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Class B.

CORRESPONDENCE

ON

THE SLAVE TRADE

WITH

FOREIGN POWERS,

PARTIES TO TREATIES,

UNDER WHICH

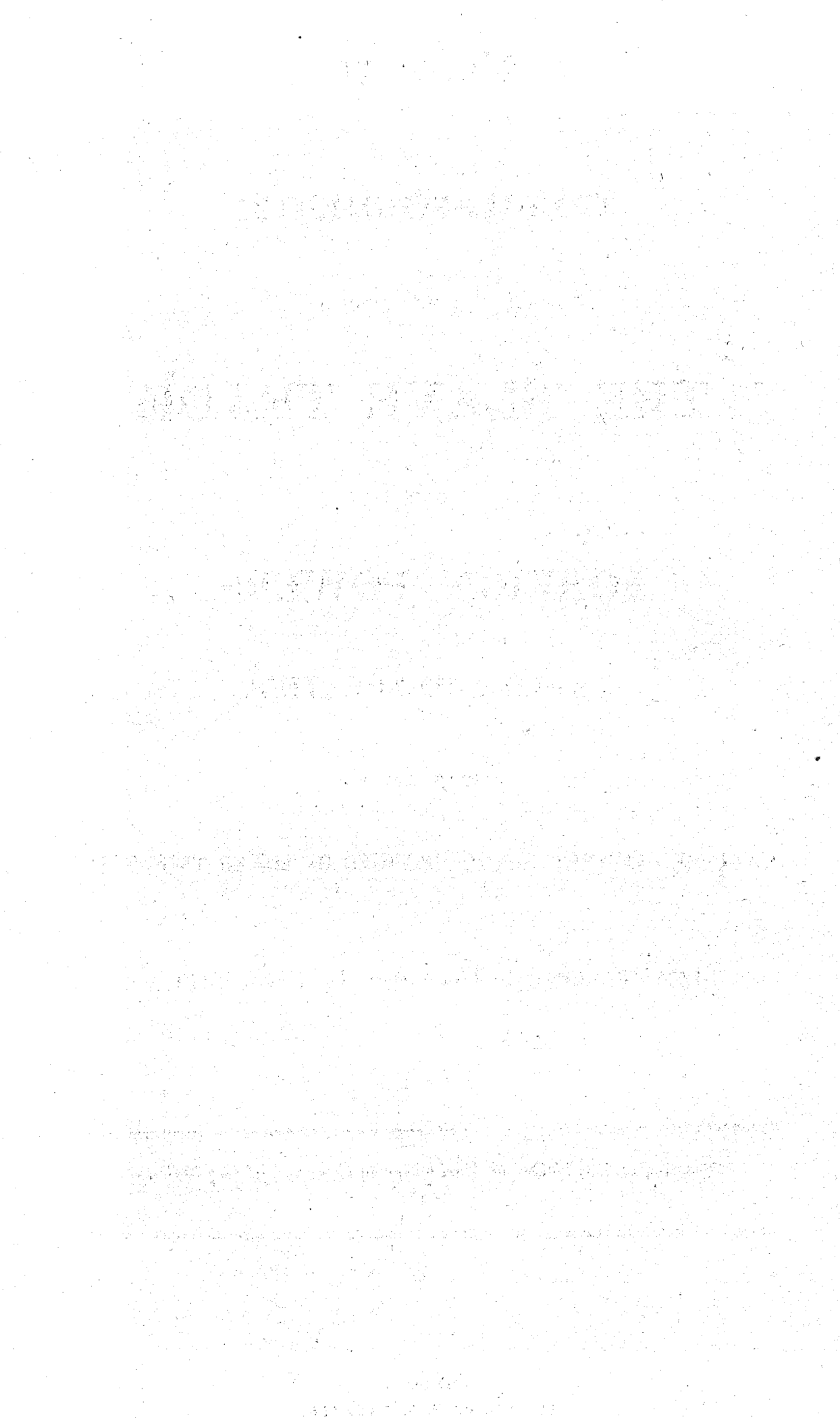
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From January 1 to December 31, 1846, inclusive.

Presented to both Houses of Parliament by Command of Her Majesty.
1847.

LONDON:

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Class B.—1846.

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Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS.

SPAIN.

No. 1.

The Duke of Sotomayor to the Earl of Aberdeen.

London, (not dated).

(Translation.)

(Received January 8, 1846.)

THE Undersigned, &c., has the honour to enclose to the Earl of Aberdeen, &c., copy of a list of the emancipated negroes to whom the Captain General of the Island of Cuba has delivered lately letters of freedom.

The Undersigned, &c.

(Signed)

THE DUKE OF SOTOMAYOR.

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

&c.

&c.

&c.

Enclosure in No. 1.

*Superior Civil Government of the Island of Cuba,
Havana, October 30, 1845.*

LIST of the EMANCIPADOS who have received their letters of freedom, distinguishing those who have been taken from the island and those who have remained in it.

Placed at the disposal of the British Commissioners, and taken out of this island in the English steamer "Forth."

MEN.

Names.	Nos.	From what Vessel.
Guillermo	184	Campeador
Sabinó	300	Negrito
Lucas	427	Aguila
Juan, alias Facundo. .	224	Julita
Anastasio, alias Serafin ..	21	Carlota
Desiderio, alias Emeterio ..	36	Idem
Juan.	149	Marte
Hilario	14	Chubasco
Benigno, alias Marcelino ..	42	Idem
German	121	Xerges

CLASS B.

SPAIN.

WOMEN.

Names.	Nos.	From what Vessel.	Children whom they took with them.
Lugarda	391	Negrilo	2 sons and a daughter
Maria de Belen	36	Emilio	
Maria del Rosario	534	Aguila	
Laureana	402	Negrilo	
Francisca	472	Aguila	
Leveadia	368	Idem	

Remained in this island.

Name.	No.	From what Vessel.
Cismana	428	Firme

(Signed) O'DONNELL.

No. 2.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, January 3, 1846.

(Received January 12.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatches of this series to that of the 19th ultimo inclusive.

In pursuance of the instructions conveyed to me in your Lordship's despatch of the 11th ultimo, I have communicated to M. Martinez de la Rosa, the satisfaction of Her Majesty's Government on learning the conduct of the Spanish Government at Cuba, with respect to the faithful execution of its engagements with Great Britain for the suppression of the Slave Trade; and I need not observe to your Lordship, that it is very gratifying to me to find that the representations which I have at various times made on this subject, according to your Lordship's instructions, have proved more effectual than those which had previously been addressed to Her Catholic Majesty's Government.

I have the honour to enclose a copy and translation of the answer returned by M. Martinez de la Rosa to my communication to his Excellency.

I have, &c.

(Signed) H. L. BULWER.

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

&c.

&c.

&c.

Enclosure in No. 2.

M. Martinez de la Rosa to Mr. Bulwer.

(Translation.)

Sir,

Madrid, December 30, 1845.

ON having the honour of acknowledging the receipt of your courteous communication of the 5th instant, relative to the punctuality with which the Spanish Government fulfils its stipulations regarding the suppression of the Slave Trade, I cannot otherwise than express my satisfaction for the frank and loyal way in which the British Government does justice to the amicable conduct of Spain.

Nor am I less pleased with your kindness in attributing in some degree to my personal character the satisfactory state of the present relations between the two countries; but I must, on my part, frankly declare that this task, so

pleasing for the Government of the Queen, my Sovereign, is not a difficult one, when one can reckon upon the co-operation of so elevated and loyal a Cabinet as that of Her Britannic Majesty, and so distinguished and conciliatory a representative as yourself.

I avail myself, &c.

(Signed) FRANCISCO MARTINEZ DE LA ROSA.

Her Britannic Majesty's Minister Plenipotentiary,
&c. &c.

No. 3.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, January 3, 1846.

(Received January 12.)

My Lord,

IN pursuance of the instructions conveyed to me in your Lordship's despatch of the 11th ultimo, directing me to ascertain whether the proposal, that Her Catholic Majesty's Government should purchase the "Romney," had the sanction of the Government of Madrid, I addressed a note to Señor Martinez de la Rosa on this subject, copy of which, as also of the answer which I have received from his Excellency, I have herewith the honour to enclose.

I have, &c.

(Signed) H. L. BULWER.

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

Enclosure 1 in No. 3.

Mr. Bulwer to M. Martinez de la Rosa.

Sir,

Madrid, December 26, 1845.

WITH reference to the correspondence which has passed between the British and Spanish Governments respecting the removal of the "Romney" hulk from the Havana, I have the honour to inform your Excellency that the British Commissioners in that city have proposed to the authorities there, that the said vessel should be purchased by the Spanish Government, for the purpose of receiving any captured Africans, or for any other purpose when not so required; and I am instructed to ascertain whether this proposal has the sanction of the Government of Her Catholic Majesty, the authorities at the Havana having received the suggestion favourably.

I avail, &c.

(Signed) H. L. BULWER.

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

Enclosure 2 in No. 3.

M. Martinez de la Rosa to Mr. Bulwer.

(Translation.)

Sir,

Madrid, December 30, 1846.

I HAD the honour to receive your note of the 26th instant, in which you are desirous to ascertain the opinion of Her Majesty's Government relative to the proposal made to the authorities of the Isle of Cuba by the British Commissioners, for the purchase of the hulk "Romney," stationed at the Havana. No intelligence has been as yet received upon this subject; but notwithstanding as this indication, according to your statement, was favourably received by the said Spanish authorities, and as, on the other hand, the purchase of the hulk would offer great facilities for the definitive arrangement of all the difficul-

ties which its removal from the port of the Havana might occasion; Her Majesty's Government, always disposed to accede to any indication tending to the laudable object of conciliating the interests and drawing closer the bonds of friendship which unite it with that of Her Britannic Majesty, has resolved to authorize the Captain-General of the Isle of Cuba to make arrangements with the British Commissioners, and proceed to the purchase of the hulk "Romney" for the account of the Spanish Government, and to which effect the necessary orders will be transmitted by the first mail.

I avail, &c.

(Signed) FRANCISCO MARTINEZ DE LA ROSA.

Her Britannic Majesty's Minister Plenipotentiary,
&c. &c.

No. 4.

The Earl of Aberdeen to Mr. Bulwer.

Sir,

Foreign Office, January 22, 1846.

WITH reference to previous correspondence relative to the refusal of the Captain-General of Cuba to receive and attend to the communications made to him by Mr. Crawford, Her Majesty's Consul-General in that island, I transmit to you herewith, for your information, a copy of a despatch from Her Majesty's Commissioners at the Havana, dated the 5th of December last, inclosing copies of a further correspondence between those functionaries and Mr. Crawford, relating to fresh cases of slave-trading expeditions, which had been communicated by Mr. Crawford to the Governor-General, and returned by him.

I also inclose a copy of a despatch from Mr. Crawford himself, upon the same subject, dated the 2nd of December. The inclosures of Mr. Crawford's despatch are not sent herewith, because the same correspondence is contained in the despatch of the Commissioners.

I am, &c.

(Signed) ABERDEEN.

The Right Hon. H. L. Bulwer,
&c. &c.

Enclosures in No. 4.

1. *Her Majesty's Commissioners at the Havana to the Earl of Aberdeen,*
December 5, 1845.

[See Class A, No. 49, page 101.]

2. *Mr. Consul-General Crawford to the Earl of Aberdeen, December 2, 1845.*

[See No. 33, page 44.]

No. 5.

The Earl of Aberdeen to the Duke of Sotomayor.

Foreign Office, January 24, 1846.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note of the Duke of Sotomayor, &c., dated the 3rd of September last, bringing forward a claim on the part of his Government, for reparation and compensation from the Government of Her Majesty, on account of the capture of the Spanish brigantine "San Antonio," alias "El Cayman," by Her Majesty's ship "Growler," on the coast of Africa, in the month of January 1845, on a charge of being engaged in the Slave Trade.

Previously to the receipt of the Duke of Sotomayor's representation, this capture had been already brought under the notice of the Undersigned by Her

Majesty's Commissioners at Sierra Leone, who transmitted a detailed report of the proceedings in this case, accompanied by a copy of the judgment of the Mixed Commission Court at that place, by which the vessel in question was condemned.

The Undersigned having attentively considered these papers, in connection with the Duke of Sotomayor's note, is led to the conclusion, that the very strong opinion expressed by the Duke of Sotomayor has been founded on a part only of the facts and circumstances of the case; and the Undersigned begs leave, therefore, to transmit herewith, for the information and consideration of the Duke of Sotomayor, a copy of the judgment of the Mixed Commission Court above referred to, in order that he may have a knowledge of the whole case, not doubting that he will thereby be induced to view the matter in a more favourable light than he has hitherto done.

The following is a summary of the main facts of this case, the details of which will be found fully set forth in the document accompanying this note.

The "*San Antonio*," otherwise "*El Cayman*," was originally a legitimate trader, plying between Spain and her West Indian Colonies, with the produce or manufactures of the two countries; and in August 1844 she sailed from Majorca bound for Cuba, laden with wine, oil, and other articles, and having a crew of ten persons, commanded by her master and ostensible owner, Pedro Antonio Gaza.

The vessel arrived at Havana in October, and the cargo having been disposed of, some proposition was then made to the master to proceed to the coast of Africa. What was the exact nature of that proposition, or by whom it was made, is not in evidence; but it seems to have been of such a character, that the entire crew quitted the vessel, even to the mate, who was the last to leave; and another crew numerically more than double, and at nearly a double rate of wages, was hired instead. The master about the same time engaged for the conveyance of a number of free Africans to their native country; and although he has not disclosed the name of the party with whom he contracted, the noted Pedro Blanco was the receiver of the passage-money, and was the person with whom the passengers made their agreement. The master also availed himself of the opportunity to embark an extraordinary quantity of provisions, much beyond what was authorized by his manifest, and to lay a second deck, fore and aft, a deck of that peculiar description which is confined to slave-vessels, the planks being marked and numbered, and the height between the beams being only two and a-half and three feet.

This second deck, and also the cooking-place fitted with a boiler, were entered on the muster-roll as having been sanctioned by the Havana authorities for the use of the passengers; but in other respects the fittings and equipments of the vessel were not found to be restricted to what appeared on the face of that or of any other official document with which she had been furnished.

Provisions, far exceeding in quantity what was permitted by the ship's manifest and clearance, and what could possibly be wanted for the crew and passengers, had been taken on board. Of water-casks, too, instead of 43, the number stated in the clearance to have been taken for the passengers, the vessel had 85 pipes of water on board when she left the Havana, and although on reaching the Cape Verds there were still 54 pipes of water remaining, the master there filled up the 31 pipes expended on the passage thither.

In the master's evidence and claim, no attempt was made to explain the excessive supplies of water and provisions, nor to account for the neglect to give bond for the water-casks, in accordance with the stipulations of the Treaty. Neither was any assertion made of legitimate trade, beyond the outward freight of passengers, which, at the rate of passage-money adduced in evidence, would not have covered the wages of the officers and crew, calculating only for a three months' voyage.

The question then naturally arises, what was to remunerate the owner for the expenses of his equipment, his second deck, boilers, and other articles; the subsistence of his numerous crew, and the risk and wear and tear of his vessel, not to mention the provisions of the passengers? The proved connexion of Pedro Blanco with the transaction; the filling up the water-casks at Cape Verds; and the presence on board of a notorious slave-factor and agent, seem to supply the answer; and no other conclusion could be come to under the evidence

produced, than that the African passengers had been made in this case a cloak to cover the vessel's fittings for the Slave Trade.

These are the principal grounds upon which the "*San Antonio*," alias "*El Cayman*" was condemned; and the Undersigned trusts that the Duke of Sotomayor will see in them sufficient evidence to justify that act, and to induce the Government of Her Catholic Majesty to withdraw the claim which the Duke of Sotomayor had been instructed to bring forward.

As the Duke of Sotomayor has addressed Her Majesty's Government on this subject, in ignorance of some of the most important features of the case, the Undersigned does not feel it necessary to examine very closely the tone and sentiments of the note in which the Duke of Sotomayor has executed the instructions of his Government. Nevertheless, he cannot pass over unnoticed the extraordinary statement of the Duke of Sotomayor, that Spanish vessels engaged in lawful commerce on the coast of Africa, are subject to abuse from the exercise of the right of search; and that every day's experience show the inconvenience and oppression resulting from that right.

In support, as it would appear, of this assertion, the Duke of Sotomayor refers to the case of the "*Josefa*," a case which occurred ten years ago, and which was brought again to the notice of Her Majesty's Government in the Duke of Sotomayor's note of the 30th of May last.

The Undersigned has already, in his reply to that note, shown that the claim made by the Spanish Government in this instance was unfounded; that the vessel in question was notoriously and beyond all doubt engaged in the Slave Trade, and not in lawful commerce; and that upon one ground alone, and that quite apart from the merits of the case, was any compensation due to her owners.

The example of the "*Josefa*," therefore, furnishes no support to the Duke of Sotomayor's vague and inconsiderate assertion; and the Undersigned confidently believes that the Duke of Sotomayor would find it difficult to adduce a single instance in which a Spanish vessel engaged in lawful trade has suffered any serious inconvenience from the operation of the right of search; certainly no such case has been brought to the knowledge of the Undersigned.

Under these circumstances the Undersigned must be allowed to express a doubt whether it is quite fitting that the Representative of Spain should take upon himself to pass a sweeping condemnation upon a measure which has hitherto proved effective in checking a crime formally denounced by the Spanish Government itself, and which has received the sanction of that Government in more than one solemn treaty.

The Undersigned, &c.

(Signed)

ABERDEEN.

The Duke of Sotomayor,
&c. &c.

Enclosure in No. 5.

Judgment of the Mixed Court at Sierra Leone in the case of the "San Antonio," alias "El Cayman."

[See Inclosure 2 in No. 87, Class A, 1845, presented 1846, page 335.]

No. 6.

The Duke of Sotomayor to the Earl of Aberdeen.

London, January 28, 1846.

(Received January 30.)

THE Undersigned, &c., has the honour to transmit to the Earl of Aberdeen, &c., the annexed list of the emancipados to whom the Captain-General of the Island of Cuba has delivered letters of freedom, in the month of November last.

The Undersigned, &c.

(Signed)

THE DUKE OF SOTOMAYOR.

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

Enclosure in No. 6.

*Superior Civil Government of the Island of Cuba,
Havana, November 30, 1845.*

LIST of the EMANCIPADOS to whom I delivered letters of freedom, of whom fourteen, with a daughter, were placed at the disposal of the British Commissioners, and taken from this island in the English steamer "Dee," and one whom I permitted to remain in this island.

Embarked in the English steamer "Dee," and taken out of this island.

MEN.

Names.	Nos.	From what Vessel.
Felix	74	Brig Negrito
Higinio	38	" Campeador
Jesan	55	" Voladora
Leon	41	" Firme
Julio.	92	" Amalia
Florencio, alias Lorenzo	55	" Marte
Felipe	117	" Planeta
Andres, alias Ricardo	202	" Deligencia

WOMEN.

Names.	Nos.	From what Vessel.	Children they have taken with them.
Mariana	260	Brig Firme	
Pastora	220	" Gerges	
Ana	97	" Carlota	A daughter
Ma. Nieves	101	" "	
Concepcion	127	" "	
Josefa, alias Juliana	331	" Ninfa	

Remained in this city.

Name.	No.	From what Vessel.
Ignacio de Loyola	177	Gerges

(Signed) O'DONNELL.

No. 7.

The Earl of Aberdeen to Mr. Bulwer.

Sir,

Foreign Office, February 5, 1846.

I TRANSMIT to you herewith, for your information, the copy of a correspondence which has taken place between Her Catholic Majesty's Minister at this Court and myself, on the subject of a claim brought forward by the Spanish Government, for reparation and compensation from the Government of Her Majesty, on account of the capture of the Spanish brigantine "*San Antonio*," alias "*El Cayman*," captured by Her Majesty's steam-vessel "*Growler*," on the coast of Africa, and condemned in the Mixed British and Spanish Court of Justice at Sierra Leone, on the 8th February, 1845, on a charge of being engaged in the Slave Trade.

I am, &c.

(Signed) ABERDEEN.

The Right Hon. H. L. Bulwer,
&c. &c.

Enclosures in No. 7.

1. *The Duke of Sotomayor to the Earl of Aberdeen, September 3, 1845.*
[See Class B, 1845, presented 1846, No. 63, page 73.]
2. *The Earl of Aberdeen to the Duke of Sotomayor, January 24, 1846.*
[See No. 5, page 4.]

No. 8.

The Earl of Aberdeen to Mr. Bulwer.

Sir,

Foreign Office, March 3, 1845.

WITH reference to your despatch marked Slave Trade, of the 3rd January, and to previous correspondence on the subject of the purchase of the hulk "Romney," at the Havana, by the Government of Her Catholic Majesty, I herewith transmit to you, for your information, copies of further despatches respecting that transaction which have passed between me and Her Majesty's Commissioners at the Havana; and from which you will learn that the purchase in question has been effected.

You will also see from my despatch to those functionaries, of the 13th ultimo, that Her Majesty's Government have determined to confide to them the execution of the office of Superintendent of Liberated Africans, the duties of which have hitherto been performed by the officer in command of the "Romney."

I am, &c.
(Signed) ABERDEEN.

The Right Hon. H. L. Bulwer,
&c. &c.

Enclosures in No. 8.

1. *The Earl of Aberdeen to Her Majesty's Commissioners at the Havana, January 21, 1846.*
2. *Her Majesty's Commissioners at the Havana to the Earl of Aberdeen, December 18, 1845.*
3. *The Earl of Aberdeen to Her Majesty's Commissioners at the Havana, February 13, 1846.*
4. *The Earl of Aberdeen to Her Majesty's Commissioners at the Havana, February 13, 1846.*

[See Class A, Nos. 52, 53, 58, and 60, pages 109 and 117.]

No. 9.

The Duke of Sotomayor to the Earl of Aberdeen.

London, March 18, 1846.

(Translation.)

(Received March 18.)

THE Undersigned, &c., has the honour to transmit to the Earl of Aberdeen &c., the annexed list, by name, of the emancipados who, in the month of January last, have received their respective letters of freedom from the Captain General of the Island of Cuba.

The Undersigned, &c.

(Signed)

THE DUKE OF SOTOMAYOR.

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

Enclosure in No. 9.

*Supreme Civil Government of the Island of Cuba,
Havana, January 30, 1846.*

LIST of the EMANCIPADOS who in the present month have received their respective letters of freedom, showing those who, being placed at the disposal of the British Commissioners, were embarked in the English steamer "Clyde," which left this port yesterday, and those which remain in this island, viz. :—

Names.	Nos.	From what Vessel.	
Francisco	75	Schooner Gerges	} Embarked in the English steamer "Clyde."
Estevan	278	" "	
Emeterio	52	" "	
Florencio, ó Lorenzo ..	462	Brig Firme	
Alejo	181	" "	
Crisostomo	24	" "	
Andrés	339	" "	
Pablo	15	" "	
José	269	" "	
Ricardo	37	Schooner Manolita	
Pedro	338	" "	
Adrian	326	" Julita	
Quirino, alias José ..	136	Brig Aguila	
Higinio, alias Valentin ..		" Marte	
Juana de Dios		Schooner Voladora	} Remained in this island
Pablo		Brig Medas	
Inés		Schooner Gerges	

(Signed)

O'DONNELL.

No. 10.

The Duke of Sotomayor to the Earl of Aberdeen.

London, April 23, 1846.

(Received April 25.)

(Translation.)

THE Undersigned, &c., has the honour to transmit to the Earl of Aberdeen, &c., a list, by name, of the emancipated negroes to whom the Captain-General of the Island of Cuba has delivered their letters of freedom in the month of February last.

The Undersigned, &c.

(Signed)

THE DUKE OF SOTOMAYOR.

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

&c.

&c.

&c.

Enclosure in No. 10.

*Supreme Civil Government,
Havana, February 28, 1846.*

LIST of the EMANCIPADOS to whom I have delivered their respective letters of freedom, mentioning those who have remained in this city and in the Island of Porto Rico, and those whom I have placed at the disposal of the British Commissioners for their removal from this island in one of the English steamers, viz.—

Placed at the disposal of the British Commissioners.

MEN.

Names.	Nos.	From what Vessel.
Frederico	147	Brig Orestes
Gregorio	483	„ Firme
Camilo, alias Tomas	314	„ Joaquina
Cayetano	450	„ Firme
Leandro	61	„ „
Pablo	160	„ Voladora
Alejandro	101	„ Rosa
Paulino	151	„ Voladora
Ignacio	104	„ Magico
Felix	348	„ Firme
Ceriaco	449	„ „
Benvenuto, alias Sebastian	68	„ „

WOMAN.

Name.	No.	From what Vessel.
Martina	78	Magico

Remained in this city.

Names.	Nos.	From what Vessel.
Torcuato	124	Brig Firme
Canuto	17	„ Gerges

Remained in the Island of Porto Rico.

Name.	No.	From what Vessel.
Pedro Martin	108	Schooner Rosa

(Signed) O'DONNELL.

No. 11.

The Earl of Aberdeen to Mr. Bulwer.

(Extract.)

Foreign Office, April 29, 1846.

I TRANSMIT to you herewith an extract of a despatch from Her Majesty's Commissioners at the Havana, dated the 5th ultimo, together with copies of its enclosures, relating to the landing of a cargo, on the coast near that city,

of about 400 Bozal negroes, on account of Don Pedro Forcade; a circumstance which had been reported by Her Majesty's Commissioners to Her Majesty's Consul-General, and by him to the Captain-General of Cuba.

The vessel in which these negroes were brought is stated to be the Spanish brig "*San José*," which it appears was sent out from the Brazils. The captain's name is Carrera.

You will see that although, as on previous occasions, the Captain-General returned Mr. Crawford's letter, Her Majesty's Commissioners are informed that he had ordered an investigation to be made into the allegations contained in it.

I think it right, nevertheless, to instruct you to communicate the enclosed correspondence without loss of time, to the Spanish Government, and to request to be furnished with an official report of the proceedings which may be taken in this case, together with a copy of the depositions.

I feel it to be the more necessary to instruct you to take this step promptly, and to follow it up with earnestness, since it is imperative on Her Majesty's Government to call upon the Government of Spain to make a searching enquiry into all the particulars of this nefarious transaction, and I leave the matter with confidence in your hands, to make, in case of need, such judicious use of the information I now give you, as may in your opinion best tend to obtain the desired end.

I think it unnecessary to make any fresh comment here on the fact of the Captain-General of Cuba, having again returned a communication received upon such a subject from Mr. Crawford, as it is to be presumed that at the date of Mr. Crawford's letter, the Captain-General had not yet received from his Government the instructions which are in future to regulate his conduct with respect to such communications.

(Signed) ABERDEEN.

The Right Hon. H. L. Bulwer,
&c. &c.

Enclosure in No. 11.

Her Majesty's Commissioners at the Havana to the Earl of Aberdeen,
March 5, 1846.

[See Class A, No. 64, page 122.]

No. 12.

The Duke of Sotomayor to the Earl of Aberdeen.

London, May 8, 1846.

(Translation.)

(Received May 12.)

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Catholic Majesty at this Court, has the honour to inform the Earl of Aberdeen, Her Britannic Majesty's Minister for Foreign Affairs, that the Captain-General of the Isle of Cuba received on the 20th of last February, a letter from Her Britannic Majesty's Consul at Havana, denouncing the disembarkation of 400 negroes on the coast near that city. That authority, being as yet uninformed of the agreement entered into between the Government of Her Catholic Majesty and the British Cabinet, relative to the correspondence of the Consul in matters concerning the repression of the illicit Slave Trade, returned the letter in the original, as he had previously done with similar communications of that functionary.

Nevertheless, and though it had not yet heard even any the least rumour that an infraction had been committed of the most peremptory orders for preventing the debarkation of newly-arrived negroes, it adopted without delay safe measures for ascertaining positively whether any such landing had taken place, either at the point specified by the Consul, or at any other, offering to

that end half an ounce of gold by way of recompense for each negro either denounced or detained. A very few hours sufficed to show that there was no ground for the information which gave rise to the British Consul's complaint, and which was occasioned merely by a trivial conversation at an inn, where a Spaniard in jest told one Mr. Koppers, a subject of Her Britannic Majesty, in the presence of other persons, that a large number of blacks had been landed.

From the proceedings instituted by order of the Captain-General, and of which the Undersigned has the honour to enclose a copy, his Lordship will be pleased to see that, as Mr. Koppers says in his deposition, he is sure of the falsity and groundlessness of the rumour concerning the arrival of a slaver—an assertion which will the more easily be believed when it is considered how vigorous and persevering is the persecution undergone by the traffic on the part of the Spanish authorities, and when, as is notorious, the coasts of that colony have not for a length of time been approached by more than a single slaver, who found himself compelled to bear away to sea with the small cargo he had on board, without having been able to land more than ten Africans, who were apprehended in the very act.

The Captain-General of Cuba, in reporting to the Government of Her Catholic Majesty the above circumstances, is hurt at the light manner in which the British Consul countenances and characterizes the most absurd rumours relative to the landing of slaves in that colony, such a singular proceeding being so much the more to be regretted, as he cannot but be fully aware that the Spanish Government complies most scrupulously and rigidly with the Treaties of 1817 and 1835, and that its authorities beyond sea put in practice whatever can contribute to their faithful observance.

The Undersigned, &c.

(Signed)

THE DUKE OF SOTOMAYOR.

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

&c.

&c.

&c.

Enclosure in No. 12.

(Translation.)

First Secretary of State's Office.

PROCEEDINGS ordered to be instituted by his Excellency the President Governor and Captain-General.

SENOR OSES.

EXENIA DE JUNCO.

(Signed)

GAMBOA.

*Supreme Civil Government of the Isle of Cuba,
Havana, February 22, 1846.*

THE English Consul has denounced the landing of a cargo of newly-exported negroes, in number about 400, on the coast near this city; and though, since it is not competent for that functionary to interfere in this matter, I have returned to him his communication in the original and under cover, still, however, I have taken the proper steps to ascertain the fact of which this Government neither had heard any rumours, nor received any intelligence. From the private inquiries hitherto set on foot, it would appear that this denunciation has not any sufficient grounds; but it being also known that this idea was set afloat by one Mr. Frederick Matienzo when dining at the inn called "El Progreso," in the district of Cerro, where Mr. Koppers, the Englishman, happened to be, I have thought it right, with the view of fully ascertaining the truth, that you, Sir, should proceed to institute a summary investigation into the circumstances, to the end that, in consequence thereof, and in conformity with the result, we might proceed as we shall see occasion. Accordingly, you, Sir, will be so good as to set on foot the necessary proceedings, and inform me thereof, with your opinion, the moment they are concluded.

God preserve you many years.

(Signed)

LEOPOLDO O'DONNELL.

The Alcalde Mayor, Don Blas Oses.

On the margin.

Let this be acknowledged immediately by the Escribania of the week.
 OSES.

Havana, February 23, 1846.

See to the fulfilment of what is ordered by his Excellency the President Governor and Captain-General in the preceding letter. Summon, therefore, Mr. Frederic Matienzo to appear, to be examined whenever it shall be deemed convenient. Leave, if necessary, a written order to that effect, and take the other steps required.

(Signed) OSES.

In the absence of Don Bernardo del Junco,
 to Gabriel Ramirez.

Take notice, that an order was delivered to the Puisne Justice of the district Cerro, for the summons of Mr. F. Matienzo.

(Signed) RAMIREZ.

Mr. Alcalde Mayor,

Havana, February 24, 1846.

Mr. F. Matienzo has not presented himself in order to make his deposition, though he has been summoned by the Puisne Justice of the district Cerro, as that Minister has informed me.

(Signed) BERNARDO DEL JUNCO.

Order of a fresh summons, which is complied with.

Deposition of Mr. Frederic Matienzo.

In the ever faithful city of Havana, the 28th February, 1846, there appeared before the Señor Alcalde Mayor Primero, and before me, the Escribano, Mr. Frederick Matienzo, a native of Cadiz, inhabitant of the district of the Cerro, unmarried, merchant, and twenty-three years old, who having been formally sworn, with in compliance was an order examined as follows:—

Query. Is he cognizant of there having recently arrived any cargo of fresh negroes, and of their having been landed on the coast near this city?

Answer. He neither knows nor heard the least rumour of the arrival of any slaver, either on this or any other coast of the island.

Q. Does he frequent the inn called "El Progreso," in the district of the Cerro? and has he held there any conversation on the subject referred to in the preceding query?

A. He lives at the inn just mentioned, and remembers that some day last week he jokingly said at dinner to an Englishman, Mr. Koppers, that about a thousand new negroes had been landed, and added, "How the English will be vexed at not having been able to take the vessel which brought them!" But this he said in jest, because Koppers always kept asking whether any fresh negroes had arrived, and was continually wrangling on the score of the English ships being superior to the Spanish.

Q. Did any other persons overhear that conversation?

A. Several people were at the table, but he is not acquainted with them, nor does he know their names.

Mr. Koppers sworn.

Is a native of London. Lives in the district of Cerro. Is in business. Married; thirty-one years of age. Last week, he thinks it was Sunday, when dining at the "Progreso," a conversation arose between deponent and Mati-

enzo, who sat near him, about the respective velocity of English and Spanish vessels, and in the course of it Matienzo said, with the view of proving the superiority of Spanish sailing, that notwithstanding the vigilance of the English, a vessel had arrived with a cargo of fresh negroes. Deponent at first gave credit to this, but he subsequently convinced himself that there was no truth in it, Matienzo having spoken in banter, and with the usual levity of his age and character.

Q. Did deponent communicate this intelligence to any other person?

A. Cannot remember whether he did, but observes that it must have been overheard by several foreigners who were dining at the same table.

Q. Can deponent recollect having mentioned the subject to the British Consul-General in this island?

A. Deponent has never spoken to that gentleman on any subject.

Havana, March 2, 1846.

As, after seeing the above, there appears no reason for continuing these proceedings, and that they therefore ought to be put a stop to, I address a formal letter to his Excellency the President-Governor and Captain-General, for him to be pleased to decide on what is to be done.

OSES. BERNARDO DEL JUNCO.

First Alcaldia Mayor of the Havana and of its Jurisdiction.

Excellency,

March 2, 1846.

I enclose to your Excellency, bearing date the 9th, the summary examination which I have taken in conformity with what your Excellency was pleased to direct me to do in your letter of the 22nd February last.

God preserve your Excellency many years.

(Signed)

BLAS OSES.

*His Excellency the President Governor
and Captain-General.*

No. 13.

The Duke of Sotomayor to the Earl of Aberdeen.

London, May 20, 1846.

(Translation.)

(Received May 22.)

THE Undersigned, &c., has the honour to transmit to the Earl of Aberdeen, &c., the annexed list, by name, of the emancipados of both sexes, to whom the Captain-General of the Island of Cuba has delivered their letters of freedom, placing them at the disposal of the British Commissioners.

The Undersigned, &c.

(Signed)

THE DUKE OF SOTOMAYOR.

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

&c.

&c.

&c.

Enclosure in No. 13.

*Supreme Civil Government of the Island of Cuba,
Havana, March 31, 1846.*

LIST of the EMANCIPADOS who received their letters of freedom in the present month, and whom I placed at the disposal of the British Commissioners, for their removal from this island, viz.—

MEN.

Names.	Nos.	From what Vessel.
Isidoro, alias Cirilo	20	Schooner Carlota
Desiderio	39	„ Manolita
Páufigo	134	Brig Firme
Pablo	13	Schooner Fingal
Romualdo	34	„ Amalia
Anastasio	389	Brig Firme
Fulgencio	14	„ Intrepido
Ruperto	96	Schooner Ninfa
Benito, alias Tomaz	98	Brig Marte

WOMEN.

Names.	Nos.	From what Vessel.
Ma. Dolores	202	Schooner Planeta
Ines	73	„ Deligencia
Paula	74	„ „
Coleta	83	„ „
Purificacion.. .. .	76	„ „
Aniceta	259	Brig Firme
Tomasa	114	„ Midaz
Monica	285	„ Firme
Brigida	418	„ „

(Signed) O'DONNELL.

No. 14.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, May 11, 1846.

My Lord,

(Received May 28.)

I HAVE the honour to own receipt of your Lordship's despatch of the 29th instant, with its several enclosures, relative to the landing on the coast near the Havana, of a cargo of 400 Bozal negroes, from the Spanish brig "*San José*," with the connivance of the Spanish authorities.

In obedience to your Lordship's instructions I have lost no time in demanding the serious attention of the Spanish Government to this new infraction of the Treaty, as set forth in the correspondence between Her Majesty's Commissioners and Mr. Consul-General Crawford, a copy of which, together with the latter's report to the Captain-General of the Havana, I transmitted to his Excellency M. Isturiz.

I have, &c.

(Signed) H. L. BULWER.

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

&c. &c. &c.

Mr. Bulwer to the Earl of Aberdeen.

Madrid, May 31, 1846.

(Received June 10.)

My Lord,

WITH reference to my despatch of the 11th instant, relative to the landing on the coast, near the Havana, of a cargo of 400 Bozal negroes from the Spanish brig "*San José*," with the connivance of the Spanish authorities, I have the honour to transmit to your Lordship herewith, copies and translations of a note and its enclosures, which I have received from M. Isturiz, in answer to the representation which I addressed to his Excellency upon this subject.

I have, &c.

(Signed) H. L. BULWER.

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

&c. &c. &c.

Enclosure 1 in No. 15.

M. Isturiz to Mr. Bulwer.

(Translation.)

Sir,

Madrid, May 15, 1846.

I HAVE received your note, dated the 11th instant, relative to the denunciation made by the British Consul at the Havana, of the disembarkation of 400 Bozal negroes, and I can assure you that it is very gratifying to me to give you a reply on the subject, since it affords me the opportunity of giving you a proof of the loyalty and good faith with which the Spanish Government fulfils the treaties which bind it with England, and of the sincerity with which it endeavours to cultivate the good relations of amity which unite it with that Power.

The denunciation alluded to in your note was made on the 20th of February, and on the 3rd of March the Captain-General of the Island of Cuba had already reported this occurrence, precisely in the same words used by Mr. Crawford in his letter to the British Commissioners of the 21st February. This gentleman said: "I have made the most diligent enquiries everywhere I thought it probable information could be obtained, but have been unable to get at anything respecting the expedition in question, or even ascertain the fact of such a cargo of Bozal negroes having been landed;"—that is to say, that not even the British Consul was able to ascertain whether the landing had taken place, which is the same thing stated by Captain General O'Donnell. But, however, as from the investigations practised by the authorities, some suspicions were excited, that the report of the landing might have originated from a dispute which took place at an hotel between an Englishman and a Spaniard, a judicial investigation was also instituted upon this incident, which was transmitted here in original by the Captain-General.

In order that you may be better acquainted with the facts, and as a mark of friendly confidence, I enclose herewith a copy of General O'Donnell's despatch, and of the depositions made by Mr. Matienzo and Mr. Koppers, trusting that the rectitude of your judgment cannot but render justice to the Spanish Government, and to the superior authorities of Cuba, respecting the religious and strict manner in which the Treaties of 1817 and 1835 are fulfilled.

But, notwithstanding the reasons which exist for doubting the correctness of the fact alluded to in your note to which I have the honour to reply, Her Majesty's Government, not less zealous than that of Her Britannic Majesty, of the fulfilment of the above-said Treaties, will instruct, by next packet, the Captain-General of the Island of Cuba, to make a further investigation until the truth of the case has been fully ascertained; and in case of its proving to be true, to inflict the punishment awarded by law upon its authors and accomplices.

I avail, &c.

(Signed) XAVIER DE ISTURIZ.

The British Minister Plenipotentiary,

&c. &c.

Enclosure 2 in No. 15.

The Captain-General of Cuba to the Spanish Minister for Foreign Affairs.

(Translation.)
Most Excellent Sir,

*Superior Civil Government of the Island of Cuba,
Havana, March 3, 1846.*

ON the 20th of last month I received a letter from the British Consul, denouncing the landing of 400 Bozal negroes on the coast, near to this city. I immediately returned this communication under a cover, as I have before done with similar communications of this functionary, and informed your Excellency of the fact, as it only has reference to the landing of African slaves, in which the Consul has no right to interfere, according to the precise orders of Her Majesty's Government.

Notwithstanding this, and that I had no intelligence, nor the least idea of any strict orders for taking up any number of negroes which should arrive on the island having been infringed, and even being sure that this will not happen while I command in it, I instantly adopted most certain measures to find out positively if such an entry of Bozals had taken place, either on the spot designated or at any other, offering half an ounce of gold for each negro denounced and apprehended. Very few hours were sufficient to convince me of the denunciation being unfounded, as it is necessary that Her Majesty's Government should know that no landing of negroes can be or has ever been effected on the Island of Cuba, without its being immediately made public in all the town.

Very truly, the vigilance of the authorities may be baffled, the entry may be made without difficulty, and they may even be concealed by the means which the mutual interest of all parties has more than once contrived to employ; but it is impossible that the arrival of the negroes be kept secret. This is an axiom very familiar to those acquainted with the country, and which, far from being unknown by the Consul or any other British functionary, it is undoubtedly they who are better informed of it, being more particularly interested in the matter.

The present denunciation, which I resolved to investigate after having obtained confidential information, exact and positive, according to the annexed original proceedings which I transmit, had, it appears, no other foundation than a conversation in an hotel, between a Spaniard and an Englishman, respecting the speed of the vessels of either nation; and the Englishman afterwards stated in his deposition that he is sure the arrival of the slaves is not true. So it is, undoubtedly and positively, as also, that in the whole of last year, and in the months which have transpired of this, only one vessel has arrived at this island, which was compelled to put to sea with the small cargo of negroes which it carried, without having been able to land more than ten, which were at once apprehended.

I inform your Excellency of the fact for your knowledge.

(Signed)

LEOPOLDO O'DONNELL.

His Excellency Don J. F. de Isturiz,
&c.

&c.

Enclosure 3 in No. 15.

The Captain-General to the Alcalde Mayor.

*Superior Government of the Island of Cuba,
Havana, February 22, 1846.*

(Translation.)

THE British Consul has denounced the landing of a cargo of Bozal negroes on the coast near this town; and although as it does not belong to that functionary to interfere in this matter, I have returned his original communication to him; I have adopted, however, the proper measures for ascertaining the fact of which this Government had not the slightest notice. From the secret information which has been procured up to this moment, it appears that this denunciation is false; but having also ascertained that the idea was

CLASS B.

suggested by a certain Don Federico Matienzo, when he was at dinner at the hotel called "El Progreso," in the barrio del Cerro, in company with an Englishman named Koppers; I have thought it proper, in order to ascertain the real truth of the case, that you should proceed to institute a summary investigation upon it, for the purpose of taking the necessary measures according to the result of this investigation. Consequently you will be pleased to practise what you consider necessary to that effect, transmitting to me your opinion on the case as soon as possible.

God preserve you many years.

(Signed)

LEOPOLDO O'DONNELL.

Deposition of Don Federico Matienzo.

(Translation.)

BEFORE me, the Alcalde Mayor and the notary of the city of Havana, the 28th of February, 1846, appeared Don Federico Matienzo, a native of Cadiz, living at the barrio del Cerro, a merchant, aged twenty-three, who, after having taken his oath, was examined as follows:—

Having been asked whether he knew that any cargo of Bozal negroes had lately arrived and been landed on the coast near this town, he declared:— That he does not know, nor has the slightest notice of the arrival on this coast, of any vessel loaded with Bozal negroes. Being asked whether he accustoms to frequent the hotel called the "Progreso," and whether he had had there any conversation on the subject alluded to in the foregoing question, he stated, that he lives in the aforesaid hotel, and remembers that one day of last week, he had the caprice of saying at table, addressing himself to an Englishman of the name of Koppers, that about 1000 Bozal negroes had been landed, adding these words,—“ Now the English will be d——d for not having been able to seize the vessel in which they came.” But this he said in jest, and because Mr. Koppers was always asking him whether any Bozal negroes were being brought, and disputing about the superior quality of the English vessels compared with the Spanish.

Being asked what other persons were present at the conversation above alluded to, he said, that several individuals were at table, but that he knows none of them, nor knows their names; and assured that the deposition is true according to the oath he has taken, which, after having been read to him, he confirmed and signed before me, to which I attest.

(Signed) OSES.

(Signed)

FREDERICO MATIENZO.

Deposition of Mr. Koppers.

(Translation.)

IN the most faithful city of Havana, this 2d day of March, 1846, Mr. Henry Koppers, a native of London, living in the barrio del Cerro, a merchant, a married man, aged 31, appeared before D. Blas Osés, Alcalde Mayor, and myself, the undersigned notary, and having taken his oath and been questioned, in consequence of the part of the deposition of D. Federico Matienzo which concerns him, he stated:—That one day of the week before last, which, to the best of his recollection, was a Sunday, being at dinner at the Hotel de Progreso, a conversation took place between deponent and Matienzo, who sat next to him, about the respective velocity of English and Spanish vessels, and that in the course of it Matienzo said, in order to prove the superiority of Spanish vessels, that, in spite of the vigilance of the English cruizers, one of the former, with a cargo of 1000 Bozal negroes, had just arrived; which, although the deponent believed at that moment, he has subsequently been convinced it was a falsehood, and that Matienzo spoke in jest, and with the levity which is natural to his age and character.

Being asked whether he communicated the above-mentioned fact to other persons, the deponent said he did not remember it; but he added, that it must have been heard by several foreigners who were dining at the same table.

Being asked whether he recollects to have spoken on the subject to Her Britannic Majesty's Consul-General in this island, he stated that he has never spoken with that gentleman on any matter whatsoever; and assured that his present statement is the exact truth, according to the oath he had taken, which, after being read to him, he confirmed and subscribed before me, which I attest.

(Signed) OSES.

(Signed) HENRY KOPPERS.

No. 16.

M. Tacon to Viscount Palmerston.

27, Welbeck Street, July 9, 1846.

(Received July 10.)

THE Undersigned, &c., has the honour to transmit to Viscount Palmerston, &c., the annexed list, by name, of the emancipated negroes, to whom the Captain-General of the Island of Cuba has delivered their letters of freedom during the month of April last.

The Undersigned, &c. (Signed) MIGUEL TACON.

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

&c. &c. &c.

Enclosure in No. 16.

*Supreme Civil Government of the Island of Cuba,
Havana, April 27, 1846.*

LIST of the EMANCIPADOS to whom I delivered their letters of freedom and placed at the disposal of the British Commissioners, for their removal out of this island.

MEN.

Names.	Nos.	From what Vessel.
Santiago	81	Orestes
Gonzalvo	7	Midas
Donato, alias Gregorio	45	Chubasco
Bonifacio	141	Ninfa
Lucas	264	Voladora
Nazario, alias Joaquin	292	Julita
Epifanio, alias Francisco	77	Indagadora
Marcelino	68	Campeador
Pastor	147	Magico
Simeon	376	Firme
Camilo	167	Gerges
Jorge	106	Campeador
Eustaquio	299	Firme
Teodoro, alias Joaquin	289	Joaquina

WOMEN.

Names.	Nos.	From what Vessel.
Ines	159	Chubasco
Circuncision	90	Midas
Ma. de los Angeles	165	Emilio

(Signed) O'DONNELL.

M. Tacon to Viscount Palmerston.

London, July 23, 1846.

(Received July 23.)

(Translation.)

THE Undersigned, &c., has the honour to transmit to Viscount Palmerston, &c., the annexed copy of the list of the emancipados to whom the Captain-General of the Island of Cuba has delivered their respective letters of freedom in the month of May last, mentioning those freed negroes who have been placed at the disposal of the British Commissioners for their removal from that island.

The Undersigned, &c. (Signed) MIGUEL TACON.
The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Enclosure in No. 17.

*Superior Civil Government of the Island of Cuba,
 Havana, May 27, 1846.*

LIST of the EMANCIPADOS who have received in the present month their letters of freedom, mentioning those who remained in this city, and those whom I placed at the disposal of the British Commissioners for their removal from this island.

Remained in this city.

MEN.

Names.	Nos.	From what Vessel.
Marcelino	75	Schooner Gallito
Anacleto	137	Brig Campeador

Placed at the disposal of the British Commissioners, for their removal out of this island.

Names.	Nos.	From what Vessel.
Anastasio	7	Brig Magico
Francisco	24	„ Midaz
Primo, alias Francisco ..	142	„ Firme
Eusebio	46	„ Midaz
Agapito	181	„ Ricomar

WOMEN.

Names.	Nos.	From what Vessel.	Children they have taken with them.
Ma. de Belen, alias Carmen	54	Schooner Carlota	1 son and 2 daughters
Victoria	158	Brig Ricomar	1 son
Maria del Pilar	138	„ „	1 son and 1 daughter
Leocadia	154	„ „	
Cipriana	246	Schooner Voladora	

(Signed)

O'DONNELL.

No. 18.

Viscount Palmerston to Mr. Bulwer.

Sir,

Foreign Office, August 3, 1846.

BY a despatch recently received from Her Majesty's Commissioners at the Havana, dated the 10th ultimo, it appears that the practice of re-selling emancipados, which has been going on for some time past under the sanction and direction of the Captain-General of Cuba, was the public topic of conversation at the Havana.

It is stated, among other facts, that the Gas Company had been provided by the Captain-General with fifty or more of these emancipados, to be at their disposal for five years as lamp-lighters, a price of five ounces of gold having been paid by that company for each.

It is also stated, that upwards of 5000 of these unfortunate persons have been re-sold at rates varying from five to nine ounces of gold, by which means a profit of upwards of 600,000 dollars has been made by persons in the Government House, one-sixth of which sum was divided amongst the subordinate officers, from the Colonial Secretary downwards; and that 400 emancipados had been transferred to the Marques de las Delicias, Chief Judge of the Mixed Court, and one of the greatest slave-proprietors in the island, to be held by him for the benefit of the Countess Queraga, wife of General O'Donnell, in order that she might receive from their labour an income of 4000 dollars a-month.

I have to instruct you strongly to represent to the Spanish Government, that these proceedings of the Captain-General of Cuba are a direct and flagrant violation of the Treaty engagements of Spain, by which negroes emancipated by decrees of the Mixed Commission were to be really, and not merely nominally, free. That these proceedings are, moreover, an open disobedience of the Cedula of Ferdinand, dated the 19th of December, 1817, by which all negroes landed in any part of the Spanish dominions after the 30th of May, 1820, were declared to be perfectly free.

You will express the confident hope of Her Majesty's Government, that the Government of Spain will give such positive and peremptory orders to General O'Donnell as may obtain, without further delay, for these nominally-emancipated negroes, that full and complete liberty to which, by the laws of Spain and by the Treaty engagements of the Spanish Crown, they are as much entitled as General O'Donnell himself.

You will give a copy of this despatch to the Spanish Government.

I am, &c.

The Right Hon. H. L. Bulwer,
&c. &c.

(Signed) PALMERSTON.

No. 19.

Viscount Palmerston to Mr. Bulwer.

Sir,

Foreign Office, August 11, 1846.

ON the 8th of June, 1845, Lord Aberdeen addressed a despatch* to Mr. Jerningham, marked "Slave Trade," relative to the Penal Law against Slave Trade, which, by Article II of the Treaty of 1835, the Spanish Government is bound to enact and publish.

In that despatch Mr. Jerningham was informed of the tardy and imperfect manner in which the Captain-General of Cuba had promulgated the Penal Law after it had been communicated to him by his Government; and Mr. Jerningham was instructed to urge the Spanish Government to give orders that the law in question should receive every publicity, not only at the Havana, but throughout the whole Island of Cuba; and that it should be carried into effect with strictness and vigour.

Accordingly, on the 30th of June, 1845, Mr. Jerningham addressed a note† to M. Martínez de la Rosa to the above effect (a copy of which was enclosed in Mr. Jerningham's despatch marked "Slave Trade," dated the 9th of July,

* See Class B. 1845, p. 61.

† See Class B. 1845, p. 64.

Enclosure in No. 21.

Mr. Jerningham to M. Isturiz.

Sir,

Madrid, August 11, 1846.

IN compliance with an instruction from Her Majesty's Government, I have the honour to transmit to your Excellency, herewith, a copy of a despatch, dated the 3rd instant, which has been addressed by Viscount Palmerston to Mr. Bulwer, directing him to make a strong representation to the Government of Her Catholic Majesty, against the practice of re-selling emancipated negroes, which is stated to have been going on for some time past in the Island of Cuba, under the sanction and direction of the Captain-General, which Her Majesty's Government consider to constitute a direct and flagrant violation of the Treaty engagements of Spain, and to which Her Majesty's Government trust that the Government of Spain will put an immediate stop.

I avail myself, &c.,
(Signed) G. S. S. JERNINGHAM.

His Excellency Don Xavier de Isturiz,
 &c. &c.

No. 22.

*M. Tacon to Viscount Palmerston.**Welbeck Street, August 23, 1846.*

(Translation.)

(Received August 26.)

THE Undersigned, &c., has the honour to transmit to Viscount Palmerston, &c., the annexed list, by name, of the emancipated negroes, who, during the month of June last, received their respective letters of freedom from the Captain-General of the Island of Cuba.

The Undersigned, &c. (Signed) MIGUEL TACON.
The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Enclosure in No. 22.

Island of Cuba. Superior Civil Government,
Havana, June 27, 1846.

LIST of the EMANCIPADOS who received letters of freedom in the present month, mentioning those who have remained in this city, and those whom I placed at the disposal of the British Commissioners for their removal from this island.

Placed at the disposal of the British Commissioners.

MEN.

Names.	Nos.	From what Vessel.
Apolonio	154	Carlota
Anselmo	161	"
Bonifacio	18	Pto. Escondido
Longino, alias Simon ..	75	Schooner Maria
Higinio	10	" Amalia
Abraham	56	" Voladora
Felipe	99	"
Timoteo	25	Brig Ricomar

SPAIN.

WOMEN.

Names.	Nos.	From what Vessel.	Children whom they took with them.
Mariana	143	Macambo	
Cristina	253	Sta. Rosa	A daughter
Eleuteria	229	Brig Firme	
Polonia	79	Schooner Diligencia	
Olalla	397	Brig Portugues	
Prisca	372	" "	

Remained in this city.

Name.	No.	From what Vessel.
Guadalupe	80	Brig Relampago

(Signed) O'DONNELL.

No. 23.

*M. Tacon to Viscount Palmerston.**Welbeck Street, September 11, 1846.*

(Translation.)

(Received September 12.)

THE Undersigned, &c., in compliance with orders from his Government, has the honour to present to Viscount Palmerston, &c., the following answer to the note which, on the 19th of last December, Lord Aberdeen addressed to the Duke of Sotomayor, in reply to that which he had written to the former on the 30th of May preceding,* to claim from the Government of Her Britannic Majesty, a compensation for the damages and prejudices occasioned to Mr. Stephen Balaguer, an inhabitant and merchant of Porto Rico, by the unlawful capture of his schooner the "*Josefa*," by the English brig the "*Curlew*," and to request an indemnity for the family of M. Miguel Calvet, the captain of that schooner, who died at Sierra Leone, a victim of the insalubrity of a country to which he had been conducted by force and unjustly.

Lord Aberdeen says, that so far from its having been fully proved by the documents enclosed by the Duke of Sotomayor, that the "*Josefa*," on sailing from Porto Rico, was bound for the Island of St. Thomas and the coast of Africa, in the exercise of a legitimate commerce, the proceedings before the tribunal leave no doubt that that vessel, at the time of her capture, was equipped and destined for the Traffic in Negroes; and that furthermore it clearly appears that the consent of Captain Denman, the first captor, to deliver up the vessel to her captain, and the subsequent sentence of restitution decreed by the Mixed Commission, were founded, not on the innocence of the traffic in which the vessel was engaged, but solely on the circumstance of his not being duly justified by the Treaty to make the capture, because he had not the required authorization; that the position of the second captor was different, inasmuch as he was invested with the necessary full powers to detain Spanish vessels fitted out for the traffic in negroes; and that notwithstanding this circumstance, and the fact that the prohibited effects were found on board the "*Josefa*," the Mixed Commission, on the ground that she had been placed within the reach of the second captor by an irregular act of the first, deemed it just to restore the vessel to her owners, but accompanying its sentence by a condemnation in costs, on account of her criminal occupation.

The illegality of the first capture having been recognised by the Mixed Commission, the Undersigned considers it unnecessary to enter into a discussion on this point; but with respect to the second capture, which in fact was only a continuation of the first, inasmuch as the "*Josefa*" had not yet been released, he deems it his duty to lay some observations before his Lordship,

* See Class B. 1845 (presented 1846, p. 118).

and, with the view to the better understanding of this subject, to take a slight survey of the case of the brigantine "*General Manso*," which was the first of the three Spanish vessels (viz., the "*General Manso*," the "*Victorina*," and the "*Josefa*,") that was condemned, and whose circumstances the Mixed Commission declared to be the same, extending itself consequently more on this case, and grounding on it the sentence which it pronounced on the other two.

The brigantine "*General Manso*" was captured on the 18th November, by Her Majesty's brig the "*Curlew*," and conducted to Sierra Leone, where she arrived on the 28th of the same month.

This vessel was taken, though she had no slaves on board, and Mr. Denman, the commander of the "*Curlew*," had not received the necessary authorization or instruction in accordance with the Treaty of 1835.

When within four days' sail of Sierra Leone, the captor agreed with the captain of the "*General Manso*," to leave him at liberty to continue his voyage, giving him moreover a certificate of the capture having been illegal, and requesting in it that he might not be molested by any man-of-war for the space of five days, which was the time he calculated as necessary for placing him in the same point where he had taken him, exacting on his part from the captain of the "*General Manso*," to renounce all claim to which he might be entitled in consequence of the said capture.

This agreement took place on the 2nd of December, and it was also stipulated that an officer of the "*Curlew*," should conduct the Spanish brigantine out of the port.

On the 3rd, arrived at Sierra Leone the "*Leveret*," authorized to capture on account of equipment alone, and Lieutenant Norcott replaced in the command of the "*Curlew*," Mr. Denman, who had been promoted.

On the following day the brigantine "*General Manso*" put to sea, having on board the officer of the "*Curlew*," who was to see her out of port, as had been stipulated. This officer detained the vessel at a certain distance without allowing the necessary sail to be made, or without choosing to withdraw, till the "*Leveret*" came out and took her. On board the "*Leveret*" was the new commander of the "*Curlew*," and consequently the superior of the officer in charge of the "*General Manso*," who could not, without orders have taken upon himself to take the brigantine out of the port.

On the 5th December, they presented themselves to the Mixed Commission, and the proceedings commenced.

The process was prolonged, without there existing or being alleged any motive for it, to the 18th July, 1836, when sentence was pronounced by acquitting the vessel, but condemning the captain to pay all the costs.

The same sentence was passed on the "*Victorina*" and the schooner "*Josefa*," now under consideration.

And to justify this sentence, on what do the British Commissioners proceed? In the report to their Government, they state, "It appears that in virtue of the last paragraph of Article II of the Regulation for the Mixed Courts of Justice, and of the second of the two Articles referred to in it, if it be proved that a vessel is equipped according to Article X of the Treaty, at the time of her capture, though the said equipment may have had a legal object, or if the captain of the captured vessel shall have led the captor into error, and thus have occasioned her detention, the captors shall not be responsible for the costs of the process, which" (the Commissioners add) "must therefore fall upon the party opposed, as in this case."

Apart from the want of formality, sufficiently singular, which marks the procedure of judges, who, in order to prop up a sentence, take their stand on an Article which appears to exist in a Treaty, in accordance with whose provisions they are to adjudicate, is the consideration deduced logical? or at least is it rational? Certainly not. The Articles cited, and the 5th of Annex B, in which it is stipulated that these costs shall be borne by the Government of the country to which the captor belongs, are so clearly worded, that it is scarcely credible that such an interpretation should *bonâ fide* have been given them.

As an additional motive for condemning the brigantine "*General Manso*" to the payment of all the costs of the process, the Mixed Commission alleges that "up to the act of sailing from the colony, she was equipped for the Slave Trade."

The schooner "*Josefa*" did not chance to sail from the port, nor even to
CLASS B.

make any preparation to that effect. This only difference between the two cases is confessedly recognized by the Mixed Commission; but far from mitigating on that account its sentence, it avers that the culpable negligence of the persons interested in keeping her thus equipped within the port, had imperiously imposed on the captors the necessity of taking her, and looking to her for the costs consequent on the process, to whose payment it for this reason condemns her. The Mixed Commission shows itself severe and inexorable. If they remained in port, they were criminal; if they quitted it, they were so likewise. What expedient, then, was left to these unfortunate captains to resort to? It may perhaps be said, that they ought to have got rid of the effects which rendered their vessels suspicious. In the case of the brigantine "*General Manso*," this might perhaps have been practicable; but it cannot be supposed that her captain was aware of doing any criminal act, when an officer of the Royal English Marine assisted in its execution. But as to the schooner "*Josefa*," it was entirely impossible, for, as his Lordship can collect from the deposition of the English officer, Mr. Alexander T. Reid, the captain of the prize on board that vessel, the latter was never set at liberty, and consequently her captain could never exercise any authority over her or over her cargo.

Another irregularity, of a still graver character, if possible, on account of the just suspicions to which it gives rise, is observable in the proceedings had in these cases before the Mixed Commission, namely, the long delay of eight months, without a well-founded cause, in the carrying on and sentence of the process, notwithstanding that it is expressly and peremptorily laid down in Article III of the Regulations for the Mixed Courts of Justice, that "in no case shall the definitive sentence be deferred beyond the period of two months, whether by reason of the absence of witnesses, or for any other cause whatever, except when the interested parties shall interpose an appeal; in which case, provided always that the said interested party or parties give sufficient security to answer for the costs, and take on themselves the risk of the delay, the Court may, at their discretion, grant a fresh delay; but this shall never exceed four months."

The Mixed Commission greatly exceeded this limit, without there appearing any just cause for it, nor did the parties concerned give the security which is required by the above-cited article. In Lord Aberdeen's reply, it is alleged that the delay was consented to at the instance of the parties; but this reason is inadmissible, as the tribunals are expressly forbid to extend it beyond four months on any pretext whatsoever, and the Undersigned would be at a loss to comprehend what powerful motive the Mixed Commission could have had for being so scandalously wanting to its duties, if the deposition of Mr. Robert Dougan, the attorney of the captors, did not set it forth in the clearest and most explicit terms. This juris consult says, "that when the '*Josefa*' was taken for the second time, the Court had not yet received any instruction to act in accordance with the Treaty, in virtue of which that vessel was detained, and that consequently the proceedings could not commence immediately."

The Mixed Commission did not receive the instructions till the 5th of July, 1836, and up to that day it could not constitute itself a Mixed Court of Justice. This clearly and incontrovertibly accounts for so long and so illegal a procrastination.

There are, besides, in the process alluded to, various other flaws of no small moment, but the Undersigned deems it of no purpose to trespass with an enumeration of them on his Lordship's attention, being sincerely convinced that if Her Britannic Majesty's Government will be pleased to take into consideration the remarks which he has had the honour to present to it, the nullity of the process cannot fail to be recognized by it, any more than that the sentence pronounced by the Mixed Commission was "contrary to law and equity." The Undersigned also refrains from making any observation on the conduct of the officers of the ships of Her Britannic Majesty "*Curlew*" and "*Leveret*," because he is firmly persuaded that Captain Denman having exacted from the commander of the "*Josefa*," Don Miguel Calvet, as a *conditio sine qua non* for the restitution of the vessel which he had illegally taken, and which he was bound as well in honour as in justice to give up, the formal promise that he would not enforce against him any claim for the damages and prejudices occasioned, and the having permitted the schooner "*Josefa*" to be once more captured, while the captain of the prize whom he, Denman himself, had placed

in her, was still on board, and while the prize consequently was still under the safeguard of his, Denman's, honour, are facts which can never be approved of by a Government so distinguished for its high morality as is that of Her Britannic Majesty.

In reference to the reasons above stated, and by the order of Her Catholic Majesty's Government, the Undersigned has the honour to reiterate the claim preferred by the Duke of Sotomayor on the 30th May, 1845, and to manifest to the Right Honourable Viscount Palmerston, that the sum of 125*l.* 12*s.* 4*d.* offered in the name of Her Britannic Majesty's Government through Lord Aberdeen, in payment of the effects abstracted from the schooner "*Josefa*," while she was in charge of an English officer, would in every case be insufficient, seeing that by the Treaty of 1835 (Annex B, Article VII) the claimant is entitled to the interest of 5 per cent. annually, till the sum assigned shall have been paid up.

The Undersigned, &c. (Signed) MIGUEL TACON.
The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

No. 24.

M. Tacon to Viscount Palmerston.

38, *Harley Street, Cavendish Square,*
 October 8, 1846.

(Translation.)

(Received October 9.)

THE Undersigned, &c., has the honour to transmit to Viscount Palmerston, &c., the annexed list, by name, of the emancipated negroes, to whom the Captain-General of the Island of Cuba delivered their letters of freedom in the month of July last.

The Undersigned, &c. (Signed) MIGUEL TACON.
The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Enclosure in No. 24.

Island of Cuba. Supreme Civil Government
Havana, July 29, 1846.

LIST of the EMANCIPADOS who received letters of freedom in the present month, and were delivered to the British Commissioners for removal from this island, as well as the freedman Primo, known as Francisco, No. 142, of the brig "*Firme*," embarked on the 29th of May last, in the English steamer "*Trent*," from which he fled, and was captured by the police.

MEN.

Names.	Nos.	From what Vessel.	
Primo, alias Francisco	142	Brig Firme	Runaway negro
Juan	4	Schooner Sant.	
Crispiano	294	Brig Portuguese	

WOMEN.

Names.	Nos.	From what Vessel.	Children whom they took with them.
Escolastica	395	Brig Portugues	
Olaya	208	Joven Reina	A son named Jacinto,
Arcadia, alias Carolina ..	362	Portugues	
Coleta	411	"	" Eusebio
Ma. de la Luz	232	Gerges	" Eusebio
Gregoria, alias Carmen ..	104	Emilio	
Florencia	405	Portugues	" Narciso

(Signed)

O'DONNELL.

No. 25.

*Viscount Palmerston to M. Tacon.**Foreign Office, October 12, 1846.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 8th instant, by M. Tacon, &c., enclosing a list of emancipated negroes to whom the Captain-General of the Island of Cuba issued certificates of liberty in the month of July last.

In returning his thanks to M. Tacon for that communication, the Undersigned has to express the hope of Her Majesty's Government that no further delay will take place in giving to all the other emancipados in Cuba that full and entire freedom to which by Treaty and by Law they are entitled, and of which they have so long and so unjustly been deprived, and the Undersigned avails, &c.

(Signed)

PALMERSTON.

Don Miguel Tacon,
&c. &c.

No. 26.

*M. Tacon to Viscount Palmerston.**London, October 22, 1846.**(Received October 23.)*

(Translation.)

THE Undersigned, &c., has the honour to transmit to Viscount Palmerston, &c., the accompanying list, by name, of the emancipated negroes, to whom the Captain-General of the Island of Cuba has delivered their respective letters of freedom during the month of August last.

In transmitting to Viscount Palmerston this list, which offers a new proof of the scrupulousness with which the Spanish authorities comply with the Treaties upon this matter, the Undersigned cannot do less than hope that the Government of Her Britannic Majesty will feel persuaded, that on the part of that of Her Catholic Majesty no means will be omitted for to put an end to the illicit Traffic of Negroes, and to secure complete liberty to the emancipados who are legally entitled to it.

The Undersigned, &c. (Signed)
The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

MIGUEL TACON.

Enclosure in No. 26.

Havana, August 29, 1846.

LIST of EMANCIPATED NEGROES, of both sexes, who received this month their letters of freedom, and were transported out of this island in the English steamer "Severn," which left yesterday this port, and for which purpose I placed them at the disposal of the British Commissioners.

MEN.

Names.	Nos.	From what Vessel.
Faustino	35	Schooner Gallita
Florencio	40	"
Emeterio	50	"
Claudio	127	"
Zacarias	334	Brig Firme
Nazario	173	" Aguila
Luciano	5	Goleta Amalia

WOMEN.

Names.	Nos.	From what Vessel.	Children whom they took with them.
Maria de los Angeles ..	75	Schooner Julita	A son and daughter
Cristina, alias Josefa ..	332	" Maria	
Govita, alias Juana ..	285	" "	Two sons
Maria Dolores	392	" Ninfa	
Catalina	80	Brig Ricomar	A son

(Signed) O'DONNELL.

No. 27.

Viscount Palmerston to Mr. Bulwer.

Sir,

Foreign Office, October 27, 1846.

I HAVE to refer you to Article XII of the Penal Law against Slave Trade, enacted in Spain in the year 1845, by which it is decreed that "the Mixed Tribunals mentioned in the Treaty of 1835, shall transmit, the one established in the Antilles, to the Governors and Captains-General of the Islands of Cuba and Porto Rico; and the other established at Sierra Leone, to the Regent of the Court of Justice of the Canary Islands; all the documents relating to the trial in case of any vessel having been declared to be a lawful prize; together with the persons seized on board the same, in order that the proper tribunals may institute the necessary trials," &c.

I have had under consideration, in conjunction with the law officers of the Crown, the means to be adopted to carry the provisions of this Article of the law into effect with respect to the crews of Spanish vessels condemned by the Mixed Court at Sierra Leone; and in accordance with the opinion of the law officers, I have issued to Her Majesty's Commissioners at Sierra Leone the instructions of which I enclose a copy; and I have to instruct you to request the Spanish Government to issue corresponding instructions to their Commissioners in the Mixed Court, in order that the stipulations of the Treaty, as confirmed by the Law of 1845, may be duly carried into effect.

Her Majesty's Government is of opinion that the expense of retaining the prisoners from Spanish vessels in custody after sentence of condemnation on their vessel, and of transmitting them to the Canary Islands for trial, ought in

fairness to be borne by the Spanish Government, it being an expense incurred solely for the vindication of Spanish law; and you will make a proposition accordingly to the Spanish Government.

The Right Hon. H. L. Bulwer,
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

Enclosure in No. 27.

Viscount Palmerston to Her Majesty's Commissioners at Sierra Leone,
October 27, 1846.

[See Class A, No. 45, page 95.]

No. 28.

Viscount Palmerston to Mr. Bulwer.

Sir,

Foreign Office, November 18, 1846.

I TRANSMIT to you herewith, for your information, a copy of a despatch from Her Majesty's Commissioners at the Havana, in which the Commissioners suggest, for the reasons stated in their despatch, that they should be again empowered, as formerly, to communicate with the Captain-General of Cuba on matters relating to the Slave Trade.

I have to refer you to the former correspondence which passed upon this subject, and especially to Lord Aberdeen's despatch, marked Slave Trade, dated the 14th of February, 1845, as showing the grounds upon which it was then determined that Her Majesty's Commissioners should limit their communications with the Captain-General to the cases of vessels detained under the Treaty in virtue of which they act as Commissioners, and should leave to the Consul-General the duty of communicating with the Captain-General on all matters affecting the execution of that Treaty.

Upon a reconsideration of this subject, Her Majesty's Government have thought, upon the whole, that it will be best that henceforward all communications upon matters connected with the Slave Trade should be made to the Captain-General by the Commissioners, and that the Consul-General should for that purpose communicate to them any information which he may receive on such subjects. I shall therefore instruct those parties accordingly; and in the meantime I have to desire that you will make this decision known to the Spanish Government, and express the hope and expectation of Her Majesty's Government, that positive and effectual orders will be given to the Captain-General to pay due and prompt attention to such communications.

The Right Hon. H. L. Bulwer,
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

Enclosure in No. 28.

Her Majesty's Commissioners at the Havana to Viscount Palmerston,
September 26, 1846.

[See Class A, No. 89, page 168.]

No. 29.

Viscount Palmerston to Mr. Bulwer.

Sir,

Foreign Office, December 10, 1846.

I HAVE to refer you to my despatch marked "Slave Trade," of the 14th of August last; in which, with reference to the case of the Spanish vessels "Numa" and "Rauret," which were capture by Her Majesty's ship "Daring,"

on suspicion of being engaged in Slave Trade, and were carried before the Mixed Court at the Havana for adjudication, I desired you to call the attention of the Spanish Government to the fact reported by Her Majesty's Consul-General in Cuba, that the Spanish Commissary Judge at the Havana is one of the principal advocates of slavery in Cuba, is a very large slave-holder, and derives the principal part of his large income from letting slaves on hire. I now transmit to you a copy of a letter and of its enclosures, received at this department from the Admiralty, containing the observations of Captain Matson, the captor of the vessels in question, on the case of the "*Numa*," and corroborating the statement above alluded to made by Her Majesty's Consul-General.

I have not yet received from you any report of the steps which you have taken on the receipt of my despatch above mentioned; but if the Government of Her Catholic Majesty should not already have seen the propriety of appointing some other person to be Commissary Judge at the Havana, I have to instruct you again to call their attention to this case; to point out to them that, as the present Commissary Judge in the Mixed Court at the Havana is the owner of a large number of slaves whom he lets out for hire, and derives therefore a large income from the results of Slave Trade, he cannot be a proper person to act as judge in the trial of vessels detained on suspicion of being engaged in that traffic; and you will suggest to the Spanish Government, that it is very desirable that the person to be appointed to that office should be as little connected as it is possible for any Spanish subject in Cuba to be, with the criminal practices which it is his duty to punish.

I am, &c.
(Signed) PALMERSTON

The Right Hon. H. L. Bulwer,
&c. &c.

Enclosure 1 in No. 29.

The Secretary to the Admiralty to the Right. Hon. E. J. Stanley.

Sir,

Admiralty, December 3, 1846.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, copies of a letter from Vice-Admiral Sir F. W. Austen, dated the 27th of October last, and its enclosures, relative to the release of two vessels by the Mixed Commission Court at the Havana, which vessels had been captured by Her Majesty's sloop "*Daring*," for being equipped for the Slave Trade; and I am to request you will draw Lord Palmerston's attention to the statement, that the Spanish Judge in the Mixed Court at the Havana, derives an income of 30,000*l.* a-year by letting out 2000 slaves, of whom he is the owner.

I am, &c.
The Right Hon. E. J. Stanley, (Signed) H. G. WARD.
&c. &c.

Enclosure 2 in No. 29.

Vice-Admiral Sir F. Austen to the Secretary to the Admiralty.

Sir,

"Vindictive," at Bermuda,
October 27, 1846.

WITH reference to my letter of the 7th August last, reporting that Her Majesty's sloop "*Daring*" had captured two slavers off the Havana, I request you will be pleased to inform the Lords Commissioners of the Admiralty that both these vessels have been released, though without costs. But in order that their Lordships may perceive the means that have been resorted to, to prevent their condemnation, I have the honour to transmit a copy of a letter from Commander Matson, relative to the "*Numa*," one of the captured vessels, which there cannot be a doubt was intended for the coast of Africa.

It is my intention to have a vessel cruising constantly round the Island of Cuba, as soon as I have one available; but I am so very short of vessels at present, that it is out of my power to do so.

I am, &c.

(Signed) FRANCIS AUSTEN,

The Secretary of the Admiralty.

Vice-Admiral.

Enclosure 3 in No. 29.

Commander Matson to Mr. Lambert.

Sir,

"Daring," Sacrificios, September 23, 1846.

WITH reference to my letter of the 28th of June, 1846, to Commodore Pring, reporting the capture of two slave-vessels off Havana, I have the honour to inform you, that the lot having fallen on the Spanish Arbitrator, that officer agreed unhesitatingly with his Spanish colleague, and the vessels were accordingly liberated; but the owners disallowed all claims for damages or demurrage on account of their detention.

2. I beg that you will be pleased to call the attention of the Commander-in-chief to the case of the "*Numa*," the sentence being, I consider, in direct contravention both to the letter and the spirit of the Treaty between Great Britain and Spain, I enclose copies of my declarations made at the time of capture, and of a report of survey made by the officers of this sloop, which documents were verified on oath before the Court, and by several examinations of the vessel made by the Judges and other officers of the Mixed Court.

3. The vessel thus left Havana perfectly equipped for the Slave Trade; she wanted only a further supply of water and provisions to enable her to carry 1000 slaves across the Atlantic. She had on board almost every article mentioned in Article X of the Treaty with Spain of the 28th of June, 1835, the only excuse on the part of the owners being, that those articles were required in a former voyage when she conveyed ninety-eight emigrants from Spain to Havana; but it was not attempted to be proved that they were required on the voyage in which she was captured; besides it was satisfactorily proved, that although the planks for the slave-deck were fitted fore and aft, they had never been used.

4. If the case of this vessel be taken as a precedent, a perfectly equipped slave-vessel may leave Havana with impunity, for it will only be necessary for the owners to show that the prohibited articles had once been required for legal purposes.

5. With reference to this subject, I beg to state that the Spanish Judge, the *Marcos d'Esteva*, is well known to be one of the largest slave-owners in the Island of Cuba, and is necessarily much interested in the Slave Trade. Although with scarcely an acre of land, he possesses upwards of 2000 slaves, and derives an immense income from their labour, by hiring them out at so much per month. A very short time since he let on hire to the contractors of a railroad, 700 slaves, at the rate 17 dollars each per month. It is considered that he derives a net annual income of £30,000 sterling from the hire of his slaves alone. Such a person can be scarcely considered an impartial judge in any question of Slave Trade.

I have, &c.

Geo. R. Lambert, Esq.
&c. &c.

(Signed) H. J. MATSON,
Commander.

Enclosure 4 in No. 29.

Declaration of Commander Matson.

I, THE undersigned, Henry James Matson, holding the rank of Commander in Her Britannic Majesty's Navy, and commanding Her Majesty's sloop "*Daring*," duly authorized by the Treaty between Great Britain and Spain, dated the 28th of June, 1835, for the suppression of the Slave Trade, do hereby

declare, that on the 10th day of June, 1846, being in latitude 23° 18' north, and longitude 81° 30' west of Greenwich, I seized the Spanish barque "*Numa*," whereof José Catala is master, for having violated the said Treaty; and I further declare, that the vessel had on board at the time of seizure, a crew of fourteen persons, without any passengers or slaves.

And I also declare that I found this vessel to be fitted and equipped for the Slave Trade, having

1. Divisions and bulkheads in the hold and on deck, in greater number than are necessary for vessels engaged in lawful trade.

2. Spare planks fitted for laying down as a complete slave-deck, fore and aft.

3. An extraordinary number of water-casks, more than sufficient for the crew of a merchant-vessel, besides a great number of casks in shakes, packed ready for setting up again, the whole being capable of containing 5000 gallons of water, the master not having a certificate relating to either of the above articles.

4. A greater quantity of mess-tubs and kids than requisite for the use of the crew.

5. Two large cooking-places, more than sufficient for the crew of a merchant-vessel, and fitted to receive large boilers.

6. Three large boilers, either one of which is much larger than requisite for the crew of a merchant-vessel.

I do further declare, that the only papers produced to me on my first going on board, were those marked 1, 2, and 5; but on my repeatedly stating that such papers were not sufficient to prove the vessel's national character, the master procured those marked 3 and 4.

I do further declare, that for several hours previously to being boarded by me, this vessel kept continually altering her course, so as to avoid the track in which the "*Daring*" was proceeding; and that on its being reported to me that she had repeatedly exchanged signals with a small pilot-boat schooner, I sent to board the latter vessel, and found her without anything on board excepting the water-casks, which the master stated were for sale. He, the master, at first denied, but afterwards acknowledged having made a signal, because a man-of-war was in sight.

Given under my hand this 11th day of June, 1846.

(Signed) H. J. MATSON, *Commander,*
Commanding H.M. sloop "Daring."

Enclosure 5 in No. 29.

Declaration of Commander Matson.

I, THE Undersigned, Henry James Matson, holding the rank of Commander in Her Britannic Majesty's Navy, and commanding Her Majesty's sloop "*Daring*," do further declare, (in the case of the Spanish barque "*Numa*," detained by me for being engaged in the Slave Trade,) that I find the vessel to be in the following state, viz. :—

1st. The spare planks forming part of the deck are apparently new; they consist of new deal boards, which have neither been soiled nor wetted, nor used in any former voyage. In fact, the slave-deck, although completely fitted, appears never to have been used; it is 58 feet long, 27 feet wide, and from 3 feet 11 inches to 4 feet 1 inch high, under the beams.

2nd. The vessel appears to have been recently fitted with a number of holes (between sixty and seventy) round the slave-deck, which are commonly used for the reception of iron bars for the better securing of the slaves.

3rd. The vessel has on board a Swedish ensign and pendant, and a plain red flag, the well-known symbol of a Spanish slave-vessel; also fourteen wooden quakers, or sham guns, with brass tampions.

Given under my hand, this 14th day of June, 1846.

(Signed) H. J. MATSON, *Commander,*
Commanding H.M. sloop "Daring."

Enclosure 6 in No. 29.

Declaration of the Senior Lieutenant, Second Lieutenant, Master, and Carpenter, of H.M. sloop "Daring."

PURSUANT to an order from Henry James Matson, Esq., Commander of Her Majesty's sloop "Daring," dated June 13, 1846, and to us directed,—

We, whose names are hereto subscribed, have been on board the Spanish barque "Numa," detained by Her Britannic Majesty's sloop "Daring," for being engaged in the Slave Trade; and having carefully examined her fittings and equipment for that traffic, do make the following report of the result of our proceedings, viz.:—

1. Bulkheads actually standing on the second or slave-deck, three in number, partly standing, and the remaining part fitted and ready for putting up; and the cants down, one in number, abaft the pumps, a piece of bulkhead 2 feet 10½ inches long; cants extending beyond for bulkheading, 4 feet 10 inches long; and marks of the same extending to the sides, also a mark on the deck of the cabin of another bulkhead, the whole as shown in the accompanying plan.

2. Spare planks, (supposed) sixty-one in number, with carlings (number unknown), all of which carlings, and a large proportion of the planks have never been used except for the purpose of fitting, and are perfectly clean, with the edges fresh planed and unsoiled.

3. Large casks (leaguers), part full and part empty, twenty-five in number; wine pipe and cask empty, one of each; large casks (leaguers), shaken separate and ready for setting up, twenty-three in number—in all, fifty in number; being more than required for the use of the crew, fourteen in number.

4. Large tubs (one capable of holding nearly half a pipe), five in number, and mess tins, fifteen in number, much more than requisite for the use of her crew.

5. Three boilers of the capacity of 13½, 8, and 7½ gallons imperial measure respectively, besides other smaller utensils belonging to a caboose not in use for the crew, there being another on board much more than sufficient for that purpose.

6. An unusual quantity of cabin stores, particularly of bread and potatoes; the former stowed in bulk in five cabins, and more than sufficient for the use of the crew for a voyage across the Atlantic and back.

7. On the second or slave-deck, two new streaks of pine wood have been inserted in the lining of the sides, and in the upper one which is composed of pieces of wood shaped thus and butting together, so as to leave openings at distances varying from 13 to 15 inches, and said to be solely for the purposes of ventilation; but such are commonly in use in slave-ships for the reception of the ends of iron bars or chains for securing the slaves. Having closely examined the whole of this fitting, and finding that (although each piece was fitted separately, and was not in all cases of the same length) many of the holes were either partially or entirely closed by timbers, we feel fully convinced that these openings have not been solely made for the purpose stated.

The barque "Numa" has also on board a quantity (supposed to be fourteen) of wooden quakers (sham guns), most perfectly formed and hollowed, and fitted for screwing into her ports, and with brass tampions (but at present in her hold), as well as a Swedish ensign and pendant, the former much worn, but recently repaired with new buntin, and the pendant worn and torn in two pieces.

There are also on board three light small whale-boats, one of which appears to have been lately exchanged for the long-boat, whose chocks are now on board, and without which it is not usual for merchant-vessels in lawful trade to cross the Atlantic.

And we declare that we have performed this service with such care and accuracy, that we are ready to make oath to the impartiality and equity of our proceedings.

Given on board the "Numa," at Havana, the 14th June, 1846.

(Signed)

R. STUDDERT, *Senior Lieutenant.*

F. C. HUBERT, *Second Lieutenant.*

G. MOORE, *Master.*

WM. HERRING, *Carpenter.*

No. 30.

Viscount Palmerston to Mr. Bulwer.

Sir,

Foreign Office, December 14, 1846.

I TRANSMIT to you, for your information, copies of two despatches which I have received from Her Majesty's Commissioners at the Havana, on the subject of the numerous Africans declared to be emancipated under the Treaty of 1817, who are still retained in bondage in the Island of Cuba.

With reference to the contents of these despatches, I have to instruct you to present a note to the Spanish Government, stating that Her Majesty's Government had hoped, that long before this time the Spanish Government would have seen fit to fulfil the Treaty engagements of the Spanish Crown, by giving real and practical freedom to the great number of negroes in Cuba, who having been adjudged to be free by the decree of the Mixed Tribunal, have, nevertheless, for many years continued to suffer the most degrading slavery, aggravated if possible by the circumstance of their bearing the name of Emancipados, in derision, as it were, of the cruel and oppressive bondage in which they have been illegally retained.

You will at the same time draw the attention of M. Isturiz to the fact, that General O'Donnell is known to have assigned over a considerable number of the emancipados to his wife, who receives the payments made for their services. You will state that you are instructed by Her Majesty's Government to observe, that they cannot believe that conduct so unworthy of the Captain-General himself, and so injurious to the Government which he represents, will be permitted by the Spanish Government to pass with impunity; and that you are instructed again to demand from the Spanish Government the immediate liberation of all the remaining emancipados.

Her Majesty's Government trust that the Spanish Government will at once inform them that the requisite orders for this purpose have been sent to General O'Donnell, and that an assurance will also be given, that prompt obedience of such orders will be enforced.

I am, &c.
(Signed) PALMERSTON.

The Right Hon. H. L. Bulwer,
&c. &c.

Enclosures in No. 30.

1. *Her Majesty's Commissioners at the Havana to Viscount Palmerston, September 30, 1846.*
2. *Her Majesty's Commissioners at the Havana to Viscount Palmerston, October 30, 1846.*

[See Class A, Nos. 90 and 93, pages 169 and 172.]

No. 31.

M. Tacon to Viscount Palmerston.

London, December 21, 1846
(Received December 22.)

THE Undersigned, &c., has the honour to transmit to Viscount Palmerston, &c., a list, by name, of the emancipated negroes who, in the month of September last, received their respective letters of freedom from the Captain-General of the Island of Cuba.

The Undersigned, &c. (Signed) MIGUEL TACON.

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

Enclosure in No. 31.

*Island of Cuba, Superior Civil Government,
Havana, September 26, 1846.*

LIST of the EMANCIPADOS who received their letters of freedom, and whom I have placed at the disposal of the British Commissioners for their removal from this island.

MALES.

Nam.	No.	From what Vessel.
Nerbeto	138	Brig Aguila

FEMALES.

Names.	Nos.	From what Vessel.	Children whom they took with them.
Jovita, alias Carmen ..	321	Schooner Ninfa	
Felicitas	99	" Gallito	
Desideria	32	San Marcos	
Catalina, alias Ines ..	166	Chubasco	
Docintila, alias Mariana ..	205	"	
Bonifacia	148	Midas	A son and daughter

(Signed) O'DONNELL.

No. 32.

Viscount Palmerston to M. Tacon.

Foreign Office, December 31, 1846.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 11th of September last by Don Miguel Tacon, &c., on the subject of the claims made by the Spanish Government on that of Her Majesty, in the case of the Spanish schooner "*Josefa*."

In that note M. Tacon recapitulates the substance of the note addressed by the Earl of Aberdeen to the Duke of Sotomayor on the 19th of December, 1845. He recites the leading features of the case of the "*General Manso*," which was a similar one to that of the "*Josefa*," and the decision given in which case governed that in the case of the "*Josefa*." He attempts to show that that decision of the Mixed Court was improper; that it was delayed for a period longer than that prescribed by the Treaty. He complains of the conduct of Captain Denman; and he reiterates the claim preferred by the Duke of Sotomayor on the 30th of May, 1845; and states finally, that the sum of 25*l.* 12*s.* 4*d.* offered by Her Majesty's Government in payment of the value of effects abstracted from the "*Josefa*" while at Sierra Leone, would under any circumstances be insufficient, inasmuch as the claimant is entitled to interest at 5 per cent. on that amount up to the time of payment.

The Undersigned will not follow in detail the arguments which M. Tacon has brought forward in support of the view of this case entertained by his Government; he will content himself with repeating what has already been stated by his predecessor to the Duke of Sotomayor, that Her Majesty's Government cannot think that the sentence of the Mixed Commission in this case was contrary either to law or equity.

There are, however, two points insisted on by M. Tacon, and which appear to the undersigned to be so untenable as to call for a separate notice.

1st. M. Tacon impugns the decision of the Mixed Court condemning the captain of the "*Josefa*" to pay the costs of the proceedings, as contrary to Article V of Annex B to the Treaty of 1835, which stipulates that the costs in the case of a vessel restored by one of the Mixed Courts, shall be borne by the Government of the country to which the captor belongs. But

on reference to that Article M. Tacon will perceive that it is therein stipulated, that the captor himself or his Government shall remain responsible, not for the damages claimed, but for the damages to which the master of a restored vessel or the owner either of the vessel or her cargo may be pronounced to be entitled.

M. Tacon must be aware that the Mixed Court, far from being of opinion that the master or owner of this vessel were entitled either to costs or damages on account of the detention, considered the case to be indisputably one of Slave Trade, and that neither the master nor owners were entitled to any consideration at the hands of the Mixed Court on account of their losses; and, so far from allowing any damages to the parties, the Court refused even to allow them reimbursement of the costs which they had incurred in the proceedings before the Court. It is, therefore, abundantly clear that the decision of the Court was in no way at variance with the stipulation cited by M. Tacon.

The other point which the Undersigned cannot allow to pass without notice, is the assertion of M. Tacon that, according to Annex B, Article III, the Court is not authorized, under any circumstances, to delay judgment in a case beyond six months, and that the judgment in the case in question having been delayed beyond that time was a violation of the provisions of the Treaty.

From this opinion the Undersigned entirely dissents.

The provisions of Article III of Annex B were adopted by the Contracting Parties in order to prevent the interests of one party to a suit before the Mixed Courts from being injured by vexatious and improper delays interposed by the other party. But M. Tacon cannot surely intend to argue that the interests of the owner of the "*Josefa*" were injured by a delay which was prayed for on his behalf and by his own proctor, in conjunction with the proctor for the captor. If the proctor for the captor alone had prayed for delay, and the proctor for the owner had not joined in such application, Article III of Annex B would then have applied, and the Court would have been bound to require the captor to give security that he would take upon himself the expense and risks of the delay; and in that case the Court would have been obliged to pass sentence within six months.

But in a case where both parties pray for delay, and where the Commissioners see no grave objection to grant such delay, there can be no violation of the true intent and meaning of the Article cited by M. Tacon.

The Undersigned having considered it necessary thus to vindicate the decision of the Mixed Court, begs to repeat that Her Majesty's Government does not recognize the validity of the claim set up by the owner of the "*Josefa*" for reimbursement of any part of the loss occasioned to him by the detention, or of the costs he incurred in the proceeding.

With respect to the sum of 125*l.* 12*s.* 4*d.* offered by Her Majesty's Government, as to the value of articles improperly removed from the "*Josefa*" while in the custody of Her Majesty's officers, and on which sum M. Tacon claims interest at the rate of 5 per cent., the Undersigned has only to observe that no reason is given why so long a delay took place in making application to Her Majesty's Government in this case; and that that delay is of itself a sufficient reason for refusing interest on the sum in question; that the offer of that sum was made by Her Majesty's Government as a spontaneous act of justice and liberality; and that the sum so offered formed no part of the demand of the applicant; and that Her Majesty's Government see no reason for making any addition to it.

With respect to the claim made on behalf of the family of the captain of the slaver, the Undersigned much regrets the loss which they have sustained by the death of their protector; and he regrets it still more in consideration of the circumstance that the captain died in consequence of his having engaged in the criminal Traffic in Slaves. But it is quite impossible for the British Government to give gratuities or pensions to the families of the captains of slave-ships.

It remains, therefore, only to the Undersigned to refer M. Tacon to the intimation made to him on the 19th of December, 1845, that the Lords of Her Majesty's Treasury will be prepared to direct the issue of 125*l.* 12*s.* 4*d.* to any person duly authorized to receive the same on behalf of the claimant in this case.

The Undersigned, &c.
Don Miguel Tacon,
&c. &c.

(Signed)

PALMERSTON.

SPAIN. (*Consular*)—*Havana.*

No. 33.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, December 1, 1845.**(Received January 7, 1846.)*

My Lord,

SOME time ago, the schooner "*Atalanta*," of Newcastle-upon-Tyne, Allison, master, came to this port from Ichaboo, with a cargo of guano; the master being also a part-owner of the vessel and her lading. After selling and delivering the guano, the "*Atalanta*" was freighted to load at Matanzas for Hamburgh, for which destination she departed, and was stranded on the Florida reefs.

Having been brought to Key West by the wreckers, she was sold under a judgment of the Admiralty Court, and afterwards came to this port under American colours as the "*Robert Wilson*."

The extraordinary voyage of this vessel, her coming here with guano from a port or place on the Southern African coast, her subsequent fate, and the master's having come here from Key West after the schooner was taken there by the wreckers, under the pretence of inducing purchasers to go from hence to the sale, did not fail to attract my attention, and I therefore adverted to Mr. Allison that it would be his duty to deliver up the "*Atalanta's*" register to Her Majesty's Vice-Consul at Key West.

On the 11th of last month, the "*Atalanta*" arrived here from Key West as the American schooner "*Robert Wilson*," and it became known that she had been purchased there for Don Pedro Forcade, and was loading for the coast of Africa, although entered outwards in the custom-house for Rio Janeiro.

Her Majesty's Commissioners also had acquired information of her doubtful character, and addressed to me the letter which commences the correspondence forming enclosure No. 1 of this despatch, my last communication thereon having been returned to me by the Captain-General.

I also beg leave to transmit to your Lordship copy of my letter to Mr Vice-Consul O'Hara, and his reply thereto, as to the disposal of the "*Atalanta's*" register, and that vessel's subsequent ownership and the papers she carries.

Since her sailing the real owner (Forcade) makes no secret of his having sent the vessel to the coast; it is even said that he avowed it upon being judicially examined as to his connection with this expedition, but refused to answer any questions as to the ulterior purposes or employment of the schooner.

I am not without very serious apprehensions for the safety of the British certificate of registry of the "*Atalanta*," which was confided to Mr. Allison, her former master, under Mr. Vice-Consul O'Hara's despatch, for delivery to the Commissioners of Her Majesty's Customs; and if it has not reached its destination, I fear that it may have been trafficked with, and be on board of the schooner still, to serve as a protection to her on the coast.

I have, &c.

(Signed)

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

&c.

&c.

&c.

Enclosure 1 in No. 33.

Her Majesty's Commissioners to Consul-General Crawford.

Sir,

Havana, November 17, 1845.

IN accordance with our instructions on the subject, we have to inform you that there is a vessel in the harbour fitting out for the coast of Africa, which was here some months since as the English brig "*Atalanta*," This vessel, the "*Atalanta*," having been wrecked on her return voyage, was sold at Key West, by auction, and was bought by or on account of Don Pedro Forcade, by whom she is now fitting out, as above stated.

She was brought here on the 11th instant, as the American schooner "*Robert Wilson*," but we have learned that she has no register, and believe therefore she is not entitled to carry the United States' flag independently of the ownership.

We are, &c.

(Signed)

J. KENNEDY,

CAMPBELL J. DALRYMPLE.

Joseph T. Crawford, Esq.
&c. &c.

Enclosure 2 in No. 33.

Consul-General Crawford to Her Majesty's Commissioners.

Sirs,

Havana, November 18, 1845.

I HAVE to acknowledge the receipt of your letter of yesterday's date, relative to the schooner formerly the "*Atalanta*," of Newcastle, England, now called the "*Robert Wilson*," which lately arrived from Key West, where it is stated she was bought by Don Pedro Forcade, by whom she is now fitting out for the coast of Africa, said vessel having entered this port without a register, under American colours, which under the ownership of Mr. Forcade she would not be entitled to wear.

I have had this vessel under my observation ever since she came in; moreover, after she was wrecked, her former master, Allison, having come over from Key West, I cautioned him as to the disposal of the British register, when he acquainted me that the "*Atalanta*" had been condemned and would be sold at that place; and notwithstanding that he informed me that the register had been delivered up to the British Vice-Consul, Mr. O'Hara, I have written to ascertain that it has been sent home as directed by law.

In the meantime I have satisfied myself that the "*Robert Wilson*" has no American register, that she was purchased by Mr. Nenninger the ship-broker, of this city, at Key West, said to be for account of Don Pedro Forcade, and that she is loading for Buenos Ayres ostensibly, but supposed is bound for the factories on the coast of Africa. The Pro Consul of the United States being aware of all these circumstances, will I presume take care that there shall be no abuse of the flag of his nation.

And although perhaps, it is hardly a case as yet for our interference, I have this day addressed the Captain-General with a statement of the facts, setting forth the present non-nationality of the "*Atalanta*," alias "*Robert Wilson*," now in this harbour.

I am, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

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

Enclosure 3 in No. 33.

Consul-General Crawford to the Captain-General.

Havana, November 18, 1845.

THE British schooner "*Atalanta*," which some weeks ago sailed from Matanzas with a cargo of the produce of this island, bound for Hamburgh, having been ashore upon one of the Florida reefs, was got afloat and taken to Key West, where she was condemned and sold; said vessel having been purchased, as I understand, by Mr. Nenninger, who is a ship-broker of this city, for Don Pedro Forcade, arrived in this port on the 11th instant from Key West, under American colours, and is now called the "*Robert Wilson*," but she has no register as a vessel of the United States, consequently is not entitled to wear the flag of that nation; and as the British register under which she sailed as the "*Atalanta*," must have been delivered up to Her Majesty's Vice-Consul at Key West, the said schooner "*Atalanta*," alias "*Robert Wilson*" has no national character at all. Notwithstanding which circumstance, I am informed that she is loading and fitting out for the coast of Africa, although intended to be cleared out for Buenos Ayres. Apprehensive that she is to be employed in the Slave Trade, I think it necessary to acquaint your Excellency of the facts above stated relative to this vessel, and

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

Enclosure 4 in No. 33.

The Captain-General to Consul-General Crawford.

(Translation.)

Havana, November 19, 1845.

I, OF this date, transcribe to his Excellency the Commandant-General of this station, your communication relative to the English schooner "*Atalanta*," and I shall give you notice of what that authority may state to me upon the subject, which I say to you in the meantime for your information.

God preserve you, &c.

(Signed)

LEOPOLDO O'DONNELL.

Mr. British Consul.

Enclosure 5 in No. 33.

The Captain-General to Consul-General Crawford.

(Translation.)

Havana, November 22, 1845.

HIS Excellency the Commandant-General of Marine makes known to me, of this day's date, that the American schooner "*Robert Wilson*" is the property of Mr. Frederick Nenninger, native of Baltimore in the United States, by sale which was made of her in Key West, which vessel entered this port on the 11th instant therefrom, with a properly authorized roll expedited at that place on the 8th, which is deposited at the captain of the port's office, as well as, that the patente real (register) is in the possession of the respective Consul; and he believes that these documents will be delivered forthwith to the captain, as she is ready to set sail.

God preserve you, &c.

(Signed)

LEOPOLDO O'DONNELL.

The English Consul in this place.

Enclosure 6 in No. 33.

*Consul-General Crawford to the Captain-General.**Havana, November 24, 1845.*

I BEG to acknowledge the receipt of your Excellency's letter of the 22nd instant, in reply to my note of the 18th, respecting the schooner "*Atalanta*," alias "*Robert Wilson*."

Although intervention is now out of the question, the vessel having been allowed to depart, and having sailed yesterday, I consider it my duty to acquaint your Excellency, that my strongest suspicions are confirmed, that said "*Atalanta*," alias "*Robert Wilson*," has gone upon a slave-trading expedition. Where it was that his Excellency the Commandant-General of Marine obtained his information I cannot of course imagine, but his report to your Excellency that the said schooner was legally provided with the (real patente) national register of the United States of America, under which national flag she entered and was permitted to clear from this port, is not correct; because I have ascertained at the American Consulate that she had no such document, but merely was furnished with a bill of sale, under which, according to the American law, she could only navigate to a port in the United States, there to obtain a proper register.

But it has come to my knowledge, that one of the sailors having discovered that the lading put on board the schooner here consisted of water-casks, slave-coppers packed in boxes, and other articles for slave-trading, became alarmed and refused to proceed upon the voyage, and applied to his Consul to be discharged, whereupon the "*Atalanta*," alias "*Robert Wilson*," was immediately towed to sea by a steamer hired for the purpose, and is no doubt gone to the coast of Africa for the purpose of slave-trading, notwithstanding that she cleared out at this custom-house for Rio de Janeiro.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

Enclosure 7 in No. 33.

The Captain-General to Consul-General Crawford.

(Translation.)

Havana, November 25, 1845.

I RETURN to your Honour your original letter of yesterday, because, as it is denunciatory solely of the sailing of an American vessel which, it is suspected, may have gone for the purpose of engaging in the illicit trading in slaves, it is not my power to receive your communication, nor enter into correspondence with you upon that subject, as it is not correspondent within your powers of office, and it is so prescribed to me by my Government. If, respecting the said vessel, I answered your Honour on the 19th, it was in allusion to her origin as to which I asked information from his Excellency the Commandant-General of Marine, and made it known to you, only as relating to the ownership of the vessel, and not with reference to the object for which you state to me she is intended; because, as to that, I must not do so, and I should be glad that your Honour, convinced of this, would abstain from this class of communications, which, as I have already shown you, I cannot receive (admit).

God preserve you, &c.

(Signed)

LEOPOLDO O'DONNELL.

The English Consul.

Enclosure 8 in No. 33.

Consul-General Crawford to Her Majesty's Vice-Consul at Key West.

Sir,

Havana, November 18, 1845.

THE schooner "*Atalanta*," (Allison, late master,) which was sold at your port, arrived here on the 11th instant, under American colours, as the "*Robert Wilson*," but I understand has no American register.

I have to request that you will do me the favour of acquainting me whether Captain Allison delivered up the register of the "*Atalanta*" to you; and if so, I am to presume that you have sent it to the proper authorities in England; but if not, it is very important for me to know what is become of that document?

The "*Robert Wilson*" (formerly the "*Atalanta*") having no American register, it is essential for me to know how she has assumed the United States' flag; and at the same time you inform me upon this point, I request you will be good enough to state by whom the "*Atalanta*" was purchased, and in whose name the bill of sale was made out afterwards.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

O. O'Hara, Esq.

&c. &c.

Enclosure 9 in No. 33.

*Vice-Consul O'Hara to Consul-General Crawford.**Her Britannic Majesty's Vice Consulate,
Key West, November 25, 1845.*

Sir,

IN reply to yours of the 18th instant, received this day, I have the honour to inform you, that Captain Allison, late master of the British schooner "*Atalanta*," did upon his arrival in this port deposit with me the register of his schooner; and that after condemnation and sale of said vessel at this port, I enclosed the register and a letter in an envelope addressed to the Lords Commissioners of Her Majesty's Customs, and delivered the package, sealed with my official seal, to Captain Allison, on the 2nd October, to be conveyed to England, he sailing on that day for England *via* New York;—this being often the only mode of transmitting registers from this port.

The "*Atalanta*" was sold here by order of the Admiralty Court, and was bought by Salisbury Haley of this place, who received the bill of sale from the Marshal, and who afterwards sold her, as I am informed here, to Frederick J. Nenner, who sailed in her some time in this month for Havana.

I understand that by the laws of the United States a foreign-built vessel while owned and sailed by American citizens is entitled to the use and protection of the American flag, and ordinarily sails under a notarial or collector's certificate, as evidence of American ownership; but such vessel is entitled to neither register nor enrolment, and pays when she enters the ports of the United States the tonnage duty paid by foreign vessels. It is the fact of continued American ownership, and being sailed by American citizens, that entitles the vessel to use the American flag. I enclose you a copy of the certificate in the present case.

I have, &c.

(Signed)

O. O'HARA.

Joseph T. Crawford, Esq.

&c. &c.

Enclosure 10 in No. 33.

*Collector's Certificate.**Key West, November 8, 1845.*

I CERTIFY that the schooner "*Robert Wilson*" was sold by order of the Admiralty Court in this port, and bought by an American citizen, Frederick J. Nenninger, of Baltimore; but the said schooner being foreign-built is entitled to no register, enrolment, or other document, under the laws of the United States, other than a notarial certificate of property. That such certificate usually conveys all the rights and privileges of an American ship, except that of liability to pay foreign tonnage money, and she should be respected as such by American agents in foreign countries.

Given under my hand, this day and year above written.

(Signed) S. R. MALLORY, *Collector.*By CHAS. HOWE, *Deputy Collector.*

No. 34.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, December 2, 1845.**(Received January 7, 1846.)*

My Lord,

I BEG leave to lay before your Lordship copy of a correspondence which I have lately had with Captain-General O'Donnell, relative to two expeditions of negroes which were landed on this island. My letters were returned to me, and in the last note his Excellency informs me that all my communications having reference to such matters will be sent back under a simple cover.

I have also the honour of enclosing herewith the copy of another letter which immediately afterwards I had occasion to address to the Captain-General, but which he returned under a cover, without any note whatever.

Another expedition is said to be gone from this port to the coast. The Trade seems to have taken a new impulse, and doubtless will be carried on vigorously, seeing that there is no difficulty in landing here, if they escape capture on the African coast.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

&c.

Enclosure 1 in No. 34.

Her Majesty's Commissioners to Consul-General Crawford.

Sir,

Havana, November 27, 1845.

WE have this day received information, of a trustworthy character, that a cargo of about 100 Bozal negroes were landed at Cabanas the latter end of last week; of these 60 came on account of some persons at Cabanas, and 40 were a consignment from Porto Rico.

We cannot learn further particulars nor the name of the vessel, but one has, within the last few days, arrived at Matanzas, announced with salt from the Cape Verd Islands, which, perhaps, may have brought them. It is said the parties had no difficulty whatever in effecting the landing.

We are, &c.

(Signed)

J. KENNEDY.

Joseph T. Crawford, Esq.

CAMPBELL J. DALRYMPLE.

&c.

&c.

Enclosure 2 in No. 34.

*Consul-General Crawford to the Captain-General.**Havana, November 28, 1845.*

I HAVE received your Excellency's note of the 25th instant returning my letter of the previous day's date, relative to the "*Atalanta*," alias "*Robert Wilson*," which was despatched at this port with a cargo for the purpose of slave-trading, the property of Don Pedro Forcade, although under the name of Mr. F. Nenninger, an American citizen, who is a ship-broker resident in this city. And I notice your Excellency's expression of a wish that I would, being persuaded that you ought not to receive them, desist from making such communications.

I regret, as much as your Excellency, the disagreeable necessity under which, in obedience to the express and repeated instructions of my Government, I find myself of addressing your Excellency upon the so-frequently repeated infractions of the Treaties for suppression of Slave Trade, which, although made criminal by the publication of the Penal Laws required by Article II of the Treaty of 1835, seems to be carried on with perfect impunity.

Most unpleasant, therefore, is the duty which again devolves upon me of stating to your Excellency that some hundred Bozal negroes were landed last week at Cabanas, of whom some sixty were for account of parties at that place and the rest came consigned last from Porto Rico.

A vessel, which reported from the Cape Verd Islands, has also arrived from Matanzas, from which it is known that a cargo of negroes was landed, and although I have been unable to find out more of the particulars, the circumstances of both cases are well known amongst the slave-traders here, and it is even said that they met with no opposition in effecting the landing of the miserable victims.

I have, &c.

(Signed) JOS. T. CRAWFORD.

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

Enclosure 3 in No. 34.

The Captain-General to Consul-General Crawford.

(Translation.)

Havana, November 28, 1845.

AS the enclosed writing from your Honour treats of supposed infractions of the Treaties for the prohibition of the Traffic in Slaves, I return it in its original state.

I have already repeatedly told you that I cannot receive your Honour's communications upon this subject, the very Treaties themselves do not give you any intervention regarding them, and it is specially prescribed to me by my Government. Founding upon these reasons I should have wished, that as I have indicated to your Honour, and recently under date the 25th current, you should avoid the repetition of your acts upon this subject; but as your Honour persists, and I, desiring to avoid this kind of disagreeable correspondence, warn your Honour that all the communications which your Honour addresses to me relative to such object I shall simply return to you under a cover, until the pleasure of my Government, to which effect I have given an account.

God preserve your Honour many years.

(Signed) LEOPOLDO O'DONNELL.

The English Consul General.

Enclosure 4 in No. 34.

*Consul-General Crawford to the Captain-General.**Havana, November 29, 1845.*

I HAVE received your Excellency's note of yesterday returning mine of the same date, and acquainting me that, with a desire to avoid such unpleasant correspondence, it is your Excellency's determination to return, under a cover only, my future communications upon the subject of slave-trading, and infractions of the existing Treaties for its suppression.

Your Excellency's instructions, however positive they may be, are not more peremptory than those which direct me to point out and remonstrate with your Excellency upon every occasion of such infraction; therefore it is that I continue to address myself to your Excellency upon so very disagreeable a subject.

I have laid all the correspondence which I have had with your Excellency before Her Majesty's Government, with the fact of your continually returning my correspondence, but I have not received any instruction altering those under which I have all along been acting.

I have reason to know that this matter occupies the attention of our respective Governments, and I shall be glad indeed when some satisfactory arrangement has been come to: meantime I must proceed, according to my instructions, even at the risk of the discourtesy to which my communications of this nature are exposed.

I therefore beg leave to acquaint your Excellency, that I have received advice from Porto Rico, that a square-topsail schooner, painted black with a white streak, having on board 240 slaves, was not able to disembark them while off the Port of St. Johns in that island, on the 28th ultimo, but thence proceeded on to land her cargo in Cuba; that she is apparently a vessel of above 100 tons; has a figure-head with three stars on her stern. And most probably is one of the slavers alluded to in my letter of yesterday.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

No. 35.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, December 10, 1845.*

My Lord,

(Received January 31, 1846.)

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 1st ultimo, and its enclosure, from Her Majesty's Commissioner in Jamaica, relative to certain persons mentioned by Mr. Turnbull.

In obedience to your Lordship's command, I shall endeavour to obtain every information possible, but in the meantime I have accidentally met with Mr. Wood, who is mentioned by Mr. Turnbull, and from him I have learnt that Daniel Kelsall has no son, but that he has a daughter, who was liberated by Mr. Wood, and sent by him to her father, the said Daniel Kelsall, with whom she now is at Nassau.

Mr. Wood informs me that none of the gang known as Dr. Pattison's have been removed, consequently all Mr. Turnbull's conjectures respecting them are groundless; and the same observation applies to Mrs. Bellorby's negroes.

Newton Kelsall's illness increased upon him, and he died in the hospital at Santiago de Cuba, as reported officially by Mr. Pro Consul Forbes.

I have pressed the Governor of Bahama about Cuffy Kelsall's wife Eve, and begged of him to try and trace some document that would even leave her the shadow of doubt as to her being a slave, which her owner, according to the disgusting usages in such cases has a right to retain; but till now his Excellency has not been able to assist me with anything that will enable me to claim her and her family, although I have appealed to the humanity of these authorities

to procure their release; but, as I had anticipated, my application was made in vain.

Further, I have the honour of reporting to your Lordship, that Mrs. Ising's husband was cashiered from the service of the British Government; consequently she has no pension as an officer's widow.

Observing that John Kelsall's letter upon which Mr. Turnbull founds his despatch, is dated so long ago as 25th of August last, I submit that when Mr. Turnbull has any subject to engage his attention connected, like the present, with parties in this island, it would save much time were he to communicate directly with me, first having assured himself that the information he acts upon is correct.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

&c.

&c.

&c.

No. 36.

The Earl of Aberdeen to Consul-General Crawford.

Sir,

Foreign Office, January 28, 1846.

WITH reference to the correspondence which has taken place on the subject of the refusal of the Captain-General of Cuba to receive and attend to the communications which you have had occasion to address to that officer from time to time, in the exercise of your duties as Her Majesty's Consul-General, I transmit to you herewith, for your information, a copy of a despatch of the 18th of November last, which I have received from Her Majesty's Minister at Madrid, inclosing a copy and translation of a paper communicated to him by the Spanish Minister for Foreign Affairs, proposing an arrangement for settling the mode in which the communications between you and the Captain-General, are henceforward to be conducted.

Her Majesty's Government having accepted the arrangement, I have to instruct you to act in conformity therewith; and the Captain-General will receive corresponding instructions from his Government.

Although Mr. Bulwer's despatch is dated so long ago as the 18th of November last, I have been unable to send it to you sooner, owing to a misunderstanding, which it was necessary to clear up at Madrid before the arrangement could be acted upon.

I am, &c.

(Signed)

ABERDEEN.

Joseph T. Crawford, Esq.

&c.

&c.

Enclosure in No. 36.

Mr. Bulwer to the Earl of Aberdeen, November 18, 1845.

[See Class B, 1845, presented 1846, No. 79, p. 110.]

No. 37.

The Earl of Aberdeen to Consul-General Crawford.

Sir,

Foreign Office, January 31, 1846.

I HAVE received your despatch of the 10th of December last.

I regret to find that you had not, up to that date, been furnished with evidence which would enable you to claim the restoration of Eve Kelsall and her children to freedom.

I now transmit to you for your information, a copy of a despatch from Mr. Turnbull, enclosing a deposition made on oath by Cuffy Kelsall, the husband of Eve, to the effect that she was of free condition when introduced into Cuba;

should this allegation be capable of proof, you would not hesitate to demand her immediate and unconditional freedom, together with that of her children, which indeed, bearing in mind the principle laid down and acted upon by the authorities of Cuba in the cases of Cuffy and others of the Kelsall family, there is no reason to suppose would be refused.

I have to instruct you again to communicate with the Governor of Bahamas in this case, and you will urge him to renew his endeavours to obtain satisfactory evidence that Eve was of free condition when removed from thence to Cuba, and will take any other steps which may appear to you to hold out any prospect of substantiating this important point.

Joseph T. Crawford, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 37.

Her Majesty's Commissioner at Jamaica to the Earl of Aberdeen,
November 30, 1845.

[See Class A, No. 133, page 233.]

No. 38.

The Earl of Aberdeen to Consul-General Crawford.

Sir,

Foreign Office, April 1, 1846.

UPON the receipt of your despatch dated the 1st of December last, relative to the American schooner "*Robert Wilson*," late the British schooner "*Atalanta*," which, after having become the property of a notorious slave-trader at the Havana, was suspected of having sailed on a slave-trading expedition, I caused a communication thereupon to be made to the Lords Commissioners of Her Majesty's Treasury, calling their attention to the apprehensions expressed by you for the safety of the British certificate of registry of the "*Atalanta*," which had been confided to the care of Mr. Allison, her former master, under cover to the Commissioners of Customs in the manner stated in your despatch; and suggesting that the necessary enquiries should be made to ascertain if it has been received by the Commissioners of Customs.

I enclose a copy of the answer returned by the Treasury, from which it appears that the certificate of registry in question has not been received by the Commissioners of Customs.

Joseph T. Crawford, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 38.

Mr. Trevelyan to the Hon. G. S. Smythe.

Sir,

Treasury Chambers, February 21, 1846.

WITH reference to Lord Canning's letter, dated 27th ultimo, relative to the American schooner "*Robert Wilson*," late the British schooner "*Atalanta*," which, after having become the property of a notorious slave-trader at the Havana, had, as suspected, sailed upon a slave-trading expedition, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Earl of Aberdeen, that their Lordships have caused the necessary enquiries to be made, and that the Commissioners of Customs have not received the certificate of register of this vessel.

The Hon. Geo. S. Smythe,
&c. &c.

I am, &c.
(Signed) C. E. TREVELYAN.

No. 39.

Consul-General Crawford to the Earl of Aberdeen.

Havana, February 24, 1846.

My Lord,

(Received April 11.)

I HAVE the honour of transmitting herewith to your Lordship a correspondence which has passed with Her Majesty's Commissioners respecting a debarkation of Bozal negroes, which is reported to have been effected in this neighbourhood about a week ago.

My letter to the Captain-General, which I also have the honour of transmitting, was returned to me under a blank cover.

I have made the most careful enquiries respecting this affair, but have been unable to obtain even the slightest information, nor have Her Majesty's Commissioners been more successful in acquiring the particulars to which their letter refers.

Rumour designates a Spanish brig, the "*Conde de Mirasol*," which reported here from Porto Rico and Cardenas, as likely to have been the vessel which brought these 400 negroes to Don Pedro Forcade; but there are reasons which make me doubt that this violation of the Treaty was committed by her, as she certainly came from Porto Rico, and brought accounts therefrom of a rather recent date.

It has even been said that their landing cost Forcade nearly four ounces, of which three-fourths was bestowed on a high quarter; but this was known to have been the case with regard to the cargo last reported as having been received by him, and in the course of circulation has probably been reported of the case now alluded to.

That expeditions of goods and materials for carrying on the Slave Trade are still sent from hence there is no doubt. At this moment an American brig is loading for the coast of Africa, but apparently with lawful merchandize, so that we should not be justified in denouncing her.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

&c.

Enclosure 1 in No. 39.

Her Majesty's Commissioners to Consul-General Crawford.

Sir,

Havana, February 19, 1846.

IN obedience to the Earl of Aberdeen's instructions we have to inform you that we have received trustworthy information of a landing of about 400 Bozal negroes, consigned to Don Pedro Forcade, within the last five days, in the neighbourhood of this city.

We take the earliest opportunity of giving you this information, though we have not yet received all the particulars we hope shortly to obtain.

We are, &c.

(Signed)

J. KENNEDY,

J. T. Crawford, Esq.

CAMPBELL J. DALRYMPLE.

&c.

&c.

Enclosure 2 in No. 39.

Consul-General Crawford to Her Majesty's Commissioners.

Sirs,

Havana, February 19, 1846

AT 8 P.M. this evening I received your letter of this day's date, and immediately addressed the Captain-General upon the subject of its contents, expressing a hope (whilst I complained of this new infringement of the existing Treaties

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for suppression of Slave Trade,) that it had not escaped the vigilance of his Excellency's officers, so as that the guilty parties might be brought to suffer the punishment they so justly deserve.

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

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

Enclosure 3 in No. 39.

Consul-General Crawford to the Captain-General.

Havana, February 19, 1846.

IN obedience to my instructions from Her Majesty's Government it is again my disagreeable duty to notice to your Excellency the landing of a cargo consisting of about 400 Bozal negroes, on the coast, near to this city, which it has been reported to me took place a few days ago. They are said to be consigned to Don Pedro Forcade; and I hope this new infringement of the existing Treaties has not escaped the vigilance of your Excellency's officers, so that the guilty parties may suffer the punishment they so richly deserve.

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

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

Enclosure 4 in No. 39.

Consul-General Crawford to Her Majesty's Commissioners.

Sirs,

Havana, February 21, 1846.

HAVING addressed his Excellency, as I informed you, in consequence of your letter to me of the 19th instant, complaining of the disembarkation of Bozal negroes, which you then reported, my letter, of which I now transmit a copy, was returned to me yesterday morning by General O'Donnell under a blank cover.

I have made the most diligent enquiries everywhere I thought it probable information could be obtained, but have been unable to get at anything respecting the expedition in question, or even ascertain the fact of such a cargo of Bozal negroes having been landed.

The affair, therefore, must have been managed with great caution and secrecy.

I shall be happy to learn from you "all the particulars which you said you hoped shortly to obtain."

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

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

Enclosure 5 in No. 39.

Her Majesty's Commissioners to Consul-General Crawford.

Sir,

Havana, February 23, 1846.

WE have received your notes of the 19th and 21st instant, respecting the disembarkation of the 400 negroes, of which we had given you information in our letter of the former date. In the latter you inform us that the Captain-General had returned you the denunciation you made in consequence, under a blank cover.

With respect to your request to be informed of further particulars, with the observation that you have not been able to learn any upon the enquiries

you have made, we regret to state that we have not yet learned them as we had been promised; but we have notwithstanding had abundant confirmation of the truth of the report, the which, as we before stated, we received from a most trustworthy quarter.

We are, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

Joseph T. Crawford, Esq.
 &c. &c.

No. 40.

Consul-General Crawford to the Earl of Aberdeen.

Havana, March 9, 1846.

(*Received April 11.*)

My Lord,

WITH reference to your Lordship's despatch of the 31st of May last, and its enclosure, respecting certain negroes formerly belonging to the Bahamas, who are improperly held in slavery at Gibarra and Candelaria, according to declarations taken by Mr. Turnbull from the Kelsalls, whose freedom I was successful in obtaining some time ago.

His Excellency the Captain-General not having replied to my communication upon the subject since July last, I addressed him again a few days ago, and he has informed me, in answer to these applications, that there being no proofs of the negroes in question having been manumitted previous to their being brought away from the Bahamas (as was the case with the Kelsalls), his Excellency does not consider himself authorized to disturb the possession of them, or to question the right of ownership which is exercised by their present masters.

Under these circumstances I have requested Her Majesty's Governor of the Bahamas to cause a search to be made for the documents of the manumission of these unfortunate people, in order that authenticated copies of them should be sent to me; or if it does not appear that they had been freed, I have moved his Excellency to send me certificates of their registry, in order to claim them as illegally taken away after the operation of the Registry Act, upon the principle that their being so embarked operated their forfeiture to the Crown, and consequently their immediate liberation from slavery.

I hope that documentary proofs of one or the other of the above descriptions may be sent, and that my having applied for them to Governor Mathew will meet your Lordship's approbation.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

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

No. 41.

Consul-General Crawford to the Earl of Aberdeen.

Havana, March 9, 1846.

(*Received April 11.*)

My Lord,

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 28th of January, and its enclosure, according to which I am in future to regulate my correspondence with his Excellency the Captain-General, should any new infractions of the existing Treaties occur.

I observe that circumstances prevented the arrangement effected by Mr. Bulwer being sooner communicated for my guidance. I presume, therefore, that the instruction promised by M. Martinez de la Rosa to be given to General O'Donnell had not been received on the 19th ultimo, when his Excellency so discourteously returned my letter to him of that date, which I transmitted to your Lordship in my despatch of the 24th ultimo.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

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

No. 42.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, March 9, 1846.**(Received April 11.)*

My Lord,

IN acknowledging the receipt of your Lordship's despatch of January 31st, and its enclosures, relative to Eve, the wife of Cuffy Kelsall, your Lordship will observe, by the enclosed copies of my letter to Governor Mathew of the Bahamas, dated the 2nd instant, which I did myself the honour of referring to in my other despatch of this date, that I have therein brought the case of Eve Kelsall before his Excellency; and I hope that our efforts will now be successful in her and her children's behalf.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

&c.

Enclosure in No. 42.

Consul-General Crawford to the Governor of the Bahamas.

Sir,

Havana, March 2, 1846.

HAVING applied to his Excellency the Captain-General for the liberation from slavery of certain persons who are stated to have been abducted from the Bahamas, about twenty-five years ago, I have the honour of transmitting herewith copy of the correspondence which has taken place, by which you will observe that it is necessary, if possible, to produce documentary proof of the manumission of Dido, who was taken from Nassau to Gibarra by a certain Captain Chapman, and now a slave to Mrs. Ising, residing at Candelaria; said Dido having a son born there, and named Jem, who is now about twenty years of age. Dido was a cook, and, it appears, consented to accompany her mistress (Kelsall), under promise that at her death she should be freed, but which promise the said Mrs. Kelsall did not fulfil.

Polly Gaythorne, who was taken from New Providence to Gibarra by her mistress, Miss Gaythorne, now the wife of Don Ventura Cardell, by whom she is still held in slavery. Polly is the wife of John Kelsall, whose liberty I some time since obtained.

A certain Mr. Samuel Driggs, it appears, also brought over, amongst other slaves, Phillis, who has six children; Frances, who has eight children and one grandchild; Nelly, who has one son; and Mary, deceased, who has left two children; also Dick, George, and Henry, all of whom are now in the possession of Mr. Samuel B. Driggs, son of the said Samuel Driggs, who, I am informed, cleared those negroes from the registrar's office, Nassau, either in 1818 or 1819. Should this information be correct, I presume that the presentation by me of certified copies of their registry would be sufficient proof that their removal from the Bahamas operated their forfeiture to the Crown, and consequently their immediate freedom, which would enable me to urge that point with his Excellency the Captain-General as successfully as in the case of the woman Charlotte Gallagher, whose freedom I obtained some time ago.

If there is no proof of the manumission of the individuals first-named in this letter, perhaps their registry may be traced, and authenticated copies transmitted to me.

With regard to the 200 dollars owing to Nathaniel Kelsall by a certain Don Manuel Cardell and his brother Don Ventura at Candelaria, it will be necessary that said Kelsall should write to Captain Chapman, requesting him to recover the money and remit it to me, which letter it will be advisable that Nathaniel should send to me for transmission to Candelaria. There is also a woman named Eve, who is the wife of Cuffy Kelsall, whose liberation I am much interested in procuring; and if her registry could be obtained I should be very much pleased to claim her and her numerous family. Said Eve is from

Enclosure 1 in No. 44.

Her Majesty's Commissioners to Consul-General Crawford.

Sir,

Havana, March 10, 1846.

REGRETTING much the discourtesy shown you by the Captain-General in returning your letters, as he has lately done, we think it right still to press on his notice the continued infractions of the Treaty by the slave-dealers.

For this purpose we beg to inform you, that there is a vessel fitting out here now, by M. Forcade, for the coast of Africa, which was formerly an English vessel, wrecked at Cedar Point and sold at Key West, whence she came here, about a fortnight since, under the American flag, and named the "*Frederica*."

We are, &c.

(Signed)

J. KENNEDY.

CAMPBELL J. DALRYMPLE.

Joseph T. Crawford, Esq.
&c. &c.

Enclosure 2 in No. 44.

Consul-General Crawford to Her Majesty's Commissioners.

Sirs,

Havana, March 10, 1846.

IN acknowledging the receipt of your letter of this day's date, I have, by the packet which sailed this morning, reported to Her Majesty's Government the outfitting of the vessel you mention for slaving purposes on the coast of Africa, as it is supposed.

By the packet of the 2nd February, which arrived yesterday, I have received from the Earl of Aberdeen, copy of an arrangement entered into at Madrid and approved by his Lordship, according to which, by Lord Aberdeen's instructions, I am to regulate my correspondence in future with the Captain-General, as to the infractions of existing Treaties.

Unless I can come at information of a more decisive nature than I have yet been able to obtain, I do not think that, according to the instructions to which I have just referred, I should be justified in bringing the circumstance of a vessel, under American colours, taking in a cargo and destined for the coast of Africa under his Excellency's notice.

I am, however, on the alert; and if I can instruct positively, from the nature of this vessel's cargo, a criminal intention on the part of those concerned in the expedition, I shall not fail to denounce it; and if any such facts reach your knowledge, I am sure you will hasten to communicate them, that the vessel may be stopped.

I am, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

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

Inclosure 3 in No. 44.

Her Majesty's Commissioners to Consul-General Crawford.

Sir,

Havana, March 11, 1846.

WE have received your letter of yesterday's date, informing us that you do not consider the information given respecting the "*Frederica*," a vessel under American colours, taking in a cargo and destined for the coast of Africa, sufficient for the purpose of a denunciation.

In reply, we beg to say that the case is exactly like that of the "*Atalanta*;" and we venture to think that every such suspicious case of fitting out, by the same person too, such a notorious slave-dealer as M. Forcade, ought to be brought under his Excellency's notice, leaving it to him to take such steps thereon as he may think proper.

We are, &c.

(Signed)

J. KENNEDY,

CAMPBELL J. DALRYMPLE.

Joseph T. Crawford, Esq.
&c. &c.

Enclosure 4 in No. 44.

Consul-General Crawford to Her Majesty's Commissioners.

MR. CRAWFORD presents his compliments to Her Majesty's Commissioners, and begs to acknowledge the receipt of their letter of yesterday's date.

Having reconsidered the case, and referred to the instructions alluded to in his reply to their first letter respecting the American brig "*Frederica*," he begs to inclose herewith copy of a communication which he has this day made to his Excellency the Captain-General, under Article I of the Agreement entered into at Madrid on the 4th of November last, between the Right Honourable Henry Lytton Bulwer, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary, and M. Martinez de la Rosa, First Secretary of State for Foreign Affairs of the Government of Her Catholic Majesty, according to which Her Majesty's Consul-General is in future to regulate his correspondence with his Excellency the Captain-General relative to infractions of the Treaties.

Havana, March 12, 1846.

Enclosure 5 in No. 44.

Consul-General Crawford to the Captain-General.

Havana, March 12, 1846.

HAVING received instructions from Her Majesty's Government, accompanied by the copy of a despatch from the Right Honourable Henry Lytton Bulwer, dated at Madrid the 18th of November last, transmitting to the Earl of Aberdeen a formal arrangement, which was signed on the part of Her Majesty the Queen of Spain, by Don Francisco Martinez de la Rosa, First Secretary of State for Foreign Affairs, and Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, on the 4th of said month of November, according to which, I am to regulate my correspondence with your Excellency in future respecting infractions of the Treaties subsisting between our respective nations;

And having reported to my Government, by the steamer which sailed for England on the 10th instant, that an American vessel is loading in this port for the coast of Africa, (with a cargo of articles suitable and intended for slave-trading), by Don Pedro Forcade;

I consider it my duty to acquaint your Excellency, that the vessel in question, the "*Frederica*," has been so denounced to me, in order that your Excellency may take such steps in the matter as may be convenient.

I have, &c.

(Signed)

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

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

Enclosure 6 in No. 44.

Consul-General Crawford to Her Majesty's Commissioners.

Sirs,

Havana, March 13, 1846.

I HAVE to acquaint you that the letter which I yesterday addressed the Captain-General, relative to the vessel "*Frederica*," loading at this port for the coast of Africa, by Don Pedro Forcade, supposed for the purpose of slave-trading, was this morning returned to me under a blank cover.

I am, &c.

(Signed)

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

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

No. 45.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, March 27, 1846.**(Received May 7.)*

My Lord,

I HAVE the satisfaction of acquainting your Lordship that his Excellency the Captain-General has officially announced to me his having received instructions to observe the stipulations of the arrangement effected by Her Majesty's Envoy the Right Honourable Henry Lytton Bulwer, at Madrid, according to which my correspondence is in future to be regulated, upon the subject of infractions of the existing Treaties for the suppression of Slave Trade.

I have the honour of transmitting herewith, to your Lordship, a copy and translation of General O'Donnell's letter which accompanied a copy of the agreement, word for word, the same as what your Lordship did me the honour to send for my observance, the receipt of which I acknowledged by the last packet. I also beg leave to lay before your Lordship a copy of my acknowledgment to his Excellency of this day's date.

I shall be happy to find that the instruction which has been sent in good faith by the Spanish Government upon this occasion, is strictly observed, and your Lordship may be assured that the tone and language which I shall use in all such communications as I may feel myself called upon to make to the Captain-General, will entitle me to a courteous reply.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

&c.

Enclosure 1 in No. 45.

The Captain-General to Consul-General Crawford.

(Translation.)

Havana, March 23, 1846.

HIS Excellency the Secretary of State, by Royal Order, of date 21st January last, has sent to me for its observance, a copy of the agreement made between both Governments, of which enclosed act is a copy. And I make it known to your Honour for your information and correspondent effects.

God preserve your Honour many years,

(Signed)

LEOPOLDO O'DONNELL.

The English Consul.

Enclosure 2 in No. 45.

*Consul-General Crawford to the Captain-General.**Havana, March 27, 1846.*

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 23rd instant, accompanying a copy of the arrangement entered into at Madrid on the 4th of November last, between our respective Governments, according to which my communications to your Excellency, relative to the existing Treaties for the suppression of Slave Trade and the abolition of Slavery, are to be regulated, and corresponded to.

By the mail steamer which arrived here on the 7th instant, I had already received the instructions of Her Majesty's Government for my guidance in future.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

No. 46.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, April 2, 1846.**(Received May 7.)*

My Lord,

I HAVE now the honour of laying before your Lordship the correspondence which passed with his Excellency the Captain-General, his Excellency the Governor of the Bahamas, and myself, relative to certain coloured persons stated by the Kelsalls, in their declarations made to Mr. Turnbull, to have been illegally carried away from the Bahama Islands and retained here in slavery.

In my despatches under date the 9th ultimo, referring to these cases, I stated to your Lordship that I had applied to Governor Mathew in the hope of being able to obtain some proofs either of the freedom or of the registry of the unfortunate people in question, and especially as to Eve, the wife of Cuffy Kelsall, and it is with extreme regret that I now report the failure of my expectations as expressed in his Excellency's reply of the 27th ultimo.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

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

Enclosure 1 in No. 46.

*Consul-General Crawford to the Captain-General.**Havana, July 18, 1845.*

THERE is a negro woman who was abducted from the Bahamas at the same time with the Kelsalls, who were restored to freedom by the just decision of the tribunal's and your Excellency's orders; which woman, whose name is Dido, with her son Jem, is now held in slavery upon the estate of Mrs. Ising at Candelaria.

Polly Gaythorne (the wife of one of the five Kelsalls so liberated by your Excellency), also abducted from the Bahamas, is held in slavery at Gibarra by Mrs. Ventura Cardel, formerly Miss Gaythorne.

The following persons, all brought illegally from the Bahamas, are held in slavery upon the estate of Mr. Samuel Driggs, at Candelaria, by whose father, old Samuel Driggs, they were brought away from Nassau: viz., Dick, George, and Henry, Philis and her six children, Frances, her eight children, and one grandchild, and Nelly who has one boy. At the time the above-named persons came from Nassau, Jeremiah, Maria, and Mary, other three, were also brought away by old Mr. Driggs, but have all died; Mary, however, left two boys, also held in slavery by Mr. Samuel Driggs at Candelaria. It appears that Nat. Kelsall, one of the five who were liberated by your Excellency, had a son born to him about ten years ago by Teresa, a slave brought from San Domingo, and who is dead, but the boy is retained in slavery by Mrs. Ising. Said Nat. Kelsall also states that the sum of 200 dollars is due to him by Don Manuel and Donna Ventura Cardel, who keep a shop in Candelaria, the voucher for which Nat. was induced to leave for recovery with Captain Samuel Chapman in the district of Candelaria. This sum of 200 dollars the poor man is very willing to sacrifice in order to obtain the freedom of the son of Teresa.

I am instructed to place these facts before your Excellency, and I beg leave to request that you will be pleased to order the corresponding investigations with a view to operate the freedom of Dido and her son Jem, held in slavery by Mrs. Ising; of Polly Gaythorne (the wife of John Kelsall), held in slavery by Mrs. Ventura Cardel, who was formerly Miss Gaythorne, now residing at Gibarra; of Dick, George, Henry, Philis, and her six children; of Frances, her eight children, and grandchild; Nelly and her son; and that of the two sons of Mary, who are held by Mr. Samuel Driggs in Candelaria, as well as that of Teresa's boy, son of Nat. Kelsall, who is upon the estate of Mrs. Ising.

I have reason to believe that a certain Mr. Samuel Chapman and Mr.

CLASS B.

Joseph Alexander Ferguson, the overseer upon the estate of Mr. Wood, can furnish much information respecting the coloured people in question; but the former is supposed to have connived with Mrs. H. D. Ising in retaining Dido, her son, aged eighteen, and the boy of the deceased Teresa, son of Nat. Kelsall, who is now about ten years of age.

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

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

Enclosure 2 in No. 46.

Consul-General Crawford to the Captain-General.

Havana, February 13, 1846.

ON the 18th of July last year I did myself the honour of addressing your Excellency, in obedience to an instruction which I received from Her Majesty's Government, requesting that your Excellency would be pleased to order investigations respecting the coloured persons and their progeny, as named in the margin*, with a view to operate their freedom from slavery in which they are held illegally by persons in this island, said coloured persons having been abducted from the Bahamas.

As it appears to me that sufficient time has elapsed, I request the favour of your Excellency's informing me the result of such proceedings as may have been ordered in this important matter, so that if the said coloured individuals have been liberated from slavery, under the just decision of your Excellency, I may employ the necessary means for having them sent back to their homes in the Bahamas.

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

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

Enclosure 3 in No. 46.

The Captain-General to Consul-General Crawford.

(Translation.)

Havana, February 26, 1846.

WHEN in June last year your Honour claimed the freedom of the negroes Nat. Cuffy, Newton, Billy and John Kelsall, who were subjected to servitude in the power of Mrs. Henrietta Ising, when, having been manumitted by her mother, Mrs. Maria Isabel Kelsall, I determined at once to proceed with an investigation of the acts so denounced, notwithstanding the danger which examinations of this nature occasion in this country, because the claim appeared to me just, founded as it was upon documents authenticated and undeniable, which only required the identification of the persons claimed.

But now that the circumstances are not the same we are not called upon to proceed with the investigation your Honour solicits in your despatch of the 18th July last respecting the negroes therein expressed, because there are no legitimate documents which might warrant the authorities in meddling with domestic property, which is too much to be respected for in that way to enter domestic abodes and disturb the quiet of families guaranteed by the laws upon causes which are not sufficiently supported.

As regards the 200 dollars, which it is said Don Manuel and Donna Ventura Cardel owe to Nat. Kelsall, this ought to be the subject of a judicial claim before the ordinary tribunal in the district where the Cardels reside. If the

* Dido and her son Jam, held by Mrs. Ising. Polly Gaythorne, wife of John Kelsall, held by Mrs. Ventura Cardel, formerly Miss Gaythorne, now residing at Gibarra. Dick, George, Henry, Phillis and her six children, Frances and her eight children and grandchild, Nelly and her son, and two sons of Mary, all held by Mr. Saml. Driggs, of Candelaria; and also a boy, son of Teresa, by Nat. Kelsall, who is upon the estate of Mrs. Ising.

debt is proved, or should it be voluntarily paid by these, said to be the debtors, and Nat. should wish to apply this sum to the liberation of his son, is a matter for private arrangement between the agent of Nat. and the mistress of his son, with which the authorities here have nothing to do.

All which I inform your Honour, in reply to your said communication and to your recitation of the 13th instant.

God preserve your Honour many years.

(Signed)

LEOPOLDO O'DONNELL.

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

Enclosure 4 in No. 46.

Consul-General Crawford to the Governor of the Bahamas.

Sir,

Havana, March 4, 1846.

HAVING applied to his Excellency the Captain-General for the liberation from slavery of certain persons who are stated to have been abducted from the Bahamas about twenty-five years ago, I have the honour of transmitting herewith copy of the correspondence which has taken place, by which you will observe that it is necessary, if possible, to produce documentary proof of the manumission of Dido, who was taken from Nassau to Gibarra by a certain Captain Chapman, and is now a slave to Mrs. Ising, residing at Candelaria, said Dido having a son born there and named Jem, who is now about twenty years of age; Dido was a cook, and it appears consented to accompany her mistress (Kelsall), under promise that at her death she should be freed, but which promise the said Mrs. Kelsall did not fulfil.

Polly Gaythorne, who was taken from New Providence to Gibarra by her mistress, Miss Gaythorne, now the wife of Don Ventura Cardell, by whom she is still held in slavery. Polly is the wife of John Kelsall whose liberty I some time since obtained.

A certain Mr. Samuel Driggs it appears also brought over, amongst other slaves, Phillis, who has six children; Frances, who has eight and one grand-child; Nelly, who has one son, and Mary, deceased, who has left two children; also Dick, George, and Henry, all of whom are now in the possession of Mr. Samuel B. Driggs, son of the said Samuel Driggs, who, I am informed, cleared those negroes from the Registrar's Office, Nassau, either in 1818 or 1819. Should this information be correct, I presume that the presentation by me of certified copies of their registry would be sufficient proof that their removal from the Bahamas operated their forfeiture to the Crown, and consequently their immediate freedom, which would enable me to urge that point with his Excellency the Captain-General as successfully as in the case of the woman Charlotte Gallagher, whose freedom I obtained some time ago.

If there is no proof of the manumission of the individuals first named in this letter, perhaps their registry may be traced and authenticated copies transmitted to me.

With regard to the 200 dollars owing to Nathaniel Kelsall, by a certain Don Manuel Cardel and his brother, Don Ventura, at Candelaria, it will be necessary that said Kelsall should write to Captain Chapman, requesting him to recover the money and remit it to me, which letter it will be advisable that Nathaniel should send to me for transmission to Candelaria.

There is also a woman named Eve, who is the wife of Cuffy Kelsall, whose liberation I am much interested in procuring; and if her registry could be obtained I should be very much pleased to claim her and her numerous family. Said Eve is from one of the islands to the eastward, but Cuffy Kelsall will be able to aid our endeavours in his wife's behalf with surer information, and he is now, I believe, in the Bahamas.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

Consul-General in Cuba.

His Excellency George B. Mathew, Esq.

&c.

&c.

Enclosure 5 in No. 46.

The Governor of the Bahamas to Consul-General Crawford.

Sir,

Government House, Nassau, March 27, 1846.

I REGRET exceedingly to inform you, in reply to your communication of the 2nd March, that I have failed in finding any record in the custom-house or Colonial Secretary's Office, of the negroes stated to have been carried from these islands to Cuba.

I have, however, directed a further search in the out islands, and I sincerely hope that I may be enabled, by a future mail, to convey some certificates of their nationality to you.

I have, &c.

(Signed)

GEORGE B. MATTHEW.

Her Britannic Majesty's Consul-General,

&c.

&c.

No. 47.

*Consul-General Crawford to the Earl of Aberdeen.**Havana, May 9, 1846.*

My Lord,

(Received June 8.)

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 1st ultimo, and its enclosures, showing that the certificate of British registry belonging to the schooner "*Atalanta*," subsequently the American vessel "*Robert Wilson*," which fitted out, loaded, and sailed from this port for slave-trading, had not been given up by Mr. Allison, the master, who commanded her under the British flag, to whom it was entrusted by Mr. O'Hara, the Vice-Consul at Key West, for conveyance to England.

I shall endeavour to learn something more of this matter, and if anything of importance is discovered, I shall not fail to report it to your Lordship.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

&c.

&c.

&c.

No. 48.

The Earl of Aberdeen to Consul-General Crawford.

Sir,

Foreign Office, June 30, 1846.

WITH reference to your despatch dated the 15th of March last, inclosing copies of a correspondence between you and Her Majesty's Commissioners at the Havana, on the subject of denouncing to the Captain-General of Cuba vessels suspected of being fitted out for the Slave Trade, I have to acquaint you that I received at the same time a despatch on the same subject from Her Majesty's Commissioners, in which they submitted that instructions should be given to you to pay immediate attention to the denunciations which they may make, in order that no delay may take place, such as might render those denunciations ineffective.

Concurring in the general tenour of the observations with which the Commissioners have accompanied this suggestion, I have to instruct you to act forthwith upon any communication which you may receive from them relating to the fitting out of slave-vessels, unless in any particular instance you should happen to be possessed of information which leads you to the conviction that they have proceeded upon false information; in which case it would of course be your duty to communicate directly with the Commissioners thereupon.

I enclose, for your information, a copy of the despatch from Her Majesty's Commissioners above referred to, and of my reply.

Joseph T. Crawford, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosures in No. 48.

1. *The Havana Commissioners to the Earl of Aberdeen, March 14, 1846.*
2. *The Earl of Aberdeen to the Havana Commissioners, June 30, 1846.*

[See Class A, Nos. 67 and 74, pp. 125 and 135.]

No. 49.

Consul-General Crawford to the Earl of Aberdeen.

Havana, June 8, 1846.

(Received July 6.)

My Lord,

HAVING again communicated with Mr. O'Hara, Vice-Consul at Key West, respecting the certificate of registry of the schooner "Atalanta," of Newcastle-upon-Tyne, which has not been delivered up by the master to whom it was entrusted by Mr. O'Hara under his official seal; Mr. O'Hara repeats what he said in his letter referred to in my despatch addressed to your Lordship on the 1st of December last; adding, that he has heard that the master, Mr. Allison, has been lately at Key West, and about the other Cays of the Florida reefs; but the nature of his business Mr. O'Hara did not know.

I considered it also my duty to inquire respecting the British register of the brig "Stanley," now the property of Don Pedro Forcade, under American colours, and called the "Frederica," lately cleared and sailed from this port for Buenos Ayres, but more probably with a cargo for slaving purposes; and I am informed that the "Stanley" was not sold in the jurisdiction of Key West, and Mr. O'Hara can furnish me with no clue to discover what became of the certificate of her registry.

I have, &c.

(Signed)

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

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

No. 50.

Consul-General Crawford to the Earl of Aberdeen.

Havana, June 10, 1846.

(Received July 6.)

My Lord,

THE reselling of the emancipados, which has been going on for some time past under the direction and sanction of the Captain-General, is the public topic of conversation here.

The Gas Company has been provided by his Excellency with lamp-lighters to the number of fifty or more for five years, and the price is stated at five ounces for each.

Her Majesty the Queen-Mother is the principal shareholder of this company, represented here by Colonel Don Antonio Parejo, who is one of the directors.

It is said that upwards of 5000 of those unfortunate wretches have been resold at rates from five to nine ounces, by which upwards of 600,000 dollars has been made in the Government House, one-sixth of which was divided amongst the underlings, from the Colonial Secretary downwards; besides which, provision has been made for Mrs. O'Donnell (now Countess of Luceaga),

by transferring 400 emancipados to the Marquis de las Delicias, Chief Judge of the Mixed Court, and one of, if not the greatest slave-holder in this island, for her account, so as that she may derive an income from their labour, under the Marquis's management, of 4000 dollars per month.

I have not the smallest doubt as to the truth of the whole of these statements; the first, as to the lamp-lighters, I know to be true.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

&c.

&c.

&c.

No. 51.

Consul-General Crawford to the Earl of Aberdeen.

Havana, June 10, 1846.

My Lord,

(*Received July 6.*)

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 29th of April, approving of my having applied to the Governor of the Bahamas with the view of obtaining documentary proof of the manumission of certain individuals who are held in slavery in this island, and stated to have been abducted from the Bahamas.

I regret to acquaint your Lordship that I remain without the proofs required to obtain the liberation of these unfortunates; and my hopes are limited to what I may obtain from Mr. Wood, of Nassau, using his influence with some parties in this island who may possess the information which I am so very anxious to obtain.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

&c.

&c.

&c.

No. 52.

Consul-General Crawford to the Earl of Aberdeen.

Havana, June 13, 1846.

My Lord,

(*Received August 8.*)

HER Majesty's brig "Daring," Commander Matson, has been cruising for slavers in the old Bahama Channel, and having sailed from this port on her return to Jamaica two days ago, off Matanzas Captain Matson's attention was attracted to a Spanish barque which seemed to avoid the "Daring," and having boarded her a small coasting schooner was observed making signals, which the barque answered.

Having found on board the ship a slave-deck completely fitted ready to be put up, a considerable quantity of water and casks more than sufficient for the crew, as well as spare coppers, besides the unusually large cooking apparatus, he proceeded to examine the schooner, on board which there were more casks, and a person not belonging to the crew, who stated that he was a passenger going to Matanzas.

The ship or Barque proved to be the "Numa," of Barcelona, Catala master, cleared and sailed from this port for Matanzas, with some 400 pipes and smaller casks of wine, which is said to have been sold here, deliverable at the neighbouring port.

The schooner is the coaster ————*, and is stated to have been carrying the casks to be filled with rum or molasses.

The defence will probably be, that the deck, extra water-casks, boilers, &c., were on board the "Numa" because she brought colonists from Spain on the voyage from which she arrived at Havana; and that of the schooner will be, that

* I cannot find out her name.

by the coasters, empty casks are constantly sent to the outports, there to be filled with produce for exportation.

If such defence were admitted, contrary to the letter of the Treaty, then it would be easy to equip any vessel for slave-trading, as the bringing a few passengers from Spain would be sufficient.

There must have been some sort of connection between the barque and the schooner; else why the signals from the one to the other, which were answered and doubtless understood? and the inference is, that the casks on board the latter were to be transferred to the former; moreover it is said that Catala, the master of the "*Numa*," has been engaged in slaving, and has more than once been captured on the coast of Africa.

The detention of the "*Numa*" and her consort, has caused a very great sensation here, and has been subject of conversation of the highest quarters; amongst those decrying the injustice of the case, is the chief Spanish Commissioner, the Marquis de las Delicias, who has thus prejudged the case, which will not be before the Mixed Tribunal until Monday the 15th instant; but his Excellency is perhaps the greatest advocate of slavery in the island, his large income being principally drawn from the gangs of working negroes he has out on hire on the railroads, in the mines, &c.

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

&c.

&c.

&c.

No. 53.

Consul-General Crawford to the Earl of Aberdeen.

Havana, July 9, 1846.

(Received August 8.)

My Lord,

IN my despatch of the 13th ultimo, I did myself the honour of reporting to your Lordship the detention of the Spanish barque "*Numa*," of Barcelona, and the coasting schooner ——— by Her Majesty's brig-sloop "*Daring*," Commander Matson.

I understand that the schooner has been given up, under sentence of "Justifiable detention, but not good prize," but the case of the "*Numa*" is still undecided and has gone before the Spanish Arbitrator of the Mixed Commission to decide upon a question as to receiving additional proofs on the part of the claimants, so that it is very likely to be pending for some time longer.

The "*Daring*" having been ordered to Jamaica, sailed this morning, but has left an officer and boat's crew in charge of the "*Numa*."

I have, &c.

(Signed)

JOS. T. CRAWFORD,

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

Consul-General in Cuba.

&c.

&c.

&c.

No. 54.

Consul-General Crawford to Viscount Palmerston.

Havana, September 6, 1846.

(Received October 7.)

My Lord,

IN acknowledging to your Lordship the receipt this day of the Earl of Aberdeen's depatch of the 30th June, and its enclosures, conveying an instruction to me, to act forthwith upon any communication which I may receive from Her Majesty's Commissioners, relating to the fitting out of slave-vessels, unless in any particular instance I should happen to be possessed of information which leads me to the conviction that they have proceeded upon false information; I beg leave to state to your Lordship, with reference to the case upon which Her Majesty's Commissioners applied for that instruction, that the

"*Frederica*" was referred to by me in my despatch of the 24th February, when I expressed a doubt as to whether we were entitled to interfere with Spanish vessels loading lawful merchandize at this port for the coast of Africa; and it was under that doubt, and the belief that Her Majesty's Commissioners were not, indeed could not be prepared to prove that the "*Frederica*" was any other than a lawfully trading vessel, excepting the suspicion which attached to her as belonging to Don Pedro Forcade, which made me hesitate about denouncing her; but I informed the Commissioners that I was on the alert respecting her, as really was the case.

My vigilance discovered that her mate and crew were nearly all British subjects, whom I caused to be warned of their danger if they were engaged in a slaving-vessel. The mate and British part of the crew consequently left her; and whether it was because of the difficulty which Forcade found in getting a crew for the coast of Africa, or that it was the effect of the subsequent denouncement made to the Captain-General and immediately returned by his Excellency, I know not; but after considerable delay the "*Frederica's*" voyage was altered, and she sailed with a lawful cargo, regularly cleared out and reported.

Whatever purposes might be answered by the conveyance of goods for slaving purposes from hence to the coast of Africa, in such a vessel, the "*Frederica's*" construction was of that clump description that she was most unlikely to have carried negroes with any prospect of escape.

Your Lordship may be assured that I shall give implicit obedience to my instructions, using discretion, however, in all cases of doubtful information, so as not to allow my zeal to precipitate me into error, in making reports to his Excellency the Captain-General upon false statements, which go to injure the great cause of humanity in which we are engaged.

I have, &c.

(Signed)

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

&c.

&c.

&c.

JOS. T. CRAWFORD,

Consul-General in Cuba.

No. 55.

Viscount Palmerston to Consul-General Crawford.

(Circular.)

Sir,

Foreign Office, November 11, 1846.

I HAVE to refer you to the circular issued under date of the 8th of May, 1841, to Her Majesty's functionaries residing in countries where the condition of slavery exists, acquainting them with the opinion of Her Majesty's Government, that it would be unfitting that any officer holding an appointment under the British Crown, should either directly or indirectly hold or be interested in slave property.

In furtherance of the principle thus laid down, and in order to prevent Her Majesty's functionaries from being engaged, under any circumstances, in the purchase or sale of a slave, Her Majesty's Government has come to the determination of prohibiting all British functionaries residing in slave-holding countries, from administering to the estates of deceased persons, in cases in which slaves form part of the property of the deceased; and you are hereby prohibited accordingly.

You will publish this instruction for the information of all British subjects resident within the district of your Consulate.

I am, &c.

Joseph T. Crawford, Esq.

&c.

&c.

(Signed)

PALMERSTON.

N.B.—This circular was also sent to Her Majesty's Chargés d'Affaires and Consuls-General at Bogotá and Caracas; to Her Majesty's Acting Consul-General at Lima; to Her Majesty's Consuls-General at Constantinople, in Syria, in Egypt, at Tripoli, Tunis, Algiers, and Tangier; to Her Majesty's Consuls at St. Jago de Cuba, Porto Rico, Manila, Cape Verds, Dardanelles, Salonica, Adrianople, Brussa, Smyrna, Erzeroom, Kaisariah, Bagdad, Crete, Damascus, Aleppo, Beyrout, Cyprus, Jerusalem, Alexandria, Cairo, Tabreez, Tehran, Zanzibar, Baltimore, Norfolk, Charleston, Savannah, Mobile, New Orleans, Galveston, Carthagena, Panamá, Equator, Bolivia, Buenos Ayres, Rio de Janeiro, Bahia, Pernambuco, Paraiba, Maranhão, and Pará; and to Her Majesty's Vice-Consul at Loanda.

SPAIN. (*Consular*)—*Porto Rico.*

No. 56.

Consul Lindegren to the Earl of Aberdeen.

San Juan, Porto Rico, March 10, 1846.

(*Received April 13.*)

My Lord,

IN my despatch to your Lordship of the 8th November, 1845, I mentioned that a slaver had been off this port, and had proceeded to Cuba, not being able to land any of her slaves upon this island; and the master has since arrived here, and has, I find, succeeded in landed his cargo in safety near the Havana, and sold the vessel there. I now write to say, that I have been told confidentially, that the slave-owner here has lately received advices from the person who went to Africa in the first instance, to form the slave establishment in the River Pongo; that he has 800 slaves ready for shipment, but has not yet been able to get any vessels to bring them on, but that he will ship them as soon as he can get conveyances for them; and that no British cruisers have been seen for a length of time off that part of the coast; in answer to which the owner has written him, not to send them here on any account, as they cannot be landed, but to forward them on to Cuba.

I wrote to Vice-Admiral Sir Francis Austen, telling him of the slaver having been off this place; and he in answer said, that he had desired the senior officer at Jamaica to send a vessel to cruise off Porto Rico and Havana, to endeavour to intercept any vessel attempting to carry on the Traffic in Slaves; and I shall write him what I have now heard, as, independent of this, the trade to Cuba appears to be still in progress in spite of the orders which have been sent out against it. Hoping that your Lordship will approve of this

I have, &c.

(Signed) JOHN LINDEGREN.

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

&c.

&c.

&c.

No. 57.

The Earl of Aberdeen to Consul Lindegren.

Sir,

Foreign Office, April 28, 1846.

I HAVE received your despatch of the 10th ultimo, reporting the recent landing of a cargo of slaves in the neighbourhood of the Havana; and giving information relative to a depôt of slaves ready for shipment in the Rio Pongos on the west coast of Africa.

I approve of your having communicated to Vice-Admiral Sir F. Austen, the movements of the slave-vessel which you state to have been off the port of St. Juan.

I perceive with satisfaction from your despatch, that the Governor of Porto Rico appears to be honourably acting up to his professed determination not to permit the landing of slaves in that island.

I enclose to you a copy of a despatch from Her Majesty's Commissioners at Jamaica, reporting that a vessel which had shortly before landed a cargo of

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slaves, had been seen near the port of St. Juan. It is not stated at what place or in what island the alleged landing of slaves took place; and from the statement contained in your despatch of the 10th ultimo, it appears very doubtful whether any such landing could be effected in Porto Rico, and whether the slaver mentioned by the Commissioners, may not have been the identical one reported by you as having landed a cargo in Cuba. I have therefore to desire, that you will make enquiry into the matter, and that you will report to me the result; for Her Majesty's Government consider it due to the Governor of Porto Rico, not to permit to pass without investigation, a statement which, although so vague, if not enquired into, is calculated to reflect unjustly and injuriously on the activity or good faith of the authorities of Porto Rico.

I am, &c.

J. Lindegren, Esq.
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 57.

Her Majesty's Commissioners at Jamaica to the Earl of Aberdeen, March 2, 1846.

[See Class A, No. 137, p. 237.]

No. 58.

Consul Lindegren to the Earl of Aberdeen.

San Juan, Porto Rico, June 6, 1846.

(Received July 6.)

My Lord,

I HAVE the honour to acknowledge receipt of your Lordship's despatch of the 28th of April last, enclosing copy of a despatch from Her Majesty's Commissioners at Jamaica, reporting that a vessel had been seen near San Juan, which had shortly before landed a cargo of slaves; and that the captain of a slaver had boasted to Mr. Goff, a passenger on board the steam-packet, that he had been successful in running his cargo. In answer to which I beg to state to your Lordship, that I was aware of what the captain told Mr. Goff; and that he further pointed out the part of the coast where the slaves had been landed; but if he did not intentionally wish to deceive in what he stated, to conceal the real place of landing, he must, I think, have referred to a circumstance which occurred shortly before the present Governor arrived, when a vessel belonging to the same owners, landed a cargo of slaves on the island; for being very anxious to get every information possible upon the subject, I ascertained that the captain alluded to had commanded the vessel which I reported to your Lordship in my despatch dated 8th January, 1845, as having sailed for the coast of Africa, but having been captured by one of Her Majesty's steamers on entering the River Pongo, the captain chartered another vessel to bring on a cargo of slaves, which arrived off this port on the 28th of October last, as reported by me to your Lordship in my despatch dated the 8th of November; and being unable to land the slaves here, from the positive restrictions of the Governor, he proceeded to Cuba, where, after the slaves had been landed, the vessel was sold; and the captain who had had charge of them was then returning to San Juan, where his family reside, when he made this statement to Mr. Goff.

I am certain, from the information I obtained, that none of these slaves were landed on the island, but the whole of them were disposed of in the Island of Cuba, and I ascertained the prices at which they had been sold.

The vessel which Mr. Goff reports as having seen near San Juan, was probably the vessel which belonged to the same owners, and had landed the cargo of slaves on the north side of the island, to which the captain may have referred, as he is connected with them, and knew all the circumstances. This vessel they intended originally to have sent to the coast of Africa for slaves, but not having any papers they were obliged to substitute for her the vessel subsequently taken in the River Pongo, as reported to your Lordship in my despatch, *Slave Trade*, dated December 26, 1844. She afterwards went to the

Havana, where she got papers, and has been trading between that place, Porto Rico, and other ports in these parts, since, and she is now in this harbour.

I am confident that there has not been any slave transaction connected with this island, except the one at present referred to, since my arrival here; and knowing the honourable feelings of the Governor, which are universally acknowledged here, and the strong manner in which he has expressed himself as to his determination to prevent the admission of slaves into the island, Her Majesty's Government may rest perfectly assured of his good faith, and that he will fully act up to his declared determination in this respect, which he has intimated to me on more than one occasion; and from what he has himself told me, as well as from the information which I have obtained from other quarters, I can venture to assure your Lordship that it is not possible under the police regulations established here, and the orders given by the Governor, for any slaves to be landed on this island without his knowledge, and if any such attempt were made, that they would be immediately confiscated.

I have, &c.

(Signed) JOHN LINDEGREN.

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

No. 59.

Consul Lindegren to the Earl of Aberdeen.

San Juan, Porto Rico, June 26, 1846.

My Lord,

(Received July 21.)

I DID not expect that any further slave expeditions would have been undertaken from hence, but I find that the same parties who have carried on that trade here, are now going to dispatch for a cargo of slaves the vessel which on a former occasion they were prevented from sending out for want of the necessary papers, which they have since obtained for her.

I have received a private communication that they are now fitting her out in consequence of a letter which they have received from the agent in the River Pongo, stating that he has 600 slaves on hand, and urgently pressing them to send the vessel out, as the rainy season was coming on when the British cruizers would probably be absent from the coast. They are now putting water-casks on board, and are going to send her to Curaçoa, to get her slave-deck made and fitted; and she is then to return here to get a crew, as those on board will not go in her on this expedition, so that it will probably be a month before she will finally sail, which may give time for information to be sent from England to the coast of Africa, of her expected arrival before she can get there. She will go to the River Pongo direct, and load at the place where a Spanish brigantine called the "*Montserat*" was taken by one of Her Majesty's steamers in February or March in last year, just as she was going into the river to take her slave-cargo on board, which were all ready for shipment. This vessel's name is the "*Conde de Mirasol*." She is a black brig of about 150 tons, with raking masts, and will probably hoist off the coast the same signal as I mentioned to your Lordship in my despatch of the 26th September, 1844, Slave Trade, blue, with a white angular cross.

She will certainly not attempt to land her slaves here, as the Governor so positively prohibits their admission, but will without doubt take them on to Cuba, and probably to the same place where the last cargo was safely landed, though she may perhaps call off here on her return.

I shall inform the commanding officer of Her Majesty's ships on this station of the intended departure of this brig, of which your Lordship will I trust approve.

I have, &c.

(Signed) JOHN LINDEGREN.

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

No. 60.

*Consul Lindegren to the Earl of Aberdeen,**San Juan, Porto Rico, July 11, 1846.*

My Lord,

(Received August 6.)

IN my despatch of the 26th ultimo, I informed your Lordship that a brig was fitting out here intended for the Slave Trade; but in the first instance going to Curaçoa; since which, seeing that she did not sail, but had been moved up the harbour, I enquired the cause, and was told that the Governor had prevented her departure, and therefore I determined upon seeing him; but being confined to his room for several days, from illness, I could not have an interview with him until to-day, when he told me that the brig had not got her papers, which I thought she had obtained at the Havana, but that the owners had applied to the Government of Spain for them, and they would, without doubt, soon receive them, and that she had made her last voyages under his licence: but he had told the owners now, that she could not sail to any foreign place until the papers arrived. I then stated what I had heard about her, of which he was not aware; but he told me, that if any attempts were made to carry on the Trade, which was now quite contrary to law, that they should be punished as they deserved; and with regard to this vessel, that when she did receive her papers he would not let her sail from hence without the owners entered into a bond to the amount of the value of the vessel, that she would not proceed to the coast of Africa. I think, therefore, that this voyage is not likely to be undertaken; and that if they want to get their slaves away from the coast, they must get a vessel elsewhere for that purpose. I then took the opportunity of speaking to the Governor about the despatch which I had received from your Lordship, and the communication made by Her Majesty's Commissioners at Jamaica, as well as the boast of the slave-captain on board the steamer, that he had landed his slaves on this island; at which he expressed great surprise, and said that it was impossible to have taken place, from the orders which he had given, and which the Governor of Crab Island had also received from him; that he had given me his word that no slaves should be landed here, and that under no circumstances would he allow it; and he desired me to inform your Lordship that he would faithfully act up to the orders he had received, and the engagement he had entered into, not to allow any traffic of the kind to be carried on here; and he added, that it was possible that they might try to deceive him in attempting to carry it on, but that it should not be done with impunity.

I trust that this communication will quite satisfy your Lordship as to the impossibility of the Slave Trade existing at Porto Rico, as long at least as the present Governor remains here.

I had written to Vice-Admiral Sir Francis Austen, to tell him of this vessel's probable departure for the coast of Africa, in case he thought fit to look out for her, either on going there or on her return; but I understand that all Her Majesty's ships on the station are gone to Vera Cruz; and I shall write him now that the brig's voyage is not likely to be undertaken.

I have, &c.

(Signed)

JOHN LINDEGREN.

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

&c.

&c.

&c.

SPAIN. (*Consular*)—*Port Mahon.*

No. 61.

Vice-Consul Dalzell to Mr. Bidwell.

British Consulate, Mahon, August 31, 1846.

(*Received September 18.*)

Sir,

HAVING this morning received from Mr. Constant, British Vice-Consul stationed at Palma of Majorca, information of a vessel having been recently fitted out at that port, and bound for Rio Janeiro, to be sold there, according to current report, for slave-trading, I have this day forwarded an express communication on this subject, addressed to Vice-Admiral Sir William Parker, copy of which despatch I do myself herewith the honour to enclose.

The preceding case of similar description, referred to by Mr. Constant, was that of a vessel called the "*San José*" ("*Especulador*"), of which I lost not a moment in forwarding every particular to the Admiral, who, in reply to my communication, informed me that he had transmitted it to the Admiralty. The following is an extract on that subject from Mr. Constant's present letter:—

"Information has recently been received here, that the '*San José*' ('*Especulador*') had been compelled to run aground on the coast of Africa, chased by the cruisers, where she was soon lost. Letters from part of the crew detail the circumstances of the case; and on comparing the dates of such letters with an article which I have read in the British journals, with reference to a similar accident happened to Her Majesty's ship '*Flying Fish*,' it appears to me beyond doubt that the vessel chased by the '*Flying Fish*' was no other than the one referred to."

John Bidwell, Esq.
&c. &c.

I have, &c.
(Signed) R. A. DALZELL.

Enclosure 1 in No. 61.

Vice-Consul Dalzell to Vice-Admiral Sir W. Parker.

Sir,

British Consulate, Mahon, August 31, 1846.

EVER mindful of the great importance of affording prompt information respecting any vessel actually engaged in the odious Traffic in Slaves, or which is suspected to be directly or indirectly destined for such purposes, I deemed it my duty instantly to forward to your Excellency (as I have the honour to do on the other side hereof) extract from a letter which I have received from the British Vice-Consul stationed at Palma of Majorca, relative to a vessel at present fitting out at that port, bound for Rio Janeiro, to be sold there, and, according to current report, destined for slave-trading.

Vice-Admiral Sir William Parker, G.C.B.
&c. &c. &c.

I have, &c.
(Signed) R. A. DALZELL.

Enclosure 2 in No. 61.

Vice-Consul Constant to Vice-Consul Dalzell.

*British Vice-Consulate, Palma, Majorca,
August 30, 1846.*

(Extract.)

WITH reference to my despatches of the 4th and 24th February, giving account of a vessel called the "*San José*" ("*Especulador*"), being at that time fitting out at this port, strongly suspected for slave-trading, I beg now to inform you that at present there has been another vessel of like description built here, bound with a cargo of salt, to Rio Janeiro, there to be sold, and, according to current report, destined for slave-trading.

Description of the vessel:—Falucha "*el Especulador*," 100 tons, coppered and copper-fastened; two masts; round stern; José Rosetto, master; fifteen men; bound to Rio Janeiro, and intended to be sold there. The owners of the vessel, as I am told, are as follows:—Domingo Prabo, Miguel Borafé, three brothers called Villalongo, Pablo Torrè, and the said master, José Rosetto. The owners, master, and crew, are natives of this country.

R. A. Dalzell, Esq.

(Signed)

B. CONSTANT.

&c. &c.

SPAIN. (*Consular*)—*Manila.*

No. 62.

Consul Farren to the Earl of Aberdeen.

Manila, January 20, 1846.

(Extract.)

(Received April 1.)

IT may be represented to your Lordship, that no foreign sugar being admitted to consumption through the port of Manila, and slavery not existing in these possessions, there are no grounds for apprehending a violation of the Parliamentary design. With these facts, did no sugar leave these possessions, but that which might be cultivated around Manila, there would be some weight in the statement. But it may not be represented to your Lordship that there is no sugar for export grown about Manila; that the entire bulk of the commercial produce of that article is from provinces more or less remote; and that a very considerable portion is supplied from Zebu, an island in the southernmost part of the Philippine Group; that the insular region adjoining that part is the most notorious in the whole Eastern hemisphere for its Traffic in Slaves; is also the sphere of a maritime and commercial activity, and between that region and the provinces of the island in which Manila itself is situated, and the extensive shores of the innumerable islands which constitute the Philippines, there is a direct and indirect trading relation, independent of Manila; and though nominally the coasts are subject to surveillance, its insufficiency is not only acknowledged as well as known, but proved by the lamentable estimate I have received from an authority at Soloo itself, that 1500 individuals are annually carried off from these possessions, and sold to slavery at Soloo.

Soloo, the chief mart of this Traffic in Slaves, is contiguous to Zebu and the Philippines, and has a formal treaty of commerce with them. Mindanao (which is politically and geographically admitted as one of the Philippines, but in which Samboanga only is occupied by Spain with an established force) is governed locally and in local independence by its own chiefs, among whom slavery exists; and though sugar (cultivated throughout that region,) is not known to be produced in quantities to become a commercial product, yet unfostered by the Spanish Government, and referable to no other known causes than generally influence such peculiar effects on local intelligence and industry, —those causes, and the same natural advantages, which have made the remote Island of Zebu and the distant provinces of Luzon the districts of extensive sugar crops, may similarly operate upon some of the innumerable islands in the contiguous archipelago through which slavery prevails. The Parliamentary measure tending to cultivate that product is now but working an incipient effect in native industry here. The prospects of the settlement of Sarawak on one side of Borneo, and on another the expected occupation by Great Britain of an island forming almost a part of that country; the favourable progress which I regard these possessions (the Philippines) as making, and the results which may arise from measures repressive of predatory Traffic in Slaves, to which the adjacent archipelago is addicted, are influences which, though speculative in result, are in active existence, and tending to bring those parts into close relations with civilizing examples, and produce some changes, and give new directions to the ideas and pursuit of gain by their chiefs and leading people. Among those parts Chinese traders and settlers are numerously scat-

tered. Here the Chinese are not only the retailing agents of the great mass of general commercial transactions, and have some of the largest establishments for crushing sugar, but they are almost exclusively the class employed by the Spanish crushers, likewise, in purchasing that article from the native and insular growers; and should any part of the southern and slave-trading group of islands produce it at a rate that would compensate its indirect introduction, the obstacle of provincial prohibition would not be insurmountable; and I do not suppose it would be regarded as unjust, were I to imagine that there may be persons here, who, if deriving a profit from its export, would think that the opposing onus rested with the British Government, and the precautionary and detective power and vigilance of Her Majesty's Consuls.

These are parts of the subject which will not probably be brought to your Lordship's knowledge or consideration, when it is represented that no foreign sugar being admitted to Manila, and no slavery existing in the Philippines, the regulations complained of are unnecessary.

PORTUGAL.

No. 63.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, December 30, 1845.

(Received January 7, 1846.)

My Lord,

WITH reference to my despatch of the 26th ultimo, in which I transmitted a copy of the note which, under your Lordship's instructions, I addressed to Senhor Gomes de Castro, I have now the honour to enclose a copy of the answer which I received this day from his Excellency, in which he expresses the satisfaction of Her Most Faithful Majesty at the testimony borne by Her Majesty's Government to the zeal of the Portuguese authorities of Africa in the suppression of the Slave Trade, and which, his Excellency informs me, the Queen of Portugal has ordered to be notified to the Portuguese authorities in question.

He remarks, however, that as regards the permission granted by the Governor-General of Mozambique to British cruizers to enter those rivers, bays, and creeks, in the Portuguese possessions on the east coast of Africa where no Portuguese authorities are established, with the object of searching vessels suspected of being engaged in the Slave Trade, Her Most Faithful Majesty, considering such a proceeding to be a direct infraction of Article III of the Treaty of 1842, as well as of Portuguese law, had determined that the Governor-General of Mozambique should be instructed to revoke that permission.

His Excellency, in conclusion, expresses his confidence that Her Majesty's Government will see the propriety of this step; and acquaints me for the information of Her Majesty's Government, that the Portuguese Government are on the point of increasing the number of their cruizers on the east coast of Africa.

I have, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

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

&c.

&c.

&c.

Enclosure in No. 63.

Senhor Gomes de Castro to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

*Foreign Office, Lisbon,
December 30, 1845.*

HAVING transmitted to the Minister of Marine a copy of the note and documents enclosed therein, which your Lordship addressed to me on the 29th of October last, and the receipt of which I acknowledged in my note of the 20th ultimo, in which your Lordship returned the thanks of your Government for the services and effectual co-operation lent to the British cruizers on the coast of Africa by the Governor-General of Mozambique and other civil and military authorities of that province; that Minister informed me in a note of the 19th instant, that Her Majesty the Queen had felt highly gratified at that flattering communication, from the certainty which it conveyed, of the zeal and interest manifested by the authorities in question in the performance of their

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duty and execution of the instructions which they have received ; and that Her Majesty was at the same time pleased to ordain that the praises and acknowledgments of the British Government conveyed by your Lordship in your note above mentioned, should be communicated to all the authorities in question, two of which Her Majesty had already on that account remunerated, conferring on them honorary distinctions.

As regards the permission given to the British cruizers by the Governor-General in question, to which the copy transmitted in your Lordship's note refers, to enter those rivers, bays, and creeks, and other points of the east coast of Africa, where there should not be any Portuguese authorities, the Minister of Marine informs me that Her Majesty considering how completely that permission is opposed to the stipulation of the Fourth Section of Article III of the Treaty of the 3rd July, 1842, which expressly declares it is not licit to detain or visit, under any pretext or motive whatever, any merchant-vessel anchored in any port or anchorage belonging to either of the two High Contracting Parties (excepting in the cases declared in the same paragraph), and considering, moreover how much it is opposed to all Portuguese legislation, had been pleased to ordain, by a royal order of the 9th instant, that the said Governor-General, in observance of the stipulations between the Crowns of Portugal and Great Britain, and of the Portuguese legislation, should revoke that permission, and communicate the repeal thereof to the British cruizers, to which the Governor-General misinterpreting the said Third Section, had conceded the permission. All which I have the honour to communicate to your Lordship, in the certainty that the weighty reasons which I have brought forward, and others which from their obvious character I have omitted, will convince the British Government of the necessity Her Majesty was under to order the repeal of the above-mentioned permission ; while I am enabled at the same time to assure your Lordship, in order that you may be pleased to communicate it to your Government, that Her Majesty's Government are engaged earnestly in increasing the number of their cruizers on that coast.

I avail, &c.

(Signed) JOZE JOAQM. GOMES DE CASTRO.

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

No. 64.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, December, 31, 1845.

(Received January 17, 1846.)

My Lord,

I HAVE the honour herewith to transmit a list of slave vessels which have been either captured or destroyed on the coast of Africa, owing to the exertions of the Portuguese cruizers during the year 1845.

I have, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

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

Enclosure in No. 64.

LIST of SLAVE-VESSELS captured in the Ultramarine Province by the Portuguese Cruizers and Authorities.

ANGOLA.

Name of Slayer.	Class.	Name of Cruiser.	Remarks.
Despique da Inveja	Brazilian brig ..	Nympha	
Canario	Ditto schooner ..	Launch of the sloop Relampago	
.. ..	A launch	Nympha	The slave-launch had no flag or name.
.. ..	Portuguese boat	Relampago	
Gago	Ditto schooner ..	A launch of the Naval Station	Released.
Constante Amizade	Brazilian brig ..	Relampago	
Cacique	Brig schooner ..	Relampago	
.. ..	Brig .. ..	.. ..	Went down on the "Relampago" coming within sight.
Primavera	Brazilian barque	.. ..	Burned at Ambriz ditto ditto.
.. ..	Schooner .. ..	.. ..	Ditto ditto ditto.
MOZAMBIQUE.			
.. ..	Brig	Don João de Castro	Captured at Ibo.

No. 65.

The Earl of Aberdeen to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, February 11, 1846.

IN your Lordship's despatch dated the 2nd of September last, you informed me, that having officially applied to Senhor Gomes de Castro for the proper exequatur to the certified copy of Mr. Brand's commission of British Vice-Consul at Angola, transmitted to you by me, his Excellency had duly caused to be annexed thereto the confirmation of the Portuguese Government; and had informed you that he had requested the Minister of Marine to issue the necessary orders to the authorities of Angola to recognize Mr. Brand, and lend him any assistance he might require for the due performance of his duties as British Vice-Consul. Your Lordship adds in the same despatch, that you would forward Mr. Brand's exequatur by the first opportunity.

I regret to find by a despatch from Mr. Gabriel, dated Loanda, the 8th of November, that up to that time, Mr. Brand, on whom the duties of British Arbitrator had devolved, was still without any official recognition by the Portuguese authorities.

I have to desire that your Lordship will inform me of the cause of this delay, which has occasioned great inconvenience and embarrassment to Her Majesty's Government; and that you will, if necessary, make a further and pressing representation upon this subject to the Portuguese Government, in order that Mr. Brand's appointment may be formally recognized without further loss of time.

I am, &c.

(Signed) ABERDEEN.

Lord Howard de Walden and Seaford, G.C.B.

&c. &c.

No. 66.

*Baron Moncorvo to the Earl of Aberdeen.**Portuguese Legation, London, March 10, 1846.**(Received March 10.)*

My Lord,

I HAVE the honour to inform your Excellency, that I have received instructions from Her Most Faithful Majesty's Government, to call your Excellency's immediate attention to the practice on the part of the British cruizers on the coast of Africa, of landing on the Portuguese territories and settlements the crews of the vessels which are seized and taken by them on account of carrying on the Slave Trade; and by which proceeding, those crews generally, abandoned in the state of the greatest destitution, become chargeable to the local authorities of the places where they are landed, to provide for their maintenance and for the means of sending them to their respective countries; besides, becoming a burden, and in most instances a great nuisance, to the inhabitants of the settlement where they are left.

I do not believe that it is necessary for me to argue this point to any length, as I am sure that your Excellency will naturally be convinced of the necessity of adopting some steps to put a stop to a practice which in itself gives sufficient cause to Her Most Faithful Majesty's Government to demand its suppression, when it is considered that such a practice is against the Treaty of the 3rd July, 1842, and that the crews of the vessels at present taken in the Slave Trade consist chiefly of a piratical set of men of all nations, and of the most abandoned character and habits, whose residence in any place is sufficient to pervert the morals of its inhabitants, and to introduce among them every vice to which human nature can be subject.

Consequently I hope that Her Britannic Majesty's Government will adopt those measures best adapted for discontinuing the practice on the part of the British cruizers, of landing the crews of slave-trading vessels on the Portuguese territories and settlements.

I have, &c.

(Signed) MONCORVO.

His Excellency the Earl of Aberdeen, K.T.

&c.

&c.

&c.

No. 67.

The Earl of Aberdeen to Baron Moncorvo.

Monsieur le Baron,

Foreign Office, March 18, 1846.

I HAVE had the honour to receive your letter of the 10th instant, stating that you have been instructed by your Government to call my immediate attention to the practice on the part of the British cruizers on the coast of Africa, of landing on the Portuguese territories and settlements, the crews of the vessels which are seized and taken by them on account of carrying on the Slave Trade; by which proceeding, it is stated, those crews, generally abandoned in a state of the greatest destitution, become chargeable to the local authorities of the places where they are landed to provide for their maintenance, and for the means of sending them to their respective countries, besides becoming a burden, and in most instances a great nuisance to the establishments of the settlements where they are left.

In executing this instruction, you observe that I shall naturally be convinced