or beast, its equivalent may be received in cash; whilst at Pernambuco, the most populous of its size, and the most industrious, in fact, of all the provinces, cash payments are impracticable; how much more so must they be in other less productive parts of the country? It is this which makes Rio de Janeiro the desired resort, the *el dorado* of the slave trader; he lands his slaves, receives his dollars, and returns to the African coast for more victims. Here he may land his slaves, but he cannot hope for payment for months, and sometimes even for years; and as I believe this to be applicable to every other northern province, it is not wonderful that the slavers should avail themselves of the absence of our squadron, and desert these coasts for a more profitable one. I imagine that your Lordship will find an increase in this illicit trade at Rio de Janeiro quite proportionate to the decrease which has occurred here, and, as I believe, in the other provinces remote from the capital.

As far as I am able to judge, this decrease is highly advantageous to legitimate commerce; for when Africans are landed, the Senhores d'Engenho, in place of paying their just debts (and the merchants are usually in advance to them) raise money from other sources upon portions of their crops, and purchase the newly imported slaves. This breach of the laws not unfrequently inflicts its own punishment. I have, on more than one occasion, heard proprietors lamenting that, in some instance, when they have been induced to purchase the new negroes, small-pox, ophthalmia, and other contagious diseases, have been introduced amongst their heretofore healthy labourers, which have carried off more than they had purchased.

I cannot report to your Lordship any new features connected with this traffic, further than that the vessels engaged in it are daily diminishing the space allowed on board their ships to these unhappy beings, thereby of course increasing the horrors attendant upon the voyage, and sacrificing more and more the lives of their wretched victims. For instance, it must appear incredible to those unaccustomed to these details, that 97 human beings could have been stowed away in a vessel (the "*Conceição*") of 21 tons, giving five individuals to each ton, or one-fifteenth part of the space allowed in the transport service of Great Britain to each soldier, and this for a period of 20 days, with the thermometer certainly not averaging less than 86° of Fahrenheit, without exercise even for the necessities of nature, without air, excepting such as could find its way betwixt the gratings of the hatchway, and that 91 of these poor creatures should have reached their prison-land in safety. I, who know this, and have seen the vessel, or rather boat, cannot by any stretch of imagination conceive how the powers of human endurance could have supported 20 days in this floating hell.

The "*Temerario*," another instance which I have before had the honour to lay before your Lordship, is a vessel of 381 tons. She embarked upwards of 900 slaves, or about two and a half to the ton, and, to the delight of her owners, landed 816, suffering, with scarcely one exception, from ophthalmia and small-pox; 300 died, it is said, the next day, certainly within a very few; upwards of a 100 never recovered their sight, and were given away to those who would receive; many, whose fate I could not follow died here and in the interior, infecting this populous city and the country through which they passed. The Medical Association of Pernambuco have publicly denounced these practices as the greatest sources of disease, and yet so blind are certain persons to their true interests that, although asserting their opposition to Slave Trade, they still believe that it increases the population, whereas all evidence tends to the direct contrary.

The negroes of the "*Maraquinhas*," of 45 tons, 203 in number (the same proportion to the ton as in the "*Conceição*") were actually lodged in the *sítio*, or country house, adjoining mine. This audacious proceeding caused me to wait upon the President, who informed me that he had heard of the report, and instructed the police to surround the property; but this order ended in nothing effectual; and I still occasionally encounter a trespasser upon my ground who does not understand a word of Portuguese.

The extent to which the breeding of negroes for the coasting Slave Trade is carried, may be judged of by the two following advertisements, which, with others of a similar tendency, daily appear in the "*Diário*."

"They purchase, positively for exportation from the province, slaves of both sexes, from 12 to 20 years of age; for those having good figures they pay well, in the *Rica de Cadeia de S. Antonio*, No. 20, at the house with one story and a wooden verandah."

"They purchase, positively for exportation from the province, mulatto and negro women and boys, from 12 to 20 years of age; for those who are handsome they will pay well; at No. 16, *Rua Nova*."

This trade is as inhuman, and in some respects still more so, than the African; for the same separation from country, parents, and friends exists, with the aggravation, perhaps, of more refined and sensitive feelings than are possessed by the more savage African.

The authorities have offered no opposition to a traffic which, setting aside its abstract principle of wrong, has been solemnly declared by the laws of the Empire to be not only illegal, but that those engaged in it should suffer the ignominy of public flogging. I am not blinded by my sense of duty as a public servant, nor by my extreme personal aversion to this abominable commerce, to any difficulties which may present themselves in the paths of such of the Emperor's servants who might, having the power, conscientiously wish to obstruct or annihilate the unholy occupations of these enemies of the human race; but I fearlessly assert, that any President of this province, alive to the criminality, and sensible of the guilt, of the Slave Trade might brave those difficulties, destroy the Slave Trade, permanently benefit his country, and relieve its coasts from that which the people term a foreign blockade, by the mere expression of his will; for the persons who immediately carry on the Slave Trade are few and rich. I believe it to be so far indifferent to them, that they would make no effort for its support; and if they did, their power is contemptible, utterly unsupported by public opinion; for I believe that the vast majority of the country (*Pernambuco*), all its wealth and intelligence, is opposed to Slave Trade.

I stated, in my last report upon this subject, the insuperable difficulties attendant upon a correct return of the population. I gave your Lordship my reasons for supposing it to amount to between 500,000 and 600,000, and I have now subdivided the higher sum into its most probable proportions; but I must once more point out that this is a mere matter of opinion, upon which too much reliance should not be placed.

The export of produce cultivated by slave labour amounted, during the past year, to 35,906 bags of cotton, 23,161 cases, 1,392 half-cases, 60,613 barrels, and 73,204 bags of sugar, 104,228 hides, 52,765 horns, 1,291 half-pipes, and 222 barrels of rum, of the value of reis 6,700,000, \$000, or 725,000*l.*; in addition to which must be considered the vast labour required for the production of *farinha*, *milho*, and other necessaries for home consumption; the value of these exports is greater than that for 1842, which was 688,546*l.*; for 1843, 725,000*l.*;

and so little free labour is employed in agricultural production, that I may fairly state this to be the total value produced by slaves; a deduction of five per cent. will, I apprehend, certainly be sufficient for any free labour which may have been so employed.

Some of the abominations practised upon the unfortunate slaves I have already recounted to your Lordship. I have stated that the condition of the urban slaves is superior to that of the prædial or rustic slave; I have declared the reason for this; I, therefore, now repeat generally, that they are treated worse than beasts, plunged into the profoundest depths of ignorance and degradation, their lives at the boasted disposal of their masters, overworked to such an incredible extent that I am anxious, and intend, if possible, to collect some vital statistics, which may demonstrate to what point strength and life itself may be driven before they emancipate themselves. It has lately come to my knowledge that many of these wretched creatures are worked 22 hours out of the 24, goaded to their tasks, loaded with irons, diseases engendered. How is life supported? Without sympathy, consideration, or common feeling, the very bonds of nature severed. What rest, what nourishment, what consolation is administered to sustain these onerous sufferings? I have taken the liberty of enclosing to your Lordship the actual quantity of food allowed daily to the slaves at one of the first engenhos of this province; your Lordship may thus judge if my declarations are exaggerated. This is a subject upon which volumes might be easily written; the limited boundaries of a Despatch are inadequate to the gravity of the subject, to the full development of its horrid details.

The remarks I have thus far offered apply to the sugar districts which I have personally visited; the same reports prevail of the cotton fazendas, but I cannot speak from actual observation.

I have once more visited some of the most important engenhos of the province, and hope, should an opportunity offer, to penetrate this spring into the Certao, where the cotton fazendas are situated. The reports which I hear of the somewhat extraordinary race which inhabits this district, and of the country itself, are by no means flattering. It is said, that after travelling 70 leagues due west, vast arid plains of sand and stone are encountered, no blade of vegetation or drop of water is to be met with, and that the people, semi-barbarous, are totally devoid of all principle, and are as inhospitable as the imagination can paint them. A native officer, of much distinction here, stated to me, that in travelling in the Certao, payment has been frequently demanded of him by persons of fortune for a cup of milk, which is so plentiful there that the slaves are fed with it; and that on one occasion, having with difficulty obtained permission to swing his hammock on the veranda of a house, the master of which was from home, he was awakened before daybreak by a noise in the adjoining room, which was occasioned by the return of his respectable host, who, throwing down his gun, swore, "he would never kill another man for two patacs (about 1s. 6d.) as he had waited for days in encountering his present victim."

Notwithstanding these unfavourable reports, I am most anxious to give Her Majesty's Government information upon slavery drawn from ocular rather than oral sources. I am the more desirous to do this as regards the Certao, as the difficulties which I should encounter in the sugar districts were represented as insuperable; assassination was said to be the certain result. But how incorrect these opinions were, your Lordship may judge from the result of my second visit.

In the district of Seringhaem I found, to my astonishment, triumphal floral arches erected along the road, and persons placed at short distances to shout "*Viva o Consul de Sa Majesté Britannica!*" &c. &c., and it being the working end of the year, I was requested to open the engenhos, or mills, for 1844, in form. At Jaciru, Agoa Fria, Trapixe, and Anjou processions were formed; and upon arriving at the different mills, their respective overseers requested my permission to work, which having of course acquiesced in, a huge cane covered with ribands was presented to me, with which I commenced the operations; when the ceremony was finished a silk flag was placed in my hands as a *memento operandi*, all the prisoners on the four estates were liberated, and the freedom of a little white slave girl (in whom I had evinced some interest, her father being an Englishman) was presented to me. The most grateful part of my journey was the delivery of the document into her parent's hand.

I mention these facts to your Lordship, (understanding perfectly well that these

CLASS B.

honours were paid to my office, not to me,) to prove that I do not over-estimate the friendly feeling towards England, which I have so often reported to animate the Senhors d' Engenho. And to assure your Lordship that these journeys are not viewed by the authorities with a jealous eye, I passed two days at the President's estate of Trapixe, who treated me, as he, indeed, always has, with the greatest consideration.

I have given the subject of slavery in Pernambuco, your Lordship may believe, my most serious attention. One of the greatest and sincerest of my hopes is, that I may, however humbly, be instrumental to the emancipation of its slaves; and I have come to the conclusion, that in a country so vast as Brazil, composed of a variety of provinces as extensive as the Kingdoms of Europe, with interests so diversified that upon few subjects can they be brought to agree, the policy of Great Britain should be to throw the weight of her influence into the scale of the Federalists, or if not, at least to prevail upon the Imperial Government to allow the different provinces the full privileges of federation on the question of slavery. If Rio de Janeiro objects to abolish it, Pernambuco does not. The fancied interests of the former may and does oppose her accession to the ranks of abolition; but the glaring obvious interests of the latter cry out for it. As to the assertion, that popular opinion is opposed to emancipation; it may apply to Rio de Janeiro, where the *vox populi* may be acquiring the roughness of manhood; but in Pernambuco, to talk of the *vox populi* in its general sense and acceptation, is to speak of the most puny infantile squeak that a Government was ever called upon to obey. This is said to be an Empire based upon Republican principles; but, my Lord, to see the abject utter subjection of the lower classes, free as well as slave, how utterly absurd is such a declaration. The Government of the province of Pernambuco is, in fact, an aristocracy, acknowledging the Emperor of Brazil as its chief. No feudal aristocracy of Europe was ever more powerful or influential in its sphere. And this aristocracy are the proprietors, or, as they are termed here, the Senhors d' Engenho. They exercise the power of life and death over their tenants; they make war one upon another; they assassinate the Emperor's Delegate when he offends them; and their voice is the *vox populi*, and their's alone. I have seen a great many of them, and I am of opinion—strongly of opinion, that they are prepared to emancipate their slaves, if Great Britain, as a *quid pro quo*, would receive their sugar. A federation would give them the power, or the legislature might, but the opposition at Rio de Janeiro is at present, I fear, invincible.

It is true that federalism may be pointed at as the great obstacle of emancipation in the United States. I should be prepared to show, were my limits greater, that the circumstances of Brazil are so different to those of the United States, that the argument would be inapplicable. Besides, it must be borne in mind, that the general Legislature of the latter has not yet abolished slavery where it has the power, namely, in the district of Columbia.

I trust, my Lord, that I have not overstepped the bounds of my duty in offering these remarks. They are respectfully tendered, in the hope of being of service, and with a strong conviction of their truth.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.

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

&c.

&c.

&c.

First Enclosure in No. 265.

LIST of ARRIVALS of Vessels suspected of being employed in Slave Trade from the Coasts of Africa, during the Year ending December 30, 1843.

Pernambuco, January 1, 1844.

Date of Arrival.	Name of Vessel.	Name of Master.	Consignee.	Rig.	Tonnage.	Crew.	Nation.	From what part of the Coast.	Remarks.
1843. January 6 . . .	Conceição	Jorge Joao de Souza	J. F. A. Lisboa	Hiate	21	9	Portuguese	Angola	Reported at this Custom House from St. Thomé, in ballast, but was actually from Angola; landed, in this vicinity, 91 slaves out of 97 she took on board. Sailed from hence in May, 1842, for the coast, and landed her returned cargo of slaves near Santos. Landed 816 slaves out of 913 she took on board. See Despatch, Slave Trade, No. 3, of the 8th May, 1843. Sailed from hence in April, 1842, for the coast, and landed her returned cargo of slaves in the vicinity of de Janeiro. Landed at Una 201 slaves; received on board 203 slaves.
March 12	Francelina	Jose de Santa Neves	Gabriel Antonio	Brig	218	14	Brazilian	St. Catharine	
May 21	Temerario	J. J. Simoes	Order	Bark	331	19	Ditto	Angola	
July 27	S Antonio Flor de Brazil	J. R. Dias	Azevedo Lisboa	Hiate	56	10	Ditto	Angola	
August 28	Deliberacao	A. F. da Silva	J. G. Cascao	Brigantine	216	15	Ditto	Riøde Janeiro	
December 19	Maniquinhas	M. F. Nascimento	Ramos E. Silva	Hiate	45	..	Ditto	Angola	

H. AUGUSTUS COWPER, Consul.

Second Enclosure in No. 265.

LIST of DEPARTURE of Vessels suspected of being employed in Slave Trade from Pernambuco for the Coast of Africa, during the year ending December 30, 1843.

Pernambuco, January 1, 1844.

Date of Clearance.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Crew.	Nation.	To what part of the Coast sailed.	Remarks.
1844. February 1	Conceigao .	Jorge J. de Souza	Azevedo Lisboa .	Hiate . . .	21	9	Portuguese .	Ilha de Principe, and St. Thomé	13 barrels sugar; and 24 barrels rum. Value of cargo 77 <i>l.</i> sterling.
" 13	Pernambucano .	F. Jose Correio .	J. F. Ribeiro .	Brig . . .	240	16	Brazilian .	Loanda . . .	85 barrels, 42 latas sugar; 159 pipes, 24 pipes, 18 barrels, and 100 demijohns rum. Value 1,180 <i>l.</i>
March 16	Leao . . .	.. ..	Azevedo Lisboa .	Ditto . . .	235	13	Ditto . . .	Ditto . . .	5 boxes, 80 barrels, 100 latas sugar; 220 pipes, 100 demijohns rum, &c. Value 1,581 <i>l.</i> sterling.
April 5	S. Antonio Flor de Brazil.	J. R. Dias . . .	Azevedo Lisboa .	Hiate . . .	56	10	Ditto . . .	Benguela	21 barrels sugar; 14 pipes, 18 pipes, 39 barrels rum. Value 306 <i>l.</i>
September 6	Furao . . .	.. ..	Azevedo Lisboa .	.. ..	54	8	Ditto . . .	Loanda . . .	7 bags sugar; 25 pipes rum, &c. Value of cargo 719 <i>l.</i> sterling.
October 4	San Manoel .	Manoel Simoes .	B. A. Miranda .	Brig . . .	237	15	Ditto . . .	Angola . . .	10 bags sugar; 224 pipes, 17 barrels, 135 demijohns rum. Value of cargo 1,642 <i>l.</i> sterling.
" 26	Paquete de Madeira	A. J. Rodrigues .	V. J. dos Santos .	Pataxo . . .	94	12	Portuguese .	Ditto . . .	73 pipes, 13 barrels rum; and 2,800 horns. Value 546 <i>l.</i>

H. AUGUSTUS COWPER, Consul.

First Enclosure in No. 266.

List of Arrivals of Vessels suspected of being employed in Slave Trade at Pernambuco and its vicinity, from the Coasts of Africa, during the Quarter ending March 31, 1844.

Date of Arrival.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	Whence.	Cargo.	Remarks.
1844. March 3 . . .	Anna Constanca .	M. F. Braga . . .	M. J. de Oliveira .	Brig . . .	163	Brazilian . .	Benguela in 22 days.	Ballast	The master reported, that he could not reach the coast to receive his cargo of slaves, which was ready for shipment, owing to the vigilance and strength of the British cruising squadron.
	Garrapes . . . .	..	..	..	..	Ditto	..	..	This vessel, 30 years old, was ran on shore at Porto dos Galinos, to the southward of this port, and ultimately destroyed; she is reported to have left the coast with 350 slaves, of which 160 died during the passage, from the leaky state of the vessel and other causes; 60, (all children,) were drowned or killed by a heavy lurch of the vessel when she first grounded; the remainder, 130 in number, were landed in a weakly state, and hurried into this city and environs, under very suspicious circumstances, it being rumoured that the vessel was destined for Rio de Janeiro, and wilfully deviated from her course by orders of the Master, (who is a near relative of the individual in this city who took charge of the slaves and probably acted in collusion,) seconded by the First Mate; the Second Mate, it is said, resisted, and was thrown overboard at sea.

H. AUGUSTUS COWPER, Consul.

Second Enclosure in No. 266.

List of Arrivals of Vessels suspected of being employed in Slave Trade at Pernambuco, from other ports, during the Quarter ending March 31, 1844.

Date of Arrival.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	Whence.	Cargo.	Remarks.
1843. November 2 .	Triumpho Americano	Alex. Jose Alves .	Jose Antonio Gomes, jun.	Brig	195	Brazilian . .	Ilha de Settegim.	Sundries and Passengers.	
1844. January 26 .	S. Joao Baptista .	Joao Gomes Procha	Gabriel Antonio . . .	Ditto	209	Ditto	Rio de Janeiro.	Ditto	Now loading

H. AUGUSTUS COWPER, Consul.

Third Enclosure in No. 266.

List of Departures of Vessels suspected of being employed in Slave Trade from Pernambuco to the Coasts of Africa, during the Quarter ending March 31, 1844.

Date of clearance.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	To what part of the coast sailed.	Cargo.	Remarks.
1844. January 15 .	Francelina	Candido F. de Sacerda	Gabriel Antonio .	Patacho .	218	Brazilian . .	Loanda, & Benguela.	Sugar, &c. .	45 barrels, 200 latas sugar; 168 pipes rum; sundries 38,180; total value, 8,508,936 reis
March 7 .	Albanez	M. de Silva Braga .	Jose Franc. Colares .	Brig	277	Ditto	Loanda	Ditto, &c. .	60 barrels, 93 latas sugar; 282 pipes, 2 quartolas, 50 garratoes, rum; 205 pound, sweetmeats; 6 barrels molasses; 50½ fanned hides; sundries, 737,200; total value 14,158,903 reis. Particulars of cargo not yet announced.
March 28 .	Triumpho Americano	Alexander Jose Alves	Jose A. Gomes, jun.	Ditto	195	Ditto	Angola	Ditto, &c.	

H. AUGUSTUS COWPER, Consul.

Fourth Enclosure in No. 266.

List of Departures of Vessels suspected of being employed in Slave Trade from Pernambuco to other ports during the Quarter ending March 31, 1844.

Date of clearance.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	Port cleared for.	Cargo.	Remarks.
1844. January 29 .	Ermelinda*	N. M. Passalacqua, jun.	Anglo F. Carneiro .	Bark	244	Brazilian . .	Lisbon	Sugar, &c. .	109 cases, 4 boxes, 399 barrels, 680 bags, sugar; 5 arrobas, coffee; sundries 16,640; total value 23,864,336 reis.
March 22 .	Anna Constanca . .	M. F. Bruga	M. J. de Oliveira .	Brig	163	Brazilian . .	Rio de Janeiro .	Sugar, &c.	

* N.B. This vessel, a notorious slaver, arrived here from Sierra Leone, May 28, 1843, and has been in this port since then.

H. AUGUSTUS COWPER, Consul.

No. 267.

Mr. Cowper to the Earl of Aberdeen.

Pernambuco, April 12, 1844.

(Received June 6.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, Slave Trade, enclosing the Act of Parliament entitled "An Act for the more effectual suppression of the Slave Trade."

The Despatch, although dated 31st December, 1843, only reached this Consulate yesterday, and I am now employed in giving it all the publicity possible.

If its provisions are not evaded by British subjects, I have no doubt of its salutary effects in this part of the world.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 268.

Mr. Goring to the Earl of Aberdeen.

Pernambuco, June 4, 1844.

(Received July 20.)

MY LORD,

I HAVE the honour of enclosing for your Lordship's information, extracts from two letters addressed by Mr. Vice-Consul Burnett, Maceio, to Mr. Consul Cowper, mentioning the total wreck of a Brazilian patacho, at a spot named Taboado, about nine leagues to the south of Maceio; and that her crew, with 300 slaves reported to be on board, had all perished.

Two melancholy instances of effects of sudden frenzy, excited by severity in the punishment of domestic slaves, have just occurred in this city; the one, a female slave belonging to a wealthy shopkeeper, whilst undergoing chastisement rushed upon her mistress, and with a knife she hastily seized inflicted many severe wounds upon her mistress's face, and might, in all probability, have given a mortal one, had not assistance been at hand; the slave then attempted suicide, but was prevented. The mistress is recovering from the effects of the attack. The slave has been tried by the jury, and sentenced to receive 500 lashes, afterwards to wear an iron collar round her neck for two months. The other is a male slave, the property of a shoemaker, who receiving severe punishment from the foreman, in the shop, instantly seized one of his tools, with which he killed the foreman on the spot. This occurring at about five o'clock in the afternoon, opposite the guard at the prison, the slave was instantly seized; he has also been tried by the jury, and yesterday was condemned to death. It is remarkable in these two cases, that the mistress of the female slave made every effort to have her slave brought to the gallows; and the shoemaker, knowing that his slave was an experienced workman, used all means to have the sentence of death commuted for corporal punishment. These instances of slaves recriminating upon their owners are rare in the city, and have caused much sensation; they are salutary lessons to holders of domestic slaves, and point out the necessity of greater leniency in the mode and extent of chastisement. Slave suicide is more frequent, particularly whilst smarting from the lash of the ox-hide, or solitary and severe confinement.

I have, &c.

(Signed)

J. GORING, *Vice-Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

First Enclosure in No. 268.

Mr. Burnett to Mr. Cowper.

SIR,

Maceio, May 29, 1844.

I HAVE the honour to acquaint you, that intelligence reached this yesterday evening of the total loss of a Brazilian patacho, with about 300 slaves on board, at a spot called Taboádo, about nine leagues to the southward of this port. It is supposed that the vessel struck on the reef in the course of the night, and that every soul on board perished. 'Tis said that the beach is strewn with the dead bodies of blacks, and the limb of a white person, together with fragments of the wreck. Up to the present time I have been unable to ascertain the name of the vessel, or any further particulars of this disastrous and melancholy catastrophe. The President has this day dispatched a body of 30 soldiers to the spot.

(Signed) JAMES BURNETT,
Her Britannic Majesty's Vice-Consul.

H. Augustus Cowper, Esq.
&c. &c.

Second Enclosure in No. 268.

Mr. Burnett to Mr. Cowper.

SIR,

Maceio, May 31, 1844.

WITH respect to the slaver nothing further is known for certainty: reports are afloat that the hull is on the beach full of slaves, and that they had risen on the crew, and were attempting to make the coast: one white body and a white limb have been washed on shore. It is supposed that the vessel belongs to Marinho Feixeria, of Bahia, and that she had 300 slaves on board.

(Signed) JAMES BURNETT.

NETHERLANDS.

No. 269.

Sir E. C. Disbrowe to the Earl of Aberdeen.

*The Hague, December 29, 1843.
(Received January 2, 1844.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 20th instant, and I beg to enclose copies of the notes which I have addressed to General De la Sarraz.

I have, &c.
(Signed) E. C. DISBROWE.

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

First Enclosure in No. 269.

Sir E. C. Disbrowe to Baron de la Sarraz.

The Hague, December 28, 1843.

THE Undersigned, &c. &c. in conformity with the instructions which he has received, begs to enclose to the Minister of Foreign Affairs of His Majesty the King of the Netherlands, copies and extracts of certain Despatches which have been addressed to the Earl of Aberdeen, one of Her Britannic Majesty's Principal Secretaries of State, by M. Schenley, the British Commissary Judge at Surinam.

In this correspondence complaints are made that the survivors of certain negroes introduced into the colony of Surinam in March 1822 by an Englishman named Charles Beverley, and located in the district of Neekerie, are still detained as slaves.

Their detention was made a subject of complaint by one of my predecessors; and it appears that Baron de Nagett, then fulfilling the post of Minister for Foreign Affairs of the King of the Netherlands, replied to those remonstrances so long as the 31st of December, 1823, and promised their complete liberty, employing them only as labourers until an opportunity occurred of sending them back to their country.

It also appears, from this very correspondence, that in November 1822 500 negroes were landed from a large American schooner, the "*Olive Branch*;" that in the month of September 1823 Captain Sir Thomas Cochrane, seized the brig "*La Légère*," under French colours, crowded with African slaves, 253 in number; that at the end of January 1825, as reported by the British Commissioners, 215 newly-imported Africans (some of whom, however, escaped) were seized by the local authorities. And it is further stated, that none of the individuals alluded to in these four statements have ever received their liberty. And the Undersigned has therefore been directed to request that searching enquiries may be made into the truth of these allegations, and if found to be correct, the British Government, placing the most perfect reliance in the justice of that of the Netherlands, does not doubt that those individuals, who have so long remained in slavery at Surinam, will be forthwith set at liberty. And the British Government suggests, as an easy means of providing for the future freedom and maintenance of these negroes, and of preventing any unpleasant feelings among the negroes of Surinam by their continued residence in that colony after being liberated, that they may be sent to the neighbouring colony of Demerara. And in case of the adoption of this suggestion, Her Britannic Majesty's Government is quite willing to bear the expense of their removal; and the Governor of that province will be directed to give every assistance which

the Governor of Surinam may require in furtherance of any arrangement that may be made for the humane purpose in question.

The Undersigned avails, &c.

(Signed)

E. C. DISBROWE.

His Excellency Lieut-Gen. Baron de la Sarraz,
&c. &c.

Second Enclosure in No 269.

Sir E. C. Disbrowe to Baron de la Sarraz.

MONSIEUR LE GENERAL,

The Hague, Decèmer 29, 1843.

ALTHOUGH the subject to which the enclosed papers relate has been finally closed, I take the liberty of transmitting to you copies of letters which have passed between the Governal-General of Surinam and the British Commissary Judge.

I avail, &c.

(Signed)

E. C. DISBROWE.

His Excellency Lieut.-Gen. Baron de la Sarraz,
&c. &c.

Third Enclosure in No. 269.

Sir E. C. Disbrowe to Baron de la Sarraz.

The Hague, December 29, 1843.

IN addition to the note which the Undersigned had the honour to address to Lieutenant-General Baron de la Sarraz on the 28th December, he now begs leave to forward the copy of a Despatch, dated July 22nd, addressed to the Earl of Aberdeen, by M. Schenley, and he further requests that the allegation respecting M. Isaac Leach may be examined into.

The Undersigned avails, &c.

(Signed)

E. C. DISBROWE.

His Excellency Lieut.-Gen. Baron de la Sarraz,
&c. &c.

No. 270.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, February 2, 1844.

(Received February 4.)

MY LORD,

I HAD yesterday the honour to receive your Lordship's Despatch, marked Slave Trade, of the 31st of December last, and I have prepared a note for his Excellency the Minister for Foreign Affairs, of which I shall not fail to transmit a copy by the next post.

I have, &c.

(Signed)

E. C. DISBROWE.

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

No. 271.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, February 5, 1844.

WITH respect to my Despatch of the 31st of December last, on the subject of the negroes of "*La Légère*," I herewith transmit to you, as a means of strengthening your representations to the Netherlands Government on this case, the accompanying copy of a letter which the Governor of Surinam addressed to Captain Sir Thomas Cochrane on the 9th of September, 1823.

You will perceive, that one of the objects for which the Governor requested

that the vessel might be sent up to Paramaribo was, that the unfortunate negroes might be restored to freedom.

Sir E. C. Disbrowe,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 271.

Governor de Veer to Captain Sir Thomas Cochrane.

SIR,

Paramaribo, Government House, September 9, 1823.

I HAVE had the honour of receiving your letter of the 8th instant, written from on board His Britannic Majesty's ship "Forte," off the river of Surinam, communicating to me, that a small brig, called "Légère," under French colours, crowded with 353 enslaved Africans, has been observed by you on our coast at anchor, close in with Port Orange, and brought off this port, that she may wait my commands.

The Captain Rich, of His Britannic Majesty's sloop "Ringdove," accompanied by a Lieutenant of your ship, has also handed to me the papers and the log-book of the said brig, and delivered the Captain and one of her crew, to whose statements, made in your presence, they have furthermore deposed before commissioned Members of the Honourable Court of Criminal Justice of this colony, to the judgment of which Court I have submitted the case of the aforesaid slave trading French vessel.

I therefore request you to send her up the river to this port of Paramaribo, in order that the unfortunate Africans may be restored to freedom, and the vessel and crew may stand their trial, and undergo the just punishment of their inhuman speculation.

I also herewith express my sincere thanks for the service you have been pleased to render me, by so amicably assisting me in defeating the undoubted attempt or intention to introduce these Africans as slaves into the colony under my command, and I anticipate the pleasure of tendering to you the deserved acknowledgment of my Government, for your humane and loyal conduct, the merits whereof I am confident will be duly appreciated by your own Government.

I beg to assure you of my reciprocal disposition to cultivate the subsisting friendly feelings between our respective nations, and will at all times feel the greatest satisfaction in being useful to you in the meritorious fulfilment of your high duties.

I have, &c.

(Signed) A. DE VEER,

Major-General, Governor of the colony of Surinam.

Captain Sir Thomas Cochrane,
&c. &c.

No. 272.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, February 6, 1844.

(Received February 9.)

MY LORD

I HAVE the honour to enclose the copy of a note which I have addressed to his Excellency General de la Sarraz, in obedience to the commands contained in your Lordship's Despatch, marked Slave Trade, of the 31st December last.

I have, &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 272.

Sir E. C. Disbrowe to Baron de la Sarraz.

The Hague, February 6, 1844.

The Undersigned &c. &c., has been instructed to call the attention of the Netherlands Government to the state of certain negroes in Surinam, who origi-

nally formed part of a cargo of slaves, belonging to a vessel called "*La Légère*," detained in 1823 by His Britannic Majesty's ship "*Forte*," commanded by Sir Thomas Cochrane, at that time 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, 1823, he detained the "*Légère*" off Surinam, with a cargo of slaves on board, having good reason to suppose that the vessel was engaged in an attempt to infringe the decrees of the King of the Netherlands, by smuggling negroes into Surinam.

Captain Cochrane delivered her up to the authorities of that colony, to be proceeded against for a breach of the laws. The negroes were landed; the trial was proceeded in; but as the evidence produced did not carry conviction to the minds of the Court, of the intention of illegally landing the negroes, the Court by its decree directed the negroes to be re-embarked, and the vessel was to be escorted to a French settlement by a Netherlands ship of war.

In execution of this sentence, the "*Légère*" got under weigh with a part only of the slaves on board, and in descending the river, the Captain took an opportunity to complete the intention with which Sir Thomas Cochrane had originally charged him, by smuggling 269 negroes on shore again.

These were seized; and the case having been again brought before the Court, the parties were punished by a decree of the 6th of December, 1824, and the negroes were declared to be free.

This proceeding gave great satisfaction to the British Government, and the thanks of His Britannic Majesty were immediately communicated by the British Minister residing at the Hague.

The Netherlands Government, in acknowledging the receipt of this communication added, that prior to the sentence, the negroes in question had been placed as free men under the direction of the Colonial Administration.

Mr. Schenley, the British Commissary Judge of the Mixed Court, having however very lately written to inform the Earl of Aberdeen, that the surviving negroes are not really free, but are still detained in a state of slavery, the Undersigned has been directed to communicate this information to the Netherlands Government, in the full confidence that the Netherlands Government, animated with the same desire of securing the liberty of these unfortunate negroes, will give orders to have these circumstances strictly examined into, with a view of granting them that liberty which was promised to the British Ambassador in 1825.

The British Government calls more particularly the attention of the Netherlands Government to the fact, since it appears that the sentence of the Court of Surinam was never fully executed; as, according to the information obtained from Mr. Schenley's exertions, it appears the sentence of deportation from the colony pronounced against some of the sailors in the "*Légère*," convicted of the illegal introduction of these negroes as slaves, has never been carried into effect, or at least, that two of them are at this moment superintendents of estates in that colony.

In submitting these details to the consideration of the Netherlands Government, the Undersigned avails, &c.

(Signed)

E. C. DISBROWE.

His Excellency Lieut.-Gen. Baron de la Sarraz,
&c. &c.

No. 273.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, February, 20, 1844.

(Received February 22.)

MY LORD,

I HAVE the honour herewith to enclose the copy of a note which I yesterday addressed to General de la Sarraz, upon the case of the "*Légère*," detained by Sir Thomas Cochrane, off Surinam, on the 9th September, 1823.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

No. 276.

The Earl of Aberdeen to Mr. Hudson.

SIR,

Foreign Office, April 18, 1844.

I HEREWITH transmit to you a copy of a Despatch from Mr. Schenley, British Arbitrator at Surinam, containing a statement that a negro named Caspar, in custody on a charge of being an incendiary, is a native of Africa, who was kidnapped and brought to Surinam long after the enactment of the law prohibiting the introduction of Africans as slaves into the territories of His Netherlands Majesty; and that he has been retained in slavery ever since.

You will communicate, by note, the statement contained in the enclosed Despatch to the Netherlands Government, and you will request that the case may be investigated, expressing, at the same time, a conviction on the part of Her Majesty's Government that if the facts prove to be as represented in these papers the negro in question will, in any case, be treated with that commiseration and leniency which are due to him on account of the hard fate to which he has hitherto been unjustly subjected, and that if found innocent of the charge which has been brought against him, he will at once be set at entire liberty.

J. Hudson, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 276.

Mr. Schenley to the Earl of Aberdeen, February 20, 1844.
(See Class A. No. 158.)

No. 277.

Mr. Hudson to the Earl of Aberdeen.

The Hague, May 7, 1844.
(Received May 9.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th ultimo, with its Enclosures, and in obedience to the instructions contained in it, I have addressed a note to the Netherlands Minister for Foreign Affairs (a copy of which is enclosed) acquainting him that the remainder of the negroes formerly belonging to the "Snow" had been safely removed from Surinam to Demerara.

I have, &c.
(Signed) JAMES HUDSON.

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

Enclosure in No. 277.

Mr. Hudson to Baron de la Sarraz.

MONSIEUR LE BARON,

The Hague, April 27, 1844.

I HAVE received Despatches from my Government, by which I am informed that Her Majesty's Arbitrator at Surinam has reported to Her Majesty's Government, that the remainder of the negroes who belonged to the condemned vessel the "Snow" had been removed from Surinam to Demerara, and that they had safely arrived in that latter colony on the 2nd of December in last year; and I am instructed to express to your Excellency the satisfaction of Her Majesty's Government at the gratifying termination of this case, and their sense of the humane and considerate conduct of General Elias with reference thereto.

I avail, &c.
(Signed) JAMES HUDSON.

His Excellency Lieut.-Gen. Baron de la Sarraz,
&c. &c.

No. 278.

*Mr. Hudson to the Earl of Aberdeen.**The Hague, May 7, 1844.
(Received May 9.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th ultimo, with its Enclosures; and in obedience to the instructions contained in it I have addressed a note to the Netherlands Minister for Foreign Affairs (a copy of which is enclosed), acquainting him that up to the 1st of March last no amelioration had been made in the condition of the negroes of the vessel "*La Légère*," and I have repeated the earnest hope of Her Majesty's Government that the unfortunate persons in question will not any longer be retained in slavery.

I have, &c.

(Signed)

JAMES HUDSON.

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

&c. &c. &c.

Enclosure in No. 278.

Mr. Hudson to Baron de la Sarraz.

MONSIEUR LE BARON,

The Hague, April 29, 1844.

WITH reference to the note of Sir Edward Disbrowe to your Excellency, of the 6th February last, respecting the state of certain negroes who originally formed part of a cargo of slaves belonging to a vessel called "*La Légère*," I have the honour to enclose a copy and extract of Despatches from Her Britannic Majesty's Arbitrator at Surinam to the Earl of Aberdeen, which I have been instructed by my Government to communicate to your Excellency.

It appears from these Despatches that no amelioration had been made in the condition of these negroes up to the 21st of last month, and I am ordered to repeat the earnest hope of Her Majesty's Government that the unfortunate persons in question will not any longer be retained in a state which in reality, though not in name, is one of slavery.

I avail, &c.

(Signed)

JAMES HUDSON.

His Excellency Lieut.-Gen. Baron de la Sarraz,

&c. &c.

No. 279.

*Mr. Hudson to the Earl of Aberdeen.**The Hague, May 7, 1844.
(Received May 9.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th ultimo, with its Enclosures, upon the subject of a negro named Caspar, who is unjustly retained in slavery in Surinam; and in obedience to the instructions contained in it, I have addressed a note to the Netherlands Minister for Foreign Affairs, a copy of which is herewith enclosed.

I have, &c.

(Signed)

JAMES HUDSON.

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

&c. &c. &c.

Enclosure in No. 279.

Mr. Hudson to Baron de la Sarraz.

MONSIEUR LE BARON,

The Hague, May 2, 1844.

I HAVE the honour, in obedience to the orders which I have received from my Government, to inform your Excellency, that Her Britannic Majesty's

CLASS B.

at Lourenço Marques, in Delagoa bay, by Cornelis Tennis Reus, the Master of the Dutch brig "*Brazilia*."

J. Hudson, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 281.

Mr. Stephen to Mr. Addington.

SIR,

Colonial Office, June 7, 1844.

I AM directed by Lord Stanley to transmit to you, for the information of the Earl of Aberdeen, the enclosed copy of a Despatch from the Governor of the Cape of Good Hope, relating to the arrival there of the Dutch schooner "*Brazilia*," with three slaves on board, together with copies of the proceedings which took place on the subject.

H. U. Addington, Esq.
&c. &c.

I am, &c.
(Signed) JAMES STEPHEN.

Sub-Enclosure 1 in Enclosure in No. 281.

Governor Napier to Lord Stanley.

MY LORD,

Government House, March 12, 1844.

I HAVE the honour to transmit herewith a copy of a letter from the Collector of Customs at Cape Town, reporting the grounds upon which he deemed it inexpedient to attempt a seizure of the Dutch schooner "*Brazilia*," under the acts for the suppression of the Slave Trade, and to acquaint your Lordship, that as the Attorney-General concurred in the views entertained by Mr. Field upon this subject, I authorized the vessel to depart, the Master having first landed the negroes, and paid them the wages stated to be due to them.

The emigrant farmers being now for the most part convinced that the "*Brazilia*" is quite unconnected with the Dutch Government, her movements cease to be a subject of any considerable political importance; I therefore trust that these proceedings will meet your Lordship's approval, and that the bad success which has attended her present voyage will deter her owners from again attempting to traffic with the inhabitants of Port Natal.

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

I have, &c.
(Signed) GEORGE NAPIER.

Sub-Enclosure 2 in Enclosure in No. 281.

The Collector of Customs to the Colonial Secretary.

SIR,

Custom House, Cape Town, March 1, 1844.

I HAVE the honour to report, for the information of his Excellency the Governor, that the Dutch schooner "*Brazilia*," of about 230 tons burthen, whereof Cornelis Tennis Reus is Master, put into this port on the 27th ultimo for men and refreshments; and having received information that there were some slaves on board, I went on board her on the morning of the 28th, about six o'clock, and found one negro man and two negro boys, who were unable to speak Dutch, or Portuguese, or any other language than their native dialects. They were in fact of the same uncivilized character as the numerous slaves who have been landed here from slave prizes.

I asked the Master for any explanations which he might think proper to offer in respect of these negroes, and he then made to me the statement, of which a copy is herewith enclosed, marked A. by which it will appear, that the sum of 532 Dutch guilders were paid for the three, that is, equal to 48*l.* 15*s.* 4*d.* sterling, taking the guilder at 1*s.* 10*d.* It will be observed, that this statement is taken down in Dutch, by my clerk, who accompanied me on board, and who

so took it down word for word from the mouth of the Master; and the Master having read the whole over himself, signed the same in my presence.

The Master also referred to three documents in the Portuguese language, which I beg to annex, marked B. C. and D. and which appear to be in the form of notarial acts, done at Lourenço Marques (or Delagoa bay), by the owners of these slaves, purporting to grant them their freedom, without any reference to the vessel, although it is evident that the slave owners knew that it was for the purpose of being shipped on board the "*Brazilia*" that the price of the slaves was paid to them. And it will be observed, that in these notarial forms of freedom, the fact of the purchase-money received by the masters for the slaves is wholly suppressed; but on the contrary, the consideration is stated, as well as I can collect from these documents (which I have not yet however been able to get translated), to be faithful service, or motives of affection.

The Master stated to me, that it was explained to these negroes, that they were free on coming on board. The Master also stated, that they were almost useless to him on board, and that they would eat more than they were worth; that they could be got to do little more than eat and sleep all day.

Being unable to communicate with the negroes themselves, I brought them on shore with me, and they are still in my charge. I have endeavoured to get native interpreters, but as yet have only got an imperfect translation of what they say. The three negroes are of different tribes, and are unable to speak to each other; as well as I can gather from them they state, that somebody had told them at Delagoa bay, that they were or would be free; the negro man observed, however, that if he were free, he would not be obliged to pull ropes (motioning with his hands), as he had been compelled to do on board ship. I then asked them whether they would like to remain here or go on board ship; they said they would rather remain here.

I would beg to observe, that these negroes had not the slightest idea where they were going to. They were never before on board a ship; and it would be quite impossible in their uncivilized state to convey to them any notion whatever of the place where the Master states he intends to convey them, namely, Holland. It appears, by the ship's papers and Master's report made before me yesterday, that the vessel cleared from Batavia on the 11th November last for Rotterdam, that she had then on board part of her original cargo laden at Rotterdam, consisting of sail cloths, linens, telescopes, and coffee; and also some elephants' teeth and dry hides laden on her outward voyage at Delogoa bay and Madagascar (for it would appear that she never went to the Mauritius, for which place she had originally cleared out from Rotterdam;) she also took on board at Batavia, rice, sugar, arrack, and other goods; that she put into Delogoa bay, where some part of these goods were landed, and a traffic was carried on by the supercargo named Smellekemp; that there were also laden at Delogoa bay, on her present voyage, a quantity of elephants' and sea-horse teeth; and that she sailed from thence on the 8th ultimo, and put in here, as before stated, on the 27th ultimo.

It also appears, by the muster-roll of the crew, that on the 21st January, 1843, this vessel was cleared out from Rotterdam with cargo for the Mauritius; that her crew then consisted of 10 men besides the Master.

The Master states, that of the original crew one was left behind at Batavia, one at Mozambique, and three have died, leaving five of these men at present on board; that at Delagoa bay he shipped one Portuguese man and the three negroes.

On the muster-roll is endorsed the shipment of the three negroes at Delagoa bay, and certain wages are stated thereon to be allowed to them. But upon my enquiring of these negroes whether they received any money, or knew anything about being allowed wages, they stated that they got no money, nor do they know anything about wages.

Having now stated these particulars of the above case as well as I can collect, it appears clear that the three negroes were purchased from their owners at Delagoa bay; the Master states that there was no other mode of obtaining hands there for the ship; and I shall proceed respectfully to submit my views of this transaction.

First, I humbly conceive, that the fact of purchase so made at a foreign port by a foreigner does not of itself render the vessel liable to seizure here.

Secondly, I think, although not without some doubts, that the vessel, not-

withstanding that she is foreign, would be liable to seizure and condemnation in the Vice-Admiralty Court here, if she have slaves on board whilst lying in British waters; and that she would, by reason thereof, fall under the provisions applicable to British vessels contained in the 5 Geo. IV., cap 113. But the question arises, are these three negroes slaves within the terms of that Act? No doubt the first part of the terms used in the Act, that is, the purchase of the negroes, could be proved; but the words of the Act seem to connect the purchase with a subsequent condition, namely, "as or in order to their being dealt with as slaves." Now this latter condition would be difficult, if not impossible, to prove. It is true, the Master cannot be said to have come voluntarily into this a British port; which, if it had been the case, would be a circumstance bearing a favourable aspect of his good intentions; but he has come in here in distress.

If he should be suffered to depart from this port with these three poor ignorant and helpless beings, he might, if inclined so to do, sell them as slaves to a ship on the way bound for Rio or Cuba, or might touch at some point for that purpose of his intention; however, I beg to be understood as having no knowledge or proof.

From the Master's own description of the inutility and worthlessness of the negroes on board, he ought to be glad to be relieved of them by leaving them here, if his intention be honest towards them, as it is evident that whatever little use they might have been in the climates of Delagoa bay and the Cape, they will be still more worthless as they get into cold latitudes, or into Holland.

Under all the circumstances of the case, I have not felt that there are sufficient grounds to seize the vessel under the Act for the suppression of the Slave Trade; but I would take leave strongly to recommend to his Excellency's sanction, that in order to guard against the possibility of these poor negroes being subjected to slavery, the Master should not be suffered to take them out of this colony, but they should be allowed to remain here, and be provided for.

I beg to add, that Her Majesty's Attorney-General has kindly permitted my conferring with him upon the matter of these negroes; and he will be able more clearly to explain to his Excellency the laws connected with the subject involved in this report.

I have, &c.

(Signed) W. FIELD, *Collector.*

The Secretary to the Government,
&c. &c.

Sub-Enclosure 3 in Enclosure in No. 281.

Deposition of Captain Reus.

I, CORNELIS Tennis Reus, Master, being examined by the Collector of the Customs, relative to three negroes, Bertaldo, Pedro, and Manussana, on board the said schooner, I wish to state first, with respect to Bertaldo, that I, for want of men, not having enough to weigh my anchor, was obliged to engage him as a sailor, as the two others, namely Pedro and Manussana.

Bertaldo and Manussana I bought from Alexander Jozed Schau, a merchant at Lourenço Marques, at Delagoa bay, for 365 Dutch guilders, from Antonio Theobald da Gama, Commandant of the Fort Lourenço Marques.

Mr. Smellekemp, the former supercargo of the vessel, paid the money for these negroes. My intention is to take them to Holland.

(Signed) C. T. REUS.

Sub-Enclosure 4 in Enclosure in No. 281.

(Translation.)

Deed of Manumission. B.

KNOW all men who may see this public instrument (deed) of manumission, that in the year of our Lord 1844, on the 2nd of February of said year, in this settlement of Lourenço Marques, (*Anglicè* Delagoa bay,) there appeared before me Pedro Rafael Arcanzo Pinto, Notary Public in this settlement, or presidency, on behalf of Her Most Faithful Majesty, whom God preserve, Alexandre Jose de Vehoa *in propria personâ*, and known to me a resident in this presidency, telling me that he had a slave of the name of Bertaldo, of

the Laudim nation, whom he desired to manumit, that he might enjoy his freedom, in reward of his good services and affable behaviour; and to effect this purpose the said Alexandre Jose de Vehoa gave this deed of manumission to the said Bertaldo, to have and to enjoy his freedom, and to possess all that belongs to him; and for the validity of the same Alexandre Jose de Vehoa ratified all the clauses, to obviate all doubts hereafter on the subject. In witness of the truth, of his having so said &c. &c.

Document C. is just the same kind of deed, whereby Theobaldo Antonio manumits Pedro of the Laudim nation.

Document D. is the deed of manumission (the same as the above) made by Alexandre Jose de Vehoa, in favour of Manussana, of the Laudim nation.

(Signed) CHARLES C. MICHELL,
Lieutenant-Colonel.

No. 282.

Mr. Hudson to the Earl of Aberdeen.

The Hague, June 29, 1844.

(Received June 30.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, marked Slave Trade, of the 19th and 25th instant.

I have, &c.

(Signed) JAMES HUDSON.

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

&c.

&c.

&c.

No. 283.

Mr. Hudson to the Earl of Aberdeen.

The Hague, July 12, 1844.

(Received July 15.)

MY LORD,

I HAVE the honour herewith to enclose the copy of a note which, in obedience to the instructions contained in your Lordship's Slave Trade Despatch, of the 19th ultimo, I have addressed to Baron de la Sarraz, upon the state of certain negroes who originally formed part of a cargo of slaves belonging to a vessel called "*La Légère*," and also with respect to other negroes who were carried into Surinam by the slave dealers Charles Beverley and Isaac Leach.

I have, &c.

(Signed) JAMES HUDSON.

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

&c.

&c.

&c.

Enclosure in No. 283.

Mr. Hudson to Baron de la Sarraz.

MONSIEUR LE BARON,

The Hague, July 6, 1844.

WITH reference to the note which Sir Edward Disbrowe addressed to your Excellency on the 6th of February last, upon the state of certain negroes who originally formed part of a cargo of slaves belonging to a vessel called "*La Légère*," and with reference also to a communication which I was instructed by my Government to make to you upon the same subject, on the 29th of last April, I have now the honour to acquaint you, that I have received from my Government copies of certain Despatches which have been addressed to the Earl of Aberdeen by Her Majesty's Arbitrator at Surinam, from which it appears that, up to the 1st of the month of May last, no amelioration had been made in the condition, either of the negroes who formerly belonged to "*La Légère*," or in that of the survivors of the negroes who were brought into Surinam by the slave dealer Charles Beverley, and that no precognition of the case of the negroes introduced into Surinam by the slave dealer Isaac Leach had been taken by the authorities of that colony.

I enclose to your Excellency extracts from the Despatches above-mentioned; and I am instructed by my Government to say, that they earnestly hope to receive, without further delay, a satisfactory reply to the several communications made to the Government of His Netherlands Majesty through Her Majesty's Mission at the Hague on this subject.

I avail, &c.

(Signed) JAMES HUDSON.

His Excellency Lieut.-Gen. Baron de la Sarraz,
&c. &c.

Sub-Enclosure 1 in Enclosure in No. 283.

Mr. Schenley to the Earl of Aberdeen, April 1, 1844.—Extract.
(See Class A. No. 170.)

Sub-Enclosure 2 in Enclosure in No. 283.

Mr. Schenley to the Earl of Aberdeen, May 1, 1844.—Extract.
(See Class A. No. 173.)

No. 284.

The Earl of Aberdeen to Mr. Hudson.

SIR,

Foreign Office, August 21, 1844.

I HEREWITH transmit to you a copy of a Despatch which I have received from Her Majesty's Arbitrator at Surinam, setting forth the claim which the negroes survivors of the cargo of the slave vessel "*Snow*" have to pecuniary compensation from the Government of Surinam, for the labour exacted from them during the 20 years that they were in the service of that Government.

I have referred this Despatch to Her Majesty's Advocate-General, who is of opinion that the negroes in question may have an equitable claim to pecuniary compensation for the labour they have been compelled to undergo whilst unduly held in a state of slavery; although he is not prepared to state, that under the Treaty between Great Britain and the Netherlands for the suppression of the Slave Trade Her Majesty's Government are entitled to demand as a right that such claim shall be entertained by the Government of the Netherlands.

I have to instruct you, however, to bring the case of these poor persons before the Government of His Netherlands Majesty, and to express the confidence of Her Majesty's Government, that it will meet with a kind and benevolent reception from that Government.

I am, &c.

(Signed) ABERDEEN.

J. Hudson, Esq.
&c. &c.

Enclosure in No. 284.

Mr. Schenley to the Earl of Aberdeen, April 15, 1844.
(See Class A. No. 172.)

No. 285.

(Extract.)

The Earl of Aberdeen to Mr. Hudson.

SIR,

Foreign Office, September 3, 1844.

HER Majesty's Commissioner at Surinam has represented, that among the body designated Government free labourers in Surinam, are to be found some of the relations of the negroes of the slave vessel the "*Snow*," who were removed in 1843 from Surinam to British Guiana: that these individuals were

seized by the authorities of the colony, under the provisions of the Treaty of 1818, as having been illegally introduced into Surinam; and especially that one of them, by name Tabella, is one of the negroes of the slave vessel "*La Légère*," whose restoration to entire freedom Sir E. Disbrowe was instructed, by my Despatch, Slave Trade, of the 31st December last, to request from the Government of the Netherlands; and Her Majesty's Commissioner has, on these grounds, urged Her Majesty's Government to claim the freedom of the negroes referred to.

Her Majesty's Government, however, do not feel that the circumstances under which the body of negroes serving under the Colonial Government of Surinam and designated Government free labourers, were taken possession of by the authorities of that colony justify them in claiming as a matter of strict right from the Government of the Netherlands the unconditional freedom of all the relations of the negroes of the "*Snow*" who are labourers in that body; but Her Majesty's Government feel justified in drawing the special attention of the Government of the Netherlands to the case of these unfortunate persons, and in expressing their confident hope, that orders will be issued to the Governor of Surinam to grant immediate freedom to such among the Government free labourers as may be proved to be husband, wife, or child of any one of the survivors of the cargo of the "*Snow*;" and Her Majesty's Government cannot forbear expressing an opinion that the undue coercion to which the negroes taken from that vessel were so long subject, and from which the humanity of the Netherlands Government has now relieved them, will render this act of kindness and humanity no more than just.

I have to desire that you will address a note in the sense of this Despatch to the Netherlands Government.

I am, &c.
(Signed) ABERDEEN.

J. Hudson, Esq.
&c. &c.

No. 286.

Mr. Hudson to the Earl of Aberdeen.

The Hague, August 31, 1844.
(Received September 5.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, of the 21st instant, enclosing a copy of Despatch from Her Majesty's Arbitrator at Surinam, setting forth the claim which the negro survivors of the cargo of the slave vessel "*Snow*" have to pecuniary compensation from the Government of Surinam, for the labour exacted from them during the 20 years that they were in the service of that Government,—and I beg to enclose herewith the copy of a note which I have addressed, in obedience to your Lordship's instructions in this matter, to the Netherlands Minister for Foreign Affairs.

I have, &c.
(Signed) JAMES HUDSON.

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

Enclosure in No. 286.

Mr. Hudson to Baron de la Sarraz.

MONSIEUR LE BARON,

The Hague, August 31, 1844.

I AM instructed by my Government to bring under the notice of your Excellency the case of certain negroes, survivors of the cargo of the slave vessel "*Snow*."

Your Excellency will have collected, from the communications which have been made by Her Britannic Majesty's Legation at this Court to the Department over which you preside upon the condition of these unfortunate negroes,

that they were held during 20 years in Surinam in a state which, although nominally free, was in reality closely allied to slavery, that on the 27th of June, last year, they received from the Government of Surinam their entire and perfect freedom, and quitted the colony of Surinam, and retired to that of Demerara towards the close of last year.

It appears, from the Despatches which have been addressed to Her Majesty's Government by Her Majesty's Arbitrator at Surinam, that the negroes in question have advanced a claim for some pecuniary compensation from the Government of Surinam for the labour exacted from them during the 20 years that they were detained in the service of that Government.

It would seem, therefore, that these negroes have an equitable claim to pecuniary compensation for the labour which they were compelled to undergo whilst unduly held in a state of slavery, and it is upon this ground that I am instructed by my Government to bring the case of these poor prisoners before the Government of His Netherlands Majesty, and to express the confidence of Her Majesty's Government that it will meet with a kind and benevolent reception.

I avail &c.

(Signed) JAMES HUDSON.

His Excellency Lieut.-Gen. Baron de la Sarraz,
&c. &c.

No. 287.

Mr. Hudson to the Earl of Aberdeen.

The Hague, September 10, 1844.

(Received September 12.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, of the 3rd instant, and to enclose the copy of a note which I have addressed to the Netherlands Minister for Foreign Affairs in the sense of that Despatch.

I have, &c.

(Signed) JAMES HUDSON.

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

Enclosure in No. 287.

Mr. Hudson to Baron de la Sarraz.

MONSIEUR LE BARON,

The Hague, September 9, 1844.

I HAVE received from my Government a Despatch, by which I am informed that the British Commissioner at Surinam has reported that certain sums of money have been transmitted to him by some of the surviving negroes of the slave vessel "*Snow*," who were removed in 1843 from Surinam to British Guiana, and which sums were intended to be applied towards the purchase of the freedom of their relations in Surinam.

Her Majesty's Commissioner at Surinam has also represented, that among the body designated Government free labourers in Surinam, are to be found some of the relatives of the negroes in question, that these individuals were seized by the authorities of the colony, under the provisions of the Treaty of 1818, as having been illegally introduced into Surinam, and especially that one of them, by name Tabella, is one of the negroes of the slave vessel "*La Légère*," whose restoration to entire freedom Sir Edward Disbrowe was instructed to request of the Government of His Netherlands Majesty, in a note addressed to your Excellency in the month of February last.

Her Majesty's Government do not, however, claim for the survivors of the negroes of the "*Snow*" the right of purchasing the freedom of their relations who are in slavery in Surinam; and Her Majesty's Government do not feel that the circumstances under which the body of negroes serving under the Colonial Government of Surinam, and designated free labourers, were taken pos-

session of by the authorities of that colony, justify them in claiming as a matter of strict right from the Government of the Netherlands the unconditional freedom of all the relations of the negroes of the "*Snow*" who are labourers in that body; but Her Majesty's Government feel justified in drawing the special attention of the Government of the Netherlands to the case of these unfortunate persons, and I am instructed to express their confident hope that orders will be issued to the Governor of Surinam to grant immediate freedom to such amongst the Government free labourers as may be proved to be husband, wife, or child of any one of the survivors of the cargo of the "*Snow*;" and I am further instructed to express the opinion of Her Majesty's Government, that the undue coercion to which the negroes taken from that vessel were so long subject, and from which the humanity of the Government of His Netherlands Majesty has now relieved them, will render this act of kindness and humanity no more than just.

I avail &c.

(Signed)

JAMES HUDSON.

His Excellency Lieut-Gen. Baron de la Sarraz,
&c. &c.

No. 288.

Mr. Hudson to the Earl of Aberdeen.

The Hague, September 24, 1844.

(Received September 26.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch Circular of the 6th ultimo, and of two copies of the instructions recently issued for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade.

I have, in obedience to your Lordship's instructions, communicated one copy of these instructions to the Government of the Netherlands.

I have, &c.

(Signed)

JAMES HUDSON.

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

SWEDEN.

No. 289.

Sir Thomas Cartwright to the Earl of Aberdeen.

Stockholm, January 30, 1844.

(Received February 14.)

MY LORD,

I HAVE had the honour to receive your Lordship's Despatch, Slave Trade, of the 28th ultimo, enclosing a Despatch from Sir Thomas Reade, relative to M. Gasparry being still employed by M. Tulin, the Swedish Consul-General at Tunis, notwithstanding the latter had been directed by his Government to dismiss him from the office of Swedish Vice-Consul at the Goletta.

I have communicated Sir Thomas Reade's Despatch to Baron d'Ihre, and his Excellency has assured me, that orders shall be again sent to M. Tulin to abstain from making use of M. Gasparry's services.

Baron d'Ihre showed me a Despatch from M. Tulin, dated the 10th of August, 1842, in which he acknowledged having received the orders which were sent to him to dismiss M. Gasparry, and announced that he had executed them, and had appointed M. André Bernard to be the Swedish Vice-Consul at the Goletta in M. Gasparry's stead.

Baron d'Ihre said, that he did not, therefore, understand why M. Tulin should have again employed M. Gasparry, and added, that the King having thought fit to determine that M. Gasparry should be dismissed from the office of Swedish Vice-Consul at the Goletta, it was His Majesty's desire that his resolution should be strictly acted up to, and that renewed orders to this effect should certainly be sent to M. Tulin.

I have, &c.

(Signed)

THOMAS CARTWRIGHT.

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

&c.

&c.

&c.

No. 290.

Sir Thomas Cartwright to the Earl of Aberdeen.

Stockholm, August 22, 1844.

(Received September 2.)

MY LORD,

I HAVE the honour to acknowledge the receipt yesterday, by messenger from Hamburg, of your Lordship's Circular Despatch, Slave Trade series, of the 6th instant, and I have lost no time in transmitting to the Swedish Government, one copy of the instructions recently issued for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade, as directed by your Lordship in the above Despatch.

I have, &c.

(Signed)

THOMAS CARTWRIGHT.

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

&c.

&c.

&c.

No. 291.

Sir Thomas Cartwright to the Earl of Aberdeen.

Stockholm, October 18, 1844.

(Received October 29.)

MY LORD,

I HAD the honour to inform your Lordship, in my Despatches of January 28th, 1842, and October 31st, 1843, that it was the intention of

the Swedish Government to propose in the next ensuing diet a measure for the emancipation of the slaves in the island of St. Bartholomew, upon the basis of pecuniary indemnity to the slave owners.

I have now the honour to transmit to your Lordship copy and translation of a proposition which, in pursuance of this intention, the Councillor of State, Munthe, laid before the different Houses of the Diet on the 13th instant.

The King, in this proposition, recommends the emancipation of the slaves to the consideration of the Diet, and intimates that the sum which ought to be granted to the slave owners for the slaves amounts to 97,320 Spanish dollars; but His Majesty states, that if the Diet should prefer to extend the term for carrying the emancipation into effect to five years, during which time a certain number of slaves might be bought up annually and liberated, the sum required for this object might be diminished to about 50,000 Spanish dollars,

I have, &c.

(Signed)

THOMAS CARTWRIGHT.

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

(Translation.)

Enclosure in No. 291.

Proposition laid before the Swedish Diet respecting the Abolition of Slavery in the Island of St. Bartholomew.

THE States of the Kingdom, in a communication during the last Diet, dated April 30, 1841, prayed His Majesty graciously to enquire how far slavery in the island of St. Bartholomew might be abolished, and requested that he would take all those steps for the accomplishment of this important object which could be arranged, or might be found suitable.

In consequence thereof, His Majesty has called for a report from the Governor of St. Bartholomew. This document shows the condition of the slaves in the island to have been materially improved. At the same time, His Majesty has found more than sufficient reasons for sharing in the wish of the Diet, that slavery shall come to a speedy termination. The number of slaves on the island, which in 1842 was 595, is now reduced to 531. For the emancipation of these His Majesty has found no other means, consonant with reason and justice, than their purchase from their owners. For this purpose, if their emancipation should take place at one and the same time, and immediately, a sum of 97,320 Spanish dollars, or about 250,000 dollars banco, would be required. One method for diminishing this expense, however, would be, for the slaves only to be bought in by degrees, for public account, and so emancipated, in proportion as opportunities presented themselves for purchasing or freeing the slaves at a lower rate. In this manner the cost might perhaps be reduced to about 50,000 Spanish dollars, and might be distributed over five years.

For the rest, His Majesty would direct the attention of the Diet to the circumstance that, in case the island of St. Bartholomew should, in pursuance of His Majesty's gracious proposition hereon, be disposed of to some foreign Power before the emancipation of the slaves were completed, the necessity for grants for this purpose would cease or be diminished, in proportion to the conditions which, on any such transfer, might be obtained by His Majesty.

SWEDEN AND NORWAY. (*Consular*)—*Stockholm.*

No. 292.

Captain Sir John Ross to the Earl of Aberdeen.

Stockholm, January 30, 1844.

(Received February 12.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular, Slave Trade, dated Foreign Office, December 31, 1843, enclosing two copies of the Act 6 & 7 Vict. cap. 98, referring to the Act of the 5 Geo. IV. cap. 113, relating to the abolition of the Slave Trade, and instructing me to cause a copy of the said Act of Vict. to be placed in some conspicuous part of my office, and also to take measures to make the purport known to the British subjects resident within my Consulate, &c.; and I am to acquaint your Lordship, that in compliance with your Lordship's directions I have already communicated the purport to the principal British subjects at Stockholm, and shall lose no time in transmitting it also to those at other places within my Consulate; and I shall not fail to obtain information, should any of Her Majesty's subjects be in any way concerned in the traffic of slaves, and transmit the same to your Lordship accordingly.

I am, &c.

(Signed) JOHN ROSS, *Captain R.N.*
Her Majesty's Consul.

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

&c. &c. &c.

No. 293.

Captain Sir John Ross to the Earl of Aberdeen.

Stockholm, May 6, 1844.

(Received May 21.)

MY LORD,

I AM to acquaint your Lordship, that I have learned from good authority the fact, that the brig "*Mary,*" of Stockholm, has lately been sold at Bahia, it is believed to be employed as a slaver, for which the said vessel is well calculated, being a very fast sailer. When she left Stockholm she was painted black, with a small female figure-head. She is coppered, 300 tons burthen, and is remarkable by having her bulwark round the bows very projecting.

I am, &c.

(Signed) JOHN ROSS, *Captain R.N.*
Her Majesty's Consul.

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

&c. &c. &c.

ARGENTINE CONFEDERATION.

No. 294.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, January 4, 1844.

I HAVE to desire that you will acquaint the Argentine Government, that the warrants supplied to Her Majesty's ships "Iris," "Cygnet," and "Kite," on the west coast of Africa station, authorizing them to act under the Treaty of May 24, 1839, between Great Britain and the Argentine Confederation, for the suppression of Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

J. H. Mandeville, Esq.
&c. &c.

I have, &c.
(Signed) ABERDEEN.

No. 295.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, October 18, 1843.
(Received January 7, 1844.)

MY LORD,

I HAVE informed the Argentine Government that warrants under the Treaty of the 24th May, 1839, between Great Britain and the Argentine Confederation for the abolition of the Slave Trade, have been issued to Her Majesty's sloop "Racer," of 16 guns, about to be employed on the Brazil station, and commanded by Commander Archibald Reed, and to Her Majesty's ship "Conway," of 26 guns, about to be employed on the Cape of Good Hope station, and commanded by Captain Robert Fair, in obedience to the directions contained in your Lordship's Slave Trade Despatches of the 27th July and the 2nd of August last.

I have, &c.
(Signed) J. H. MANDEVILLE.
The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

No. 296.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, January 9, 1844.

I HAVE to desire that you will acquaint the Argentine Government, that the warrant supplied to Her Majesty's ship "Bonetta," on the coast of Africa station, authorizing her to act under the Treaty of May 24, 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.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 297.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, January 17, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres that a warrant, under the Treaty of the 24th of May, 1839, between Great Britain and the Argentine Confederation for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Hyacinth," of 18 guns, commanded by Commander Francis Scott, and to be employed on the North America and West India station.

J. H. Mandeville, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 298.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, January 27, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres that a warrant, under the Treaty of the 24th of May, 1839, between Great Britain and the Argentine Confederation for the abolition of Slave Trade, has been issued to Her Majesty's steam-ship "Penelope," of 20 guns, commanded by Captain William Jones, and to be employed on the coast of Africa station.

J. H. Mandeville, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 299.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, January 31, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres that a warrant, under the Treaty of the 24th of May, 1839, between Great Britain and the Argentine Confederation for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Satellite," of 18 guns, commanded by Commander Robert H. B. Rowley, and to be employed on the Brazil station.

J. H. Mandeville, Esq.
 &c. &c.

I am &c.
 (Signed) ABERDEEN.

No. 300.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, February 1, 1844.

I HAVE to desire that you will acquaint the Government of Venezuela, that Her Majesty's ships named in the margin of this Despatch ("Gorgon," "Ardent," and "Growler," steam-vessels, from the Brazil station, "Ringdove," "Albatross," and "Wasp," sloops, from the North America and West India station), which were supplied with warrants, authorizing them to act under the Treaty of the 15th of March, 1839, between Great Britain and the Republic of Venezuela for the suppression of Slave Trade, have been ordered to proceed to the coast of Africa, to which station they are to be attached.

J. H. Mandeville, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 301.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, February 3, 1844.

I HAVE to desire that you will acquaint the Argentine Government that the warrant supplied to Her Majesty's ship "Curlew," on the Brazil station, authorizing her to act under the Treaty of May 24th, 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.

J. H. Mandeville, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 302.

Mr. Mandeville to the Earl of Aberdeen.

MY LORD,

Buenos Ayres, November 18, 1843.
 (Received February 15, 1844.)

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch, and in obedience to your Lordship's desires I have informed the Buenos Ayrean Government that a warrant, under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation, for the abolition of the Slave Trade, has been issued to Her Majesty's steam-vessel "Hermes," of three guns, to be employed on the North America and West India station, commanded by Lieutenant Washington Carr.

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

I have, &c.
 (Signed) J. H. MANDEVILLE.

No. 303.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, February 21, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres, that a warrant, under the Treaty of May 24th, 1839, between Great Britain and the Argentine Confederation, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Prometheus," of four guns, commanded by Lieutenant W. M. J. G. Pasco, and to be employed on the coast of Africa station.

J. H. Mandeville Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 304.

Mr. Mandeville to the Earl of Aberdeen.

MY LORD,

Buenos Ayres, December 27, 1843.
 (Received March 14, 1844.)

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch of the 8th September last, transmitting to me an additional list of Her Majesty's ships and vessels to which warrants have been issued under the Treaty of May 24th, 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 in obedience to

CLASS B

your Lordship's desires I have communicated a copy of that list to the Argentine Government.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 305.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, March 30, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres that a warrant, under the Treaty of 24th of May, 1839, between Great Britain and the Argentine Confederation, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Larne," of 18 guns, commanded by Commander J. W. D. Brisbane, and to be employed on the coast of Africa station.

I am, &c.

J. H. Mandeville, Esq.
&c. &c.

(Signed)

ABERDEEN.

No. 306.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, January 18, 1844.

(Received April 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatches of the 20th October, and of the 1st and 5th November, of last year, and to inform your Lordship that, in obedience to the instructions therein contained, I have acquainted the Government of the Argentine Confederation, that warrants, under the Treaty of 24th May, 1839, between Great Britain and this Republic, for the abolition of the Slave Trade, have been issued to Her Majesty's steam-vessel "Hydra," of two guns, to be employed on the coast of Africa station, Commander H. B. Young; to Her Majesty's sloop "Star," of six guns, to be employed on the west coast of Africa, 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, authorizing them to act for the suppression of the Slave Trade; and also that the warrants supplied under the same Treaty to Her Majesty's steam-vessel "Avon," and to Her Majesty's ship "Tweed," on the North America and West India station, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 307.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, April 20, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres, that the warrant supplied to Her Majesty's steam-vessel "Prometheus," authorizing her to act under the Treaty of 24th of 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. 308.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, April 26, 1844.

I HAVE to desire that you will acquaint the Argentine Government, that the warrant supplied to Her Majesty's brig "Pantaloon," on the coast of Africa station, authorizing her to act under the Treaty of 24th of 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.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 309.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, February 15, 1844.**(Received May 5.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, of November 17th, 1843, and I have acquainted the Argentine Government, that the warrant supplied to Her Majesty's ship "Volage," on the North America and West India station, authorizing her to act under the Treaty of the 24th May, 1839, between Great Britain and the Argentine Confederation, for the suppression of Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I have, &c.

(Signed) J. H. MANDEVILLE.

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

No. 310.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, June 15, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres, that a warrant, under the Treaty of the 24th May, 1839, between Great Britain and the Argentine Confederation, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Cygnet," of six guns, commanded by Commander Henry Layton, and to be employed on the coast of Africa station.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 311.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, June 17, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres, that a warrant, under the Treaty of May 24th, 1839, between Great Britain and the Argentine Confederation, for the abolition of Slave Trade, has been issued to Her Majesty's steam-vessel "Prometheus," of five guns, commanded by Commander John Hay, and to be employed on the coast of Africa station.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 312.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, March 20, 1844.**(Received June 20.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatches, dated the 19th and the latter the 29th of December of last year, and to inform your Lordship, that in obedience to the directions therein contained, I have acquainted the Government of this Republic that warrants, under the Treaty of May 1839, between Great Britain and the Argentine Confederation, for the abolition of the Slave Trade, have been issued to Her Majesty's sloops "Sealark" and "Helena."

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

&c.

&c.

&c.

No. 313.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, June 26, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres, that the warrants supplied to Her Majesty's sloop "Pearl," on the Brazil station, and to Her Majesty's ketch "Arrow," on the Cape of Good Hope station, authorizing them to act under the Treaty of May 24th, 1839, between Great Britain and the Argentine Confederation, for the suppression of Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am &c.

(Signed)

ABERDEEN.

J. H. Mandeville, Esq.

&c.

&c.

No. 314.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, July 4, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres that the warrant supplied to Her Majesty's ship "Daphne," authorizing her to act under the Treaty of May 24, 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.

(Signed)

ABERDEEN.

J. H. Mandeville, Esq.

&c.

&c.

No. 315.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, April 16, 1844.**(Received July 20.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatches, of the 4th and 9th of January respectively, and of the 3rd of February, and to inform your Lordship that, according to the directions therein contained, I have acquainted the Buenos Ayrean Government, that the warrants supplied to Her Majesty's ships "Iris," "Cygnet," "Kite," "Bonetta," and "Curlew," authorizing them to act under the Treaty of

May 24th, 1839, between Great Britain and the Argentine Confederation, for the abolition of the Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 316.

Mr. Mandeville to the Earl of Aberdeen

Buenos Ayres, April 16, 1844.

(Received July 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatches of the 17th, 27th, and 31st of January respectively, and to inform your Lordship that, in obedience to the instructions therein contained, I have acquainted the Buenos Ayrean Government that warrants, under the Treaty of May 24th, 1839, between Great Britain and the Argentine Confederation, for the suppression of the Slave Trade, have been issued to Her Majesty's ships "Hyacinth," "Penelope," and "Satellite."

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 317.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, April 16, 1844.

(Received July 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch, of the 1st of February; and to inform your Lordship that, in obedience to the directions therein contained, I have acquainted the Buenos Ayrean Government that Her Majesty's steam-ships "Gorgon," "Ardent," and "Growler," from the Brazil station, and Her Majesty's sloops "Ringdove," "Albatross," and "Wasp," from the North America and West India station, which were supplied with warrants authorizing them to act under the Treaty of 24th May, 1839, between Great Britain and the Argentine Confederation, for the abolition of the Slave Trade, have been ordered to proceed to the coast of Africa, to which station they are to be attached.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 318.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, May 14, 1844.

(Received August 2.)

MY LORD,

IN obedience to the directions conveyed to me in your Lordship's Slave Trade Despatch of the 21st February of this year, I have informed the Government of this Republic, that a warrant, under the Treaty of May 24th, 1839, between Great Britain and the Argentine Confederation, for the suppression of Slave Trade, has been issued to Her Majesty's steam-vessel "Prometheus," to be employed on the coast of Africa station.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 319.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, August 7, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres, that the warrant supplied to Her Majesty's ship "Madagascar," authorizing her to act under the Treaty of May 24, 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.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 320.

*Mr. Moreno to the Earl of Aberdeen.**23, Upper Wimpole Street, August 9, 1844.*

(Translation.)

(Received August 10.)

MR. MORENO has the honour to present his compliments to his Excellency the Earl of Aberdeen, and he thanks him for the transmission which he was pleased to make in his note of yesterday, of a printed copy of the instructions which has been sent for the guidance of the naval officers of Her Majesty employed in the suppression of the traffic in slaves.

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

&c. &c. &c.

No. 321.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, August 14, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres, that the warrant supplied to Her Majesty's brig "Spy," on the coast of Africa station, authorizing her to act under the Treaty of May 24, 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.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 322.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, June 20, 1844.**(Received September 30.)*

MY LORD,

IN obedience to the orders contained in your Lordship's Slave Trade Despatch of the 30th of March, of this year, I have informed the Government of this Republic, that a warrant has been issued to Her Majesty's s-oop "Larne," of 18 guns, to be employed on the coast of Africa station, for the abolition of the Slave Trade.

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

I have, &c.
(Signed) J. H. MANDEVILLE.

No. 323.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, July 20, 1844.**(Received October 18.)*

MY LORD,

IN obedience to the orders contained in your Lordship's Slave Trade Despatch, of the 20th of April, of this year, I have acquainted the Government of Buenos Ayres, that the warrant supplied to Her Majesty's steam-vessel "Prometheus," 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)

J. H. MANDEVILLE.

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

&c.

&c.

&c.

No. 324.

*Mr. Mandeville to the Earl of Aberdeen.**Buenos Ayres, July 20, 1844.**(Received October 18.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch of the 26th April, of this year, and to inform your Lordship that, in obedience to the directions contained therein, I have acquainted the Argentine Government that the warrant supplied to Her Majesty's brig "Pantaloon," 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)

J. H. MANDEVILLE.

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

&c.

&c.

&c.

No. 325.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, October 31, 1844.

I HAVE to desire that you will inform the Government of Buenos Ayres, that a warrant, under the Treaty of May 24th, 1839, between Great Britain and the Argentine Confederation for the abolition of Slave Trade, has been issued to Her Majesty's steam-vessel "Eclair," of four guns, commanded by Commander W. G. B. Estcourt, and to be employed on the west coast of Africa station.

I am, &c.

(Signed)

ABERDEEN,

J. H. Mandeville, Esq.

&c.

&c.

No. 326.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, November 11, 1844.

I HAVE to desire that you will acquaint the Argentine Government that the warrant supplied to Her Majesty's schooner "Fair Rosamond," on the North America and West India station, authorizing 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.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 327.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, September 15, 1844.
(Received November 25.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatches, of the 15th and 17th of June respectively, and to inform your Lordship, that in compliance with the directions therein contained I have acquainted the Government of this Republic, that warrants, under the Treaty of the 24th of May, 1839, between Great Britain and the Argentine Confederation, for the abolition of Slave Trade, have been issued to Her Majesty's sloop "Cygnet," of six guns, Commander Henry Layton, and to Her Majesty's steam-vessel "Prometheus," of five guns, Commander John Hay, and that they will be employed on the coast of Africa station.

I have, &c.
(Signed) J. H. MANDEVILLE.

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

No. 328.

Mr. Mandeville to the Earl of Aberdeen.

Buenos Ayres, September 15, 1844.
(Received November 25.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch of the 26th of June, and to inform your Lordship, that in fulfilment of the directions contained therein I have acquainted the Government of Buenos Ayres, that the warrants supplied to Her Majesty's sloop "Pearl," on the Brazil station, and to Her Majesty's ketch "Arrow," on the Cape of Good Hope station, authorizing them to act under the Treaty of the 24th of May, 1839, between Great Britain and this Republic, for the suppression of Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I have, &c.
(Signed) J. H. MANDEVILLE.

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

No. 329.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, November 29, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres, that the warrant supplied to Her Majesty's brig "Griffon," on the North America and West India station, authorizing her to act under the Treaty of the 24th of 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.
(Signed) ABERDEEN.

J. H. Mandeville, Esq.
&c. &c.

No. 330.

The Earl of Aberdeen to Mr. Mandeville.

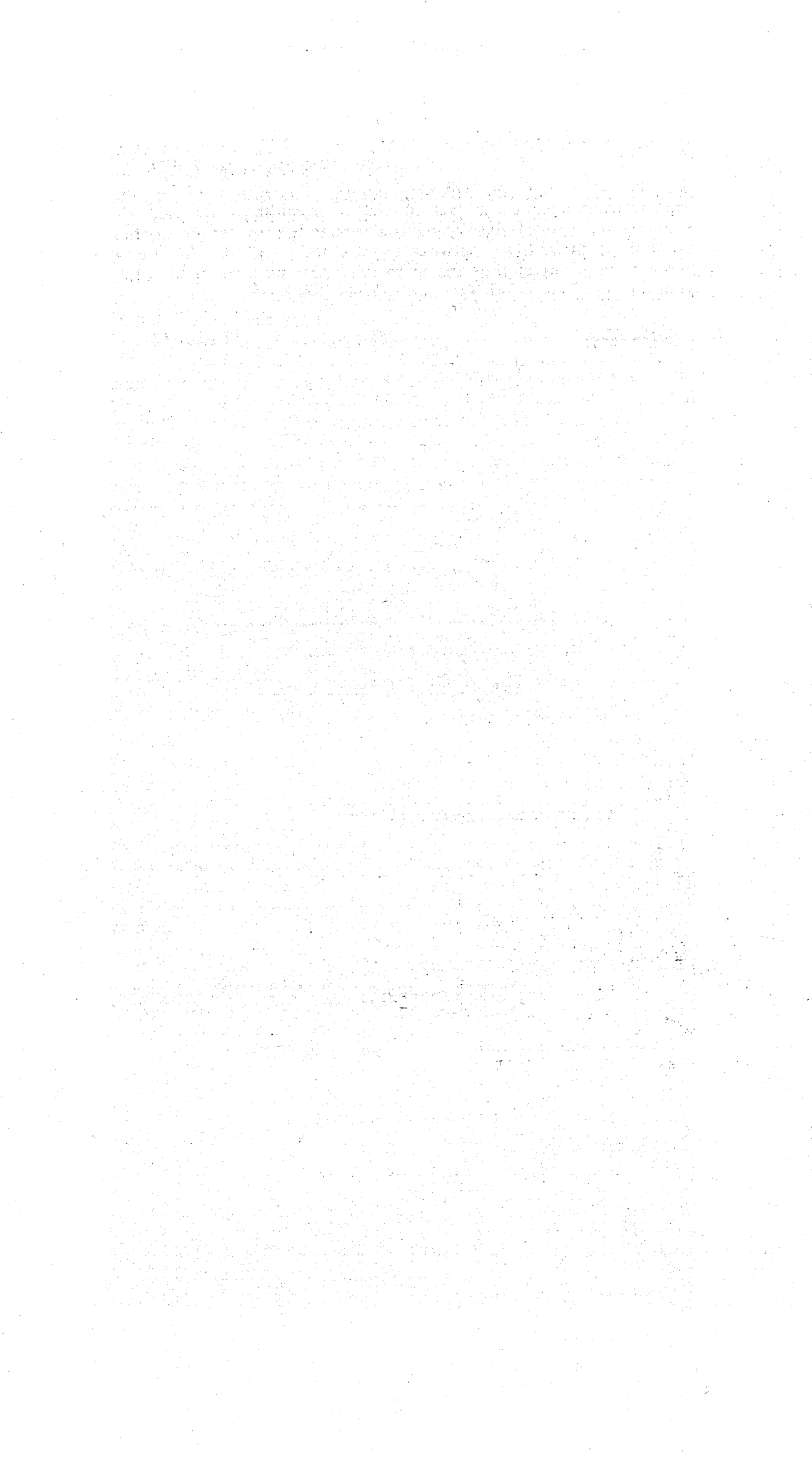
SIR,

Foreign Office, December 7, 1844.

I HAVE to desire that you will acquaint the Government of Buenos Ayres, that the warrant supplied to Her Majesty's brigantine "Hornet," on the North America and West India station, authorizing her to act under the Treaty of the 24th of 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.

J. H. Mandeville, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.



ARGENTINE CONFEDERATION. (*Consular*)
Buenos Ayres.

No. 331.

Mr. Griffiths to the Earl of Aberdeen.

Buenos Ayres, November 1, 1843.

(Received February 15, 1844.)

MY LORD,

IN compliance with the instructions contained in your Lordship's Despatch to me, dated Slave Trade, of May 30th last, I have made enquiries of various persons whom I considered capable of affording me some information on the subjects therein set forth.

No public census of the population of these provinces has been taken and published since the arrival of Consuls here in the year 1824, and it is asserted generally to me, that there are no means of obtaining any correct account of the number of the population of whites, coloured people, or blacks, now resident in this State

Future slave traffic was abolished at Buenos Ayres in the year 1813, and the measures which have since been pursued have tended to do away with slavery almost entirely.

It is reported to me, that the number of the inhabitants of this State is not supposed to exceed 200,000 persons of all classes. Of these it is said about a fourteenth part are of black or mixed blood, and I am assured that the number of blacks now remaining as slaves here does not amount to more than 300 persons.

The black population has decreased very considerably within the last 20 years, as they have been employed chiefly as soldiers in the army and navy, and thus many have perished in the long continued warfare of these countries.

There is scarcely any distinction on account of colour in this city; and the coloured men and blacks are admitted to serve in the various public offices on equal terms with others.

I have the honour to enclose herewith a set of replies to the questions which have been transmitted to me by your Lordship, and hope that they will be deemed satisfactory.

I have, &c.

(Signed)

CHARLES GRIFFITHS,
Her Majesty's Consul.

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

&c.

&c.

&c.

Enclosure in No. 331.

Replies to Queries respecting Population and Slavery at Buenos Ayres.

Buenos Ayres, November 1, 1843.

1. THE total amount of the population of this State is not known officially, as no public census has been taken or published relative to the number of whites, coloured persons, or blacks. It is however asserted, that 200,000 would be about the amount of the whole population. The females are in much greater proportion than the males, and the coloured and blacks are said to amount to one-fourteenth of the general population of the country.

2. No slaves have been imported from Africa, for there is a Decree of the year 1813, that they cannot be sold here.

3. The slave is protected by law, equally with a free man by the Advocate-General of the poor and minors.

4. There is a Court of Justice, called the Jurgado de Memores, Pobres, y Esclavos (Court of Minors, and Poor, and Slaves), to which a slave can apply for protection against ill-conduct of his master.

5. The evidence of a slave is received in a court of law, by means of the Advocate-General.

6. The slave is well fed and treated equally with whites, according to the length of his services and behaviour.

7. The slave is considered generally to enjoy fair health, and to live as long as free labouring persons.

8. The black population has decreased of late years, owing to their employment as soldiers, and very few now remain slaves.

9. The manumission of slaves has been common, and scarcely any now continue in servitude.

10. Future slavery in this State was abolished by a Decree issued in the year 1813.

12. There is no difference in the eye of the law between a free white and a free coloured man.

13. Free coloured men and free blacks are admitted to office, and are officers in the army and navy.

14. The information I have received has been afforded to me by individuals who have been employed in the public service of this country, and by others well acquainted with the laws and regulations of Buenos Ayres. The number of the inhabitants is supposed to have diminished during the last 20 years, in consequence of the frequent wars which have taken place in these provinces.

(Signed)

CHARLES GRIFFITHS,
Her Majesty's Consul.

No. 332.

Mr. Griffiths to the Earl of Aberdeen.

Buenos Ayres, April 4, 1844.

(Received July 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, and dated Foreign Office, December 31, 1843, enclosing two copies of an Act of Parliament for the more effectual suppression of the Slave Trade.

I shall not fail to fulfil the instructions contained in your Lordship's Despatch, and make the purport of the Act known to the British residents within this Consulate.

I have, &c.

(Signed)

CHARLES GRIFFITHS,
Her Majesty's Consul.

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

&c.

&c.

&c.

BOLIVIA.

No 333.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, January 17, 1844.

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 "Hyacinth," of 18 guns, commanded by Commander Francis Scott, and to be employed on the North America and West India station.

I am, &c.

C. Masterton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 334.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, January 27, 1844.

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 steam-ship "Penelope," of 20 guns, commanded by Captain William Jones, and to be employed on the coast of Africa station.

I am, &c.

C. Masterton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 335.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, January 31, 1844.

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 "Satellite," of 18 guns, commanded by Commander Robert H. B. Rowley, and to be employed on the Brazil station.

I am, &c.

C. Masterton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 336.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, January 31, 1844.

I HAVE to desire that you will acquaint the Bolivian Government, that the warrant supplied to Her Majesty's ship "Volage," on the North America and West India station, authorizing her to act under the Treaty of September 25, 1840, between Great Britain and the Republic of Bolivia, for

the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 337.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, February 1, 1844.

I HAVE to desire that you will acquaint the Government of Bolivia, that Her Majesty's ships named in the margin of this Despatch, ("Gorgon," "Ardent," and "Growler," steam-vessels from the Brazil station; "Ring-dove," "Albatross," and "Wasp," sloops from the North America and West India station,) which were supplied with warrants, authorizing them to act under the Treaty of September 25th, 1840, between Great Britain and the Republic of Bolivia, for the suppression of Slave Trade, have been ordered to proceed to the coast of Africa, to which station they are to be attached.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 338.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, February 21, 1844.

I HAVE to desire that you will inform the Government of Bolivia, that a warrant, under the Treaty of September 25th, 1840, between Great Britain and the Republic of Bolivia, for the abolition of Slave Trade, has been issued to Her Majesty's steam-vessel "Prometheus," of four guns, commanded by Lieutenant W. M. J. G. Pasco, and to be employed on the coast of Africa station.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 339.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, March 30, 1844.

I HAVE to desire that you will inform the Government of Bolivia, that a warrant, under the Treaty of September 25th, 1840, between Great Britain and the Republic of Bolivia, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Larne," of 18 guns, commanded by Commander J. W. D. Brisbane, and to be employed on the coast of Africa station.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 340.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, April 20, 1844.

I HAVE to desire that you will acquaint the Bolivian Government, that the warrant supplied to Her Majesty's steam-vessel "Prometheus," authorizing her to act under the Treaty of the 25th of September, 1840, between Great

Britain and Bolivia, for the suppression of Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 341.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, June 15, 1844.

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 "Cygnet," of six guns, commanded by Commander Henry Layton, and to be employed on the coast of Africa station.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 342.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, June 17, 1844.

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 steam-vessel "Prometheus," of five guns, commanded by Commander John Hay, and to be employed on the coast of Africa station.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 343.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, June 26, 1844.

I HAVE to desire that you will acquaint the Bolivian Government, that the warrant supplied to Her Majesty's ketch "Arrow," on the Cape of Good Hope station, authorizing her to act under the Treaty of September 25, 1840, between Great Britain and Bolivia, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 344.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, July 4, 1844.

I HAVE to desire that you will acquaint the Bolivian Government, that the warrant supplied to Her Majesty's sloop "Daphne," on the Brazil station, authorizing her to act under the Treaty of September 25, 1840, between

Great Britain and Bolivia, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 345.

Mr. Masterton to Mr. Bidwell.

Chuquisaca, March 17, 1844.
(Received July 27.)

SIR,

I HAVE the honour to acknowledge the receipt, yesterday, of the Earl of Aberdeen's Slave Trade, dated 30th May, 1843, directing me to reply to 14 queries relative to slaves in Bolivia.

As it will require considerable time to obtain accurate information on the queries proposed, I merely, for the present, acknowledge the receipt of the order, promising to act upon it as speedily as possible.

I have, &c.
(Signed) CHARLES MASTERTON,
British Vice-Consul in Bolivia.

J. Bidwell, Esq.
&c. &c.

No. 346.

Mr. Masterton to Mr. Bidwell.

Chuquisaca, March 17, 1844.
(Received July 27.)

SIR,

I HAVE the honour to acknowledge the receipt, yesterday, of the Earl of Aberdeen's Slave Trade, of 29th of September, 1843, enclosing a list of Her Majesty's vessels to which warrants have been issued, in pursuance of the Slave Trade abolition Treaty concluded between Great Britain and Bolivia in 1840, and directing me to send a copy of the said list to the Bolivian Government, an order which shall be complied with immediately.

I have, &c.
(Signed) CHARLES MASTERTON,
British Vice-Consul in Bolivia.

J. Bidwell Esq.
&c. &c.

No. 347.

Mr. Masterton to Mr. Bidwell.

Chuquisaca, March 17, 1844.
(Received July 27.)

SIR,

I HAVE the honour to report to you, for the information of Her Majesty's Principal Secretary of State for Foreign Affairs, that I have complied with the instruction conveyed to me in the Earl of Aberdeen's Slave Trade, of the 29th of September, 1843, by sending to the Bolivian Government, under this date, a copy of the list of Her Majesty's vessels to which warrants have been issued in pursuance of the Treaty for the abolition of the Slave Trade, concluded between Great Britain and Bolivia in 1840.

I have also (though not instructed to do so) forwarded to the Bolivian Government a copy of the Act of Parliament, of 11th of April, 1843, for carrying into effect the said Treaty.

I have, &c.
(Signed) CHARLES MASTERTON,
British Vice-Consul in Bolivia.

J. Bidwell, Esq.
&c. &c.

No. 348.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, August 14, 1844.

I HAVE to desire that you will acquaint the Bolivian Government, that the warrant supplied to Her Majesty's brig "Spy," on the coast of Africa station, authorizing her to act under the Treaty of 25th September, 1840, between Great Britain and Bolivia, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 349.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, October 31, 1844.

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 steam-vessel "Eclair," of four guns, commanded by Commander W. G. B. Estcourt, and to be employed on the west coast of Africa station.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 350.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, November 11, 1844.

I HAVE to desire that you will acquaint the Bolivian Government, that the warrant supplied to Her Majesty's schooner "Fair Rosamond," on the North America and West India station, authorizing her to act under the Treaty of the 25th of September, 1840, between Great Britain and Bolivia, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 351.

The Earl of Aberdeen to Mr. Masterton.

SIR,

Foreign Office, November 29, 1844.

I HAVE to desire that you will acquaint the Government of Bolivia, that the warrant supplied to Her Majesty's brig "Griffon," on the North America and West India station, authorizing her to act under the Treaty of September 25, 1840, between Great Britain and the Republic of Bolivia, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

C. Masterton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

CLASS B.

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CHILE.

No 352.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, January 4, 1844.

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 Slave Trade, has been issued to Her Majesty's ship "Illustrious," of 72 guns, commanded by Captain John E. Erskine, and to be employed on the North America and West India station.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 353.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, January 17, 1844.

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 Slave Trade, has been issued to Her Majesty's sloop "Hyacinth," of 18 guns, commanded by Commander Francis Scott, and to be employed on the North America and West India station.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 354.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, January 27, 1844.

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 Slave Trade, has been issued to Her Majesty's steam-ship "Penelope," of 20 guns, commanded by Captain William Jones, and to be employed on the coast of Africa station.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 355.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, January 31, 1844.

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 Slave Trade, has been issued to Her Majesty's sloop "Satellite," of 18 guns, commanded by Commander Robert H. B. Rowley, and to be employed on the Brazil station.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 356.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, February 1, 1844.

I HAVE to desire that you will acquaint the Government of Chile, that Her Majesty's ships named in the margin of this Despatch, ("Gorgon," "Ardent," and "Growler," steam-vessels from the Brazil station; "Ringdove," "Albatross," and "Wasp," sloops from the North America and West India station,) which were supplied with warrants authorizing them to act under the Treaty of January 19, 1839, between Great Britain and the Republic of Chile, for the suppression of Slave Trade, have been ordered to proceed to the coast of Africa, to which station they are to be attached.

The Hon. Colonel Walpole,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 357.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, February 21, 1844.

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 Slave Trade, has been issued to Her Majesty's steam-vessel "Prometheus," of four guns, commanded by Lieutenant W. M. J. G. Pasco, and to be employed on the coast of Africa station.

The Hon. Colonel Walpole,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 358.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, March 30, 1844.

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 Slave Trade, has been issued to Her Majesty's sloop "Larne," of 18 guns, commanded by Commander J. W. D. Brisbane, and to be employed on the coast of Africa station.

The Hon. Colonel Walpole,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 359.

Colonel Walpole to the Earl of Aberdeen.

MY LORD,

Santiago, December 14, 1843.
(Received April 15, 1844.)

HEREWITH I have the honour to transmit, in conformity with your Lordship's directions, contained in Despatch, Slave Trade, of this year, the replies to the several questions therein propounded.

I regret that, although applied for shortly subsequently to the receipt of the above Despatch, the information was not remitted to me from the Statistical Office until yesterday, and even then it proved, on comparison with the published returns, to be incorrect.

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

I have, &c.
(Signed) JOHN WALPOLE.

Enclosure in No. 359.

Queries and Answers respecting Population and Slavery at Chile.

Q. 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?

A.—1. In the year 1835 when the last, and indeed the only, census was taken of which any record is preserved, the population of the Republic of Chile reached 1,002,534, distributed as follows:—

	Men.	Women.	Total.
Married . . .	150,473	152,603	
Unmarried . . .	334,583	364,875	
	485,056	517,478	1,002,534

In that census there was no distinction made between the white and the coloured people. To the amount, however, above given, should be added 10 per cent., the number of individuals who, it is calculated, from various causes and impediments were not registered.

Q. 2.—Is it supposed that any slaves have been imported into the country within the last 10 years, either direct from Africa or from other quarters; if so, how many in each year?

Q. 3.—Is the slave protected by law equally with a free man in criminal cases?

Q. 4.—What protection is there by law to a slave against ill-conduct on the part of his master?

Q. 5.—Is the evidence of a slave received in a court of law?

Q. 6.—Is the slave well or ill-fed, well or ill-treated?

Q. 7.—Is the slave considered generally to enjoy as good health and to live as long as a free person?

Q. 8.—Is the slave population considered to be on the increase or decrease? and from what causes?

Q. 9.—Is the manumission of slaves of common occurrence?

Q. 10.—Have the laws and regulations in respect to slaves become more or less favourable to them within the last 10 years?

Q. 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?

A. 2—11.—To the second and following questions to No. 11 inclusive, I believe that the most concise reply would be conveyed in stating, that in 1811 the children to be born of slaves were declared thenceforward to be free; and that in 1823, by Decree of the Conservative Senate, all the existing slaves partook of the same advantage. Moreover, the actual Constitution declares every slave touching the Chilean territory to be free; that no Chilean shall enter into the Slave Trade; and that no foreigner, taking a part in it, can inhabit the country, or be naturalized therein.

Q. 12.—Is there any difference in the eye of the law between a free white and free coloured man?

A. 12.—By the Constitutional Law, which is said to have been constantly respected, all, without reference to colour, are on an equality before the law.

Q. 13.—Are free coloured men ever admitted to offices of the State?

A. 13.—By the same law, all are admissible to public offices and employments.

Q. 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 latest period at which it was taken.

A. 14.—The preceding information has been derived, part from the Chief of the Statistical Office, partly from public documents. There is no periodical

census of the population taken within this Republic, but there is actually a new census now in progress, the result of which, when known, shall be communicated.

(Signed) JOHN WALPOLE.

No. 360.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, April 20, 1844.

I HAVE to desire that you will acquaint the Chilean Government, that the warrant supplied to Her Majesty's steam-vessel "Prometheus," authorizing her to act under the Treaty of January 19, 1839, between Great Britain and Chile, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

(Extract.)

No. 361.

Colonel Walpole to the Earl of Aberdeen.

Santiago, January 18, 1844.

(Received May 27.)

MY LORD,

So soon as I had cleared the way for its discussion, by the disposal of the project for the Treaty of Amity and Commerce, I again addressed his Excellency the Minister for Foreign Affairs on the subject of an additional Article to the Treaty of 1839, which should contain a further extension of the limits wherein the right of search might be exercised, the consideration of which had been suspended in the year 1842, at the request of M. Irarrázaval.

Having been previously unsuccessful, as your Lordship has already been informed, in attaining an extension of limits corresponding with those specified in the Treaty with Spain of the year 1835, I invited M. Irarrázaval to the consideration of the second proposition contained in your Lordship's Despatch of 1842, viz. the extension of the limits along the eastern coast of Africa, and along its western coast to the northward, so as to include the Canary islands.

In consequence of his Excellency's reply a conference took place, in which, during a lengthened discussion, in the course of which every motive that occurred to me as calculated to induce consent to the proposal, unclogged with any restrictive stipulations in regard to time, having in vain been pleaded, I submitted to his Excellency your Lordship's last proposition, confining the district wherein the right of search should be exercised to the eastern coast of Africa, from the 40th degree of south latitude along the 60th of east longitude, until it should reach the coast of Asia, and to a circuit of 20 leagues around the Canary islands, provided the consent of the Chilean Government should be unincumbered with any stipulation which should defeat the object of the British Administration, and to which I had already announced my want of authority to accede.

To this last proposal his Excellency gave his consent, and even agreed to support it in consultation with his Government.

It is with sincere regret, my Lord, that during a subsequent interview he communicated the disinclination of his colleagues to yield their assent even to this slight modification of the existing Treaties, and their unreasonable adherence to the stipulations contained in the 2nd Article of the proposed Convention, which was put into my hands by M. Irarrázaval.

The negotiations thus unsuccessfully terminated, I requested his Excellency to record in writing the determination of his Government, which is hereto annexed.

Your Lordship will observe, in my reply to that note, an allusion to certain measures contemplated by this Government, which in process of execution would afford facilities to the dealers in the Slave Trade for carrying on their practices, which they do not at present possess.

It is at present a rare sight to witness the presence of the Chilean flag on the

coasts of slave exporting countries; but the project of the Chilean Government to promote the emigration of the industrious natives of the Canary islands to this State will, I conceive, augment the influx of Chilean vessels, and thus cause a decrease in that suspicion which would, while no such emigration is carried on, attach to the appearance of the Chilean flag, and of which slave dealers would undoubtedly hasten to take advantage.

I have, &c.

(Signed)

JOHN WALPOLE.

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

&c.

&c.

&c.

First Enclosure in No. 361.

Colonel Walpole to Senhor Irarrázaval.

Santiago, December 2, 1843.

THE Undersigned, &c. &c. desirous of carrying into their full effect the directions received from his Government, and animated by the favourable reception given during the last interview with which he was honoured by his Excellency the Minister for Foreign Affairs, &c. &c. to his proposition for a renewal of the negotiation suspended at the desire of his Excellency in the course of the last year, having for their object an extension of the limits wherein may be exercised the right of search of vessels sailing under the Chilean flag, and employed in the conveyance of slaves, begs to refer his Excellency to the note addressed to him on the 12th of September, of the last year, wherein are stated the terms proposed to be annexed, in the form of additional Articles, to the Treaty for the abolition of the traffic in slaves, signed on the 19th January, 1839, and to form a part thereof.

From the contents of the note received by the Undersigned from his Excellency Senhor Irarrázaval, dated November 10th, of the last year, he argues the final and felicitous attainment of an object, the importance of which has been fully recognised by the Government which his Excellency so worthily represents.

In that paper was expressed the desire of his Excellency's Government for the postponement of further discussion, in order that a more attentive consideration might be dedicated to the arguments adduced by the Undersigned, and to that were adjoined its hopes that time and circumstances would throw more light on the question advocated by him.

To these expressions the Undersigned could not but attach a construction favourable to the object in view; and when he reviews the space of time which has since transpired, and the circumstances and changes which have meanwhile occurred, eminently calculated to extinguish the alarms and remove the ungenerous suspicions created by the clamours of the malicious; when he reflects on the well-known disposition of the President of this State, at all times prone to adopt the suggestions of justice and general humanity, supported by the characteristic benevolence of his Excellency, to whom the Undersigned now addresses himself, he cannot refrain from entertaining the most sanguine predictions of the success of the project now again submitted to the Chilean Government, at the earnest desire of that of Her Britannic Majesty, and from the consummation of which is prognosticated the annihilation of the infamous system still pursued.

The Undersigned, conceiving that the repetition of his reasons stated in support of his proposal might be viewed as supererogatory and superfluous, will confine himself for the present to a renewal of the terms proposed, viz.—

1st,—That the line extending along the western coast of Africa, from the 40th degree of south latitude to the 25th of north latitude, should be prolonged to such a distance as should include the whole of the Canary islands.

2nd,—That a line should be drawn eastward from the 27th degree of west longitude, calculated from the meridian of Greenwich, along the 40th degree of south latitude until it shall attain the 60th degree of longitude east of the

same meridian, and thence proceed northward, including the eastern coast of Africa, and abutting on the territory of Muscat.

The Undersigned avails, &c.

(Signed)

JOHN WALPOLE.

His Excellency Senhor Irarrázaval,
&c. &c.

Second Enclosure in No. 361.

(Translation.) *Senhor Irarrázaval to Colonel Walpole.*

Santiago, December 4, 1843.

THE Undersigned &c. &c., has had the honour to receive the note which Mr. Walpole, &c. &c., has addressed to him, dated the 2nd instant, calling the attention of the Undersigned to the negotiations which last year remained suspended, respecting the limits within which the search of Chilean vessels, may be effected with the object of preventing the traffic in slaves.

The Undersigned, informed of the intentions of his Government in this respect, will have much satisfaction in treating on it with Mr. Walpole in this Office of Foreign Relations, on Thursday next, the 7th instant, at one o'clock in the day, if Mr. Walpole should not find it inconvenient.

The Undersigned, avails, &c.

(Signed)

R. L. IRARRAZAVAL.

The Hon. Colonel Walpole,
&c. &c.

Third Enclosure in No. 361.

Project of a Convention.

CONVENTION additional to and explanatory of the Treaty between Great Britain and the Republic of Chile for the abolition of the traffic in slaves.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the Republic of Chile, anxious always to take the most efficacious measures for the abolition of the traffic in slaves, which object they proposed to themselves in the Treaty of the 19th of January, 1839, celebrated in this city of Santiago, have determined on amplifying the stipulation of the 2nd Article of the Convention of the 7th of August, 1841, by which the mutual right of visit and search of British and Chilean vessels, conceded by the 4th Article of the said Treaty, is confined and restricted to certain limits.

For this purpose they have named for their Plenipotentiaries, to wit:— Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable John Walpole, Her Majesty's Chargé d'Affaires and Consul-General in the Republic of Chile; and the President of the Republic of Chile, Don Ramon Luiz Irarrázaval, Minister of State for the Departments of the Interior and Foreign Relations of the same; who, having mutually communicated their full powers and found them in good and proper form, have agreed to the following Articles:—

ARTICLE I.

The power which, by the 4th Article of the Treaty of the 19th of January, 1839, restricted by the 2nd Article of the Convention of the 7th of August, 1841, is conceded to the vessels of the navies of the two nations, which shall be employed in impeding the traffic in slaves, to visit the merchant vessels of both which may be found in the case indicated in the aforesaid Article IV. And, in order that, in consequence of the visit, they may proceed with respect to the vessels and their cargo, in accordance with the instructions in Annex A. shall be understood as yielded to be exercised within the limits which are designated in the 2nd Article of the Convention cited, with the following amplifications:—

1st. The line which, according to the Convention cited, extends along the western

coast of Africa, from the 40th degree of south latitude to the 25th degree of north latitude, shall be prolonged as far as the 30th degree of north latitude, so as to include all the Canary islands; the said line existing always on the 27th degree of west longitude, reckoned from the meridian at Greenwich.

2nd. From the 27th degree of west longitude, reckoned from the meridian of Greenwich, a line shall be drawn on the 40th degree of south latitude until it reaches the 60th degree of east longitude, reckoned from the same meridian, and from thence it shall turn towards the north, and shall terminate on the coast of Asia. Vessels navigating between this line and the eastern coast of Africa being subject to the right of visit.

ARTICLE II.

The present Convention shall last for 10 years, reckoned from the date of the exchange of the ratifications; but it may continue to be observed until one of the high contracting parties shall have notified to the other its intention to annul or alter it; and it shall only be understood that it ceases to be obligatory at the end of one year, reckoned from the date of the receipt of the said notification by the other contracting party.

ARTICLE III.

The present Additional Convention, for the whole time during which it shall be obligatory, shall form an integral part of the above-mentioned Treaty for the abolition of the traffic in slaves, and shall have the same force and value as if it were inserted in it word for word; and on ceasing to be obligatory by virtue of the notification which is indicated in the preceding Article, the said Treaty and the Additional Convention of the 7th of August, shall be understood to exist in the same manner as if the present Convention had never had effect.

ARTICLE IV.

The present Additional Convention shall be ratified by both contracting parties, and the ratifications shall be exchanged within the term of 18 months, reckoned from this day.

In faith of which, the respective Plenipotentiaries have signed three copies of the present Convention in the English language, and as many others in the Spanish language, and have sealed them with their arms.

Done in the city of Santiago.

Fourth Enclosure in No. 361.

(Translation.)

Senhor Irarrázaval to Colonel Walpole.

Santiago, January 15, 1844.

THE Undersigned, &c. &c., has the honour to reply to the note dated the 2nd of December of the last year, which the Honourable John Walpole, &c. &c., was pleased to address to him, pressing for a renewal of the negotiations relative to the amplification of the limits within which the right of searching Chilean vessels which may appear to be employed in the Slave Trade may be exercised, with reference to the Treaty of the 19th of January, 1839.

The Undersigned neither judges it necessary to express anew to Mr. Walpole the sentiments which animate this Republic with regard to this matter, and which stimulate it to co-operate, so far as may be possible, for the attainment of the benevolent object for which the Government of Her Britannic Majesty labours so perseveringly, and with so much credit to itself; nor to reproduce the reasons which, in the opinion of this Government, would embarrass and render abortive every measure which might be directed to extend the limits which were established for the right of visit and search in the Treaty of the 19th of January. In this respect the Government does not think that it perceives a remarkable difference between the present circumstances and those which the Undersigned has had the honour to indicate on previous occasions.

The Undersigned, in compliance with the orders of his Government, sees him-

CLASS B.

self, then, under the necessity of repeating to Mr. Walpole the substance of what he explained to him in the last conference, that it is not possible for the Government to accede to the extension, in any sense, of those limits for an indefinite time. The project transmitted by the Undersigned contains the conditions under which this Government could extend them with a probable hope of obtaining the assent of the Chambers.

The Undersigned avails, &c.

(Signed)

R. L. IARRAZAVAL.

The Hon. Colonel Walpole,
&c. &c.

Fifth Enclosure in No. 361.

Colonel Walpole to Senhor Irarrázaval.

Santiago, January 18, 1844.

THE Undersigned, &c. &c., has had the honour to receive the note of his Excellency the Minister for Foreign Affairs, &c. &c., dated the 15th instant, in which he conveys the final determination of the Chilean Government, in relation to the extension of the limits wherein the right of search of vessels suspected of participation in the Slave Trade has hitherto been permitted, and which has been the subject of the Undersigned's communications in 1842, of his note of December 2nd, and of the conferences subsequently held. The Undersigned will not needlessly occupy his Excellency with a recapitulation of all the motives which it has appeared to him, and which he already has presented to his Excellency, should have influenced the Chilean Government to a favourable decision.

He had hoped, taking into consideration the diminutive distance over which the right of search is sought to be extended, and by which the actual interests of Chile can in no manner be prejudiced, that its Government would have cheerfully consented to combine its efforts with those of the British Government in the eternal persecution of the infamous trade in slaves within the limits assigned; much more did he feel himself justified in entertaining this impression, when he reflected that, if current rumours are not deceitful, the Chilean Government are in the contemplation of measures which, in themselves wise, judicious, and well adapted to promote incalculable benefit to the State, will nevertheless offer facilities for the surreptitious continuance of the Slave Trade, which are not actually in existence.

These hopes, however, the Undersigned is now most reluctantly compelled to relinquish; and having no authority (as he has already had the honour to make known to his Excellency) to accede to the stipulation of the objectionable Article, he will lose no time in forwarding the recorded resolution of the Chilean Government for the information of that of Her Britannic Majesty.

In the meantime he requests, &c.

(Signed)

JOHN WALPOLE.

His Excellency Senhor Irarrázavel,
&c. &c.

No. 362.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, June 15, 1844.

I HAVE to desire that you will inform the Government of Chile, that a warrant, under the Treaty of the 19th of January, 1839, between Great Britain and the Republic of Chile, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Cygnet," of six guns, commanded by Commander Henry Layton, and to be employed on the coast of Africa station.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed)

ABERDEEN.

No. 363.

*The Earl of Aberdeen to Colonel Walpole.**Foreign Office, June 17, 1844.*

SIR,

I HAVE to desire that you will inform the Government of Chile, that a warrant, under the Treaty of the 19th of January, 1839, between Great Britain and the Republic of Chile, for the abolition of Slave Trade, has been issued to Her Majesty's steam-vessel "Prometheus," of five guns, commanded by Commander John Hay, and to be employed on the coast of Africa station.

The Hon. Colonel Walpole,
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 364.

*The Earl of Aberdeen to Colonel Walpole.**Foreign Office, July 4, 1844.*

SIR,

I HAVE to desire that you will acquaint the Chilean Government, that the warrants supplied to Her Majesty's ketch "Arrow," on the Cape of Good Hope station, and to Her Majesty's ship "Daphne," on the Brazil station, authorizing them to act under the Treaty of the 19th of January, 1839, between Great Britain and Chile, for the suppression of the Slave Trade, have been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

The Hon. Colonel Walpole,
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 365.

*Colonel Walpole to the Earl of Aberdeen.**Valparaiso, February 27, 1844.*
(Received July 6.)

MY LORD,

ON the receipt of your Lordship's Despatch, marked Slave Trade, of the 12th September, 1843, with instructions to execute, on the part of the British Government, the stipulations of the 7th Article of the Treaty for the abolition of the Slave Trade, signed at Santiago on the 19th of January, 1839, as also to require their fulfilment by that of this Republic, I addressed a note to his Excellency the Minister of State for Foreign Affairs, indicating the station chosen for the establishment of the Mixed Court to reside in a British possession, and soliciting information as to the intention of the Chilean Government in regard to the appointment of judicial officers to act with it.

I at the same time expressed a desire to learn the place selected for the residence of the Mixed Court to be established within the Chilean territory.

To this I added your Lordship's suggestion relative to the small necessity for the immediate appointment of this latter Court, seeing that as Slave Trade is not in practice on this coast, the few isolated cases which possibly may hereafter appear might properly be disposed of by the Mixed Court at Sierra Leone.

In his reply his Excellency states, that his Government does not conceive it necessary at present to nominate any officers to compose the Court at Sierra Leone, reserving to itself however to act hereafter in this respect as may appear to it convenient.

His Excellency further states, that the opinion of Her Majesty's Government touching the expediency of delaying the appointment of a Court in the Chilean territory has its due weight with his own Government, but that notwithstanding, and considering the small expense to which this Government would be exposed by the immediate establishment of such a tribunal, and the advantages to be derived therefrom, it has decided on the adoption of an opposite course.

His Excellency concludes his note by marking his intention opportunely to

communicate to me the names of the said Registrar, Judge, and Arbitrator. But if it is permitted to express a judgment founded on the probable rarity of a seizure on this coast of a vessel under Chilean colours acting in contradiction of the stipulations of the Treaty, on the import of his Excellency's language, and on a long experience of the dilatory proceedings of this Government, I should state, that the nomination by Her Majesty's Government of those hereafter to form the members of the Mixed Court to sit in Valparaiso will not call for much precipitation.

I have the honour to enclose for your Lordship's information, copies of the correspondence which has passed on this subject.

I have, &c.

(Signed) JOHN WALPOLE.

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

&c.

&c.

&c.

First Enclosure in No. 365.

Colonel Walpole to Senhor Irarrázaval.

Valparaiso, February, 10, 1844.

By the 7th Article of the Treaty between Her Britannic 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.

That formality, however, having been hitherto omitted, the Undersigned, &c. &c., has now, by instruction, formally to declare to his Excellency, M. Irarrázaval, &c. &c. for the information of the Government of this Republic, that Her Majesty's Government have directed that the colony of Sierra Leone is to be the station of that Mixed Court which is to reside in a British possession, and that if the Chilean Government should think proper to appoint a Judge and an Arbitrator to reside at Sierra Leone on the part of Chilean Government, arrangements will be made for their reception.

The Undersigned has, at the same time, to ascertain the intention of the Government of this Republic touching the appointment of a Registrar, and a Judge and Arbitrator, to reside within their own territory, or whether, under the additional Article II. 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 the above cases, the Undersigned has to request his Excellency to convey to him the nomination of the place chosen for the residence of the Court.

The Undersigned, however, is directed to add the opinion of Her Majesty's Government, that as no Slave Trade appears to be carried on under the Chilean flag, the establishment of a Mixed Court in the territory of this Republic is not at present necessary for the service of suppressing Slave Trade, but that such isolated cases as might occur under that flag might properly be disposed of by the Mixed Court at Sierra Leone, should the Chilean Government concur in a provisional understanding to that effect.

The Undersigned thus communicates to his Excellency M. Irarrázaval the opinions and the suggestion of his Government; and he has the honour of transmitting to his Excellency the copy of a British Act of Parliament for carrying into effect the provisions of the Treaty above-mentioned.

The Undersigned avails, &c.

(Signed)

JOHN WALPOLE.

His Excellency Senhor Irarrázaval,

&c.

&c.

Second Enclosure in No. 365.

(Translation.) *Senhor Irarrázaval to Colonel Walpole.**Santiago, February 16, 1844.*

THE Undersigned, &c. &c. has received the note dated the 10th instant which the Honourable John Walpole, &c. &c., has been pleased to address to him, relative to the establishment of the two Mixed Courts for the examination and adjudication of vessels seized on suspicion of being engaged in the Slave Trade, according to what is stipulated in the Treaty of the 19th January, 1839.

The President, acquainted with the contents of the said note, directs the Undersigned to say in reply, that his Excellency is informed of the selection made by Her Britannic Majesty's Government of the colony of Sierra Leone for the residence of the Mixed Court which is to be held in the British dominions, and that this Government does not believe that it will be necessary for the present to name the Chilean Judge and Arbitrator who are to assist in composing it, reserving to itself to do so at a future period, if it should appear convenient.

With regard to the second question proposed by Mr. Walpole to the Undersigned, that is to say, whether the Government of this Republic is of opinion that a Secretary or Registrar, a Judge, and an Arbitrator, ought to be named for the Mixed Court which is to reside on the dominions of the Republic, the Undersigned has the honour to make known to Mr. Walpole, that his Government has determined on appointing them, and that the place chosen for their residence is the port of Valparaiso.

The opinion of Her Britannic Majesty's Government as to the institution of a Mixed Court in the Chilean territory not being at present necessary has due weight on that of the Government of the Undersigned, which, nevertheless, comparing the small burden which its immediate establishment would occasion, with the advantages, although eventual and contingent, to which it might give rise, has found reasons for deciding to the contrary.

The Undersigned will communicate to Mr. Walpole, at a fitting opportunity, the nominations of the said Judge, Arbitrator, and Registrar, and in the meantime has the honour to reiterate to him the assurance of his distinguished consideration.

I have, &c.

(Signed) R. L. IRARRAZAVAL.

The Hon. Colonel Walpole,
&c. &c.

No. 366.

Colonel Walpole to the Earl of Aberdeen.

SIR,

Foreign Office, August 7, 1844.

I HAVE to desire that you will acquaint the Government of Chile, that the warrant supplied to Her Majesty's ship "Madagascar," authorizing her to act under the Treaty of January 19th, 1839, between Great Britain and Chile, 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 Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

No. 367.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, August 14, 1844.

I HAVE to desire that you will acquaint the Chilean Government, that the warrant supplied to Her Majesty's brig "Spy," on the coast of Africa station

authorizing her to act under the Treaty of January 9th, 1839, between Great Britain and Chile, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

I am, &c.

The Hon. Colonel Walpole,
&c. &c.

(Signed) ABERDEEN.

No. 368.

Colonel Walpole to the Earl of Aberdeen.

Santiago, May 18, 1844.
(Received September 17.)

MY LORD,

I HAVE the honour to acknowledge the receipt, on the 15th instant, of your Lordship's Despatches, marked Slave Trade, of the 10th and 29th December, 1843, and of the 4th and 17th January, 1844; and on the 17th, those of the 1st and 5th November of the last year also reached me.

A notification of the ships and vessels to which warrants had been issued under the provisions of the Treaty of January 19, 1839, for the abolition of the Slave Trade, has been made to his Excellency the Minister of State for Foreign Affairs.

I have, &c.

(Signed) JOHN WALPOLE.

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

No. 369.

The Earl of Aberdeen to Colonel Walpole.

IR,

Foreign Office, October 31, 1844.

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 Slave Trade, has been issued to Her Majesty's steam-vessel "Eclair," of four guns, commanded by Commander W. G. B. Estcourt, and to be employed on the west coast of Africa station.

I am, &c.

(Signed) ABERDEEN.

The Hon. Colonel Walpole,
&c. &c.

No. 370.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, November 11, 1844.

I HAVE to desire that you will acquaint the Chilean Government, that the warrant supplied to Her Majesty's schooner "Fair Rosamond," on the North America and West India station, authorizing her to act under the Treaty of the 19th January, 1839, between Great Britain and Chile 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 Hon. Colonel Walpole,
&c. &c.

No. 371.

*Colonel Walpole to the Earl of Aberdeen.**Santiago, August 1, 1844.
(Received November 19.)*

MY LORD,

I HAVE had the honour this morning to receive your Lordship's communication, marked Slave Trade, of the 30th March last, the contents of which have been made known to the Chilean Government.

I have, &c.

(Signed)

JOHN WALPOLE.

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

No. 372.

The Earl of Aberdeen to Colonel Walpole

SIR,

Foreign Office, November 29, 1844.

I HAVE to desire that you will acquaint the Government of Chile, that the warrant supplied to Her Majesty's brig "Griffon," on the North America and West India station, authorizing her to act under the Treaty of January 19th, 1839, between Great Britain and the Republic of Chile, 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 Hon. Colonel Walpole,
&c. &c.

No. 373.

*Colonel Walpole to the Earl of Aberdeen.**Santiago, July 20, 1844.
(Received November 30.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Despatch, marked Slave Trade, of the 31st of December, 1843, of the last year, covering two copies of an Act passed in the last session of Parliament, entitled "An Act for the more effectual suppression of the Slave Trade."

Since my arrival in this country there has not appeared the slightest circumstance which would justify even a suspicion of any British subject, or, indeed, of any other individual being implicated or engaged in carrying on a traffic in slaves. Nevertheless, your Lordship may be assured, that the same vigilance shall be maintained in executing the instructions under which I have hitherto acted on this subject, equally with those now received, bearing always in mind the exemptions which are admitted to the general prohibition.

I have, &c.

(Signed)

JOHN WALPOLE.

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

No. 374.

*Colonel Walpole to the Earl of Aberdeen.**Santiago, July 20, 1844.
(Received November 30.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Despatches, marked Slave Trade, of the 27th and 31st of January, and the 1st and 21st February, of this year, and have made known their contents, specifying the vessels supplied

with warrants under the Treaty of January 19th, 1839, for the abolition of the Slave Trade, to the Chilean Government.

I have, &c.
(Signed) JOHN WALPOLE.

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

No. 375.

The Earl of Aberdeen to Colonel Walpole.

SIR,

Foreign Office, December 7, 1844.

I HAVE to desire that you will acquaint the Government of Chile, that the warrant supplied to Her Majesty's brigantine "Hornet," on the North America and West India station, authorizing her to act under the Treaty of January 19, 1839, between Great Britain and the Republic of Chile, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

The Hon. Colonel Walpole,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

CHILE. (*Consular*)—*Valparaiso.*

No. 376.

Mr. Rouse to the Earl of Aberdeen.

Valparaiso, July 10, 1844.
(*Received November 19.*)

MY LORD,

I HAVE this day had the honour to receive your Lordship's Circular of the 31st December last, marked *Slave Trade*, together with two copies of an Act passed during the previous session of Parliament, and entitled, "An Act for the more effectual suppression of the *Slave Trade*," 6 & 7 Vict. cap. 98.

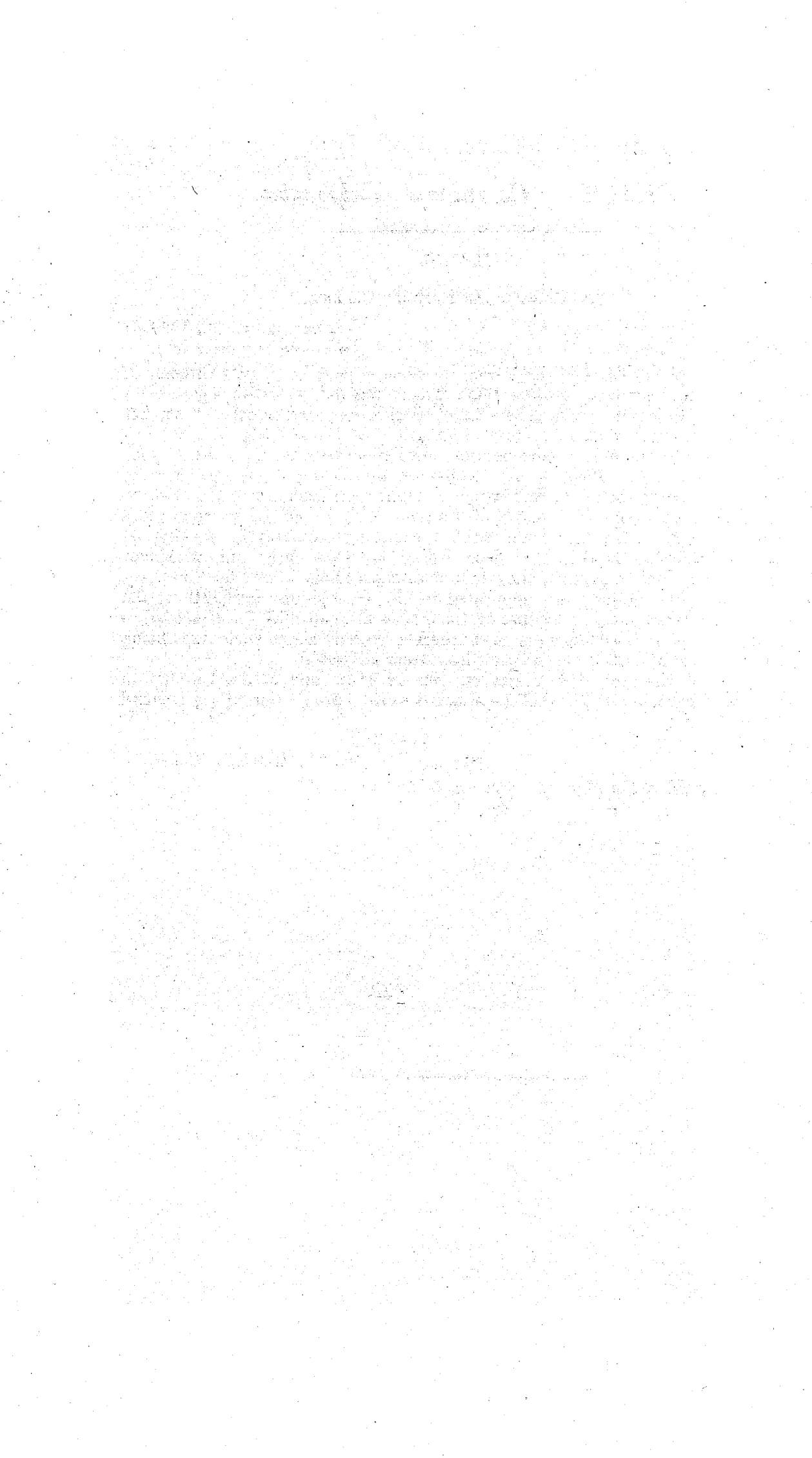
In regard to this Act, I have perused, with the attention they merit, your Lordship's remarks, directing me to observe, on the one hand, what is made unlawful; and on the other, that which is neither forbidden nor prohibited.

I shall cause a copy of this Act of Parliament to be affixed in some conspicuous part of my office, and take the proper measures for making its purport known to the British subjects within my Consulate; and, whenever information shall be given to me, or it shall come to my knowledge, that any subjects of Her Majesty are implicated in the transactions forbidden by the Act before-mentioned, or by that of the 5 Geo. IV. cap. 113, I will not fail to transmit to your Lordship a statement thereof, with a view to such steps being taken as Her Majesty's Government may deem advisable.

Copies of the Act, 6 & 7 Vict. cap. 98, as 22 B. and of the Circular in relation thereto, as 22 C. shall be annexed to the 26th section of my General Instructions.

I have, &c.
(Signed) H. W. ROUSE, *Consul.*

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



URUGUAY.

No. 377.

Mr. Dale to the Earl of Aberdeen.

Monte Video, October 5, 1843.

(Received January 8, 1844.)

MY LORD,

I HAVE the honour to acknowledge your Lordship's Despatch of July 24, marked Slave Trade, enclosing a copy of your Lordship's Despatch addressed to Mr. Hamilton relative to the removal of certain negroes from the territory of the Republic of Uruguay by Brazilian subjects, with the assistance of Brazilian vessels of war, by which it appears that 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 referred to, or to claim the liberty of the negroes.

I have, &c.

(Signed)

JOHN POWNALL DALE,
Acting Consul-General.

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

No. 378.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, January 17, 1840.

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 Uruguay, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Hyacinth," of 18 guns, commanded by Commander Francis Scott, and to be employed on the North America and West India station.

I am, &c.

(Signed) ABERDEEN.

J. P. Dale, Esq.
&c. &c.

No. 379.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, January 27, 1844.

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 steam-ship "Penelope," of 20 guns, commanded by Captain William Jones, and to be employed on the coast of Africa station.

I am, &c.

(Signed) ABERDEEN.

J. P. Dale, Esq.
&c. &c.

No. 380.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, January 31, 1844.

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 Republic of the Uruguay, for the abolition of Slave Trade, has been issued to Her Majesty's sloop "Satellite," of 18 guns, commanded by Commander Robert H. B. Rowley, and to be employed on the Brazil station.

J. P. Dale, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 381.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, January 31, 1844.

I HAVE to desire that you will acquaint the Government of the Uruguay, that the warrant supplied to Her Majesty's sloop "Volage," on the North America and West India station, authorizing her to act under the Treaty of July 13, 1839, between Great Britain and the Republic of the Uruguay, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

J. P. Dale, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 382.

The Earl of Aberdeen to Mr. Dale.

SIR,

Foreign Office, February 1, 1844.

I HAVE to desire that you will acquaint the Government of Monte Video, that Her Majesty's ships named in the margin of this Despatch, ("Gorgon," "Ardent" "Growler," sloops from the North America and West India station; and "Ringdove," "Albatross," and "Wasp," steam-vessels from the Brazil station) which were supplied with warrants authorizing them to act under the Treaty of July 13, 1839, between Great Britain and the Republic of the Uruguay, for the suppression of Slave Trade, have been ordered to proceed to the coast of Africa, to which station they are to be attached.

J. P. Dale, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 383.

Mr. Turner to the Earl of Aberdeen.

MY LORD,

Falmouth, February 8, 1844.
(Received February 10.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, marked Slave Trade, dated the 30th of April, 30th of May, and 2nd and 5th of August, 1843.

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

I have, &c.
(Signed) ADOLPHUS TURNER.

No. 384.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, February 21, 1844.

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 steam-vessel "Prometheus," of four guns, commanded by Lieutenant W. M. J. G. Pasco, and to be employed on the coast of Africa station.

A. Turner, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 385.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, March 30, 1844.

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 Oriental Republic of Uruguay, for the abolition of the Slave Trade, has been issued to Her Majesty's sloop "Larne," of 18 guns, commanded by Commander J. W. D. Brisbane, and to be employed on the coast of Africa station.

A. Turner, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 386.

Mr. Dale to the Earl of Aberdeen.

MY LORD,

Monte Video, January 8, 1844.
 (Received April 15.)

I HAVE had the honour to receive your Lordship's Despatches, marked Slave Trade, of the 20th October, and 4th and 5th of November, 1843, and I have obeyed the instructions contained therein.

I have, &c.
 (Signed) JOHN POWNALL DALE,
Acting Consul-General.

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

No. 387.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, April 20, 1844.

I HAVE to desire that you will acquaint the Government of Monte Video, that the warrant supplied to Her Majesty's steam-vessel "Prometheus," authorizing her to act under the Treaty of the 13th of July, 1839, between Great Britain and the Republic of the Uruguay, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

A. Turner, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 388.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, June 15, 1844.

I HAVE to desire that you will inform the Government of Monte Video, 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 sloop "Cygnet, of six guns, commanded by Commander Henry Layton, and to be employed on the coast of Africa station.

A. Turner, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 389.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, June 17, 1844.

I HAVE to desire that you will inform the Government of Monte Video, 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 "Prometheus," of five guns, commanded by Commander John Hay, and to be employed on the coast of Africa station.

A. Turner, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 390.

Mr. Dale to the Earl of Aberdeen.

MY LORD,

*Monte Video, March 9, 1844.**(Received June 20.)*

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, marked Slave Trade, of the 19th and 29th of December last, and in obedience to the instructions contained therein, I have transmitted to the Government of Monte Video a list of Her Majesty's ships to which warrants have been issued, under the Treaty of the 13th of July, 1839, between Great Britain and the Oriental Republic of the Uruguay, for the abolition of the Slave Trade.

I have, &c.
 (Signed) JOHN POWNALL DALE,
Acting Consul-General.

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

No. 391.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, June 26, 1844.

I HAVE to desire that you will acquaint the Monte Videan Government, that the warrant supplied to Her Majesty's ketch "Arrow," on the Cape of Good Hope station, authorizing her to act under the Treaty of the 13th of July, 1839, between Great Britain and the Republic of Uruguay, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

A. Turner, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 392.

The Earl of Aberdeen to Mr. Turner.

SIR,

Foreign Office, July 4, 1844.

I HAVE to desire that you will acquaint the Government of Monte Video, that the warrant supplied to Her Majesty's ship "Daphne," on the Brazil station, authorizing her to act under the Treaty of the 13th of July, 1839, between Great Britain and the Republic of the Uruguay, for the suppression of the Slave Trade, has been returned to the Lords Commissioners of the Admiralty, and cancelled by them.

A. Turner, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 393.

Mr. Dale to the Earl of Aberdeen.

Monte Video, April 3, 1844.
(Received July 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, marked Slave Trade, of the 17th, 27th, and 31st of January, and the 1st of February; and I beg to state, that I have communicated their contents in the usual manner to the Government of Monte Video.

I have, &c.
(Signed) JOHN POWNALL DALE,
Acting Consul-General.

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

No. 394.

Mr. Dale to the Earl of Aberdeen.

Monte Video, April 4, 1844.
(Received July 20.)

MY LORD,

I have had the honour to receive your Lordship's Despatch, marked Circular Slave Trade, of the 31st December, 1843, transmitting two copies of the Act of the 6 & 7 Vict. cap. 98, "for the more effectual suppression of the Slave Trade;" and the instructions therein contained shall be carefully obeyed.

A copy of the above Despatch, and of the Act of Parliament referred to, shall form Enclosures 22 B. and 22 C. to the 26th section of the General Instructions, as directed by your Lordship.

I have, &c.
(Signed) JOHN POWNALL DALE,
Acting Consul-General.

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

No. 395.

Mr. Turner to the Earl of Aberdeen.

Monte Video, May 20, 1844.
(Received August 2.)

MY LORD,

I have the honour to enclose to your Lordship a copy of note which, in obedience to the instruction contained in your Lordship's Despatch, marked Slave Trade, of the 2nd of August last, I have addressed to the Monte Videan Minister for Foreign Affairs, announcing the appointment of a Judge, Arbitrator,

and Registrar in the Mixed British and Uruguayan Court of Justice, established at Sierra Leone, under the Treaty of the 13th of July, 1839, between Her Majesty and the Oriental Republic, for the abolition of the traffic in slaves.

Your Lordship will perceive, that I have at the same time conveyed to Mr. Vazquez the acknowledgments of Her Majesty's Government for the readiness with which the Oriental Government have acceded to the views of Her Majesty's Government with regard to the establishment of Courts of Justice under the Treaty above-mentioned.

I have, &c.

(Signed) ADOLPHUS TURNER.

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

Enclosure in No. 395.

Mr. Turner to Don Santiago Vazquez.

Monte Video, May 1, 1844.

THE Undersigned, &c. &c. has the honour to refer his Excellency Don Santiago Vazquez, &c. &c. to the note which Her Britannic Majesty's Minister Plenipotentiary to the Argentine Confederation addressed to Mr. Vidal, Mr. Vazquez's predecessor, on the 12th of January, 1843, and to the reply, dated 23rd January, 1843, which Mr. Vidal returned thereto, relative to the establishment of Mixed Courts of Justice for the adjudication of vessels captured under the Treaty concluded on the 13th July, 1839, between Her Britannic Majesty and the Oriental Republic of the Uruguay, for the abolition of the traffic in slaves.

His Excellency Mr. Vazquez will perceive, from the correspondence above-mentioned, that the Government of the Republic of the Uruguay signified that they were not for the present desirous that a Court should be established in their territory, and, moreover, that they did not for the present intend to appoint a Judge and Arbitrator in the Mixed Court at Sierra Leone.

The Undersigned has now the honour to announce to the Oriental Government, that Her Britannic 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.

The Undersigned is at the same time instructed to express to the Government of this Republic the thanks of Her Majesty's Government for the readiness with which they have acceded to the views of Her Majesty's Government, as expressed in the note above-mentioned, addressed by the Monte Videan Minister of Foreign Affairs to Mr. Mandeville on the 23rd January, 1843.

The Undersigned avails, &c.

(Signed) ADOLPHUS TURNER.

His Excellency Don Santiago Vazquez,
&c. &c.

No. 396.

Mr. Turner to the Earl of Aberdeen.

Monte Video, May 22, 1844.

(Received August 2.)

MY LORD,

I HAVE the honour to report to your Lordship that, in obedience to the instruction contained in your Lordship's Despatch, marked Slave Trade, of the 21st February last, I have informed the Government of Monte Video, that a warrant, under the Treaty of July 13, 1839, between Great Britain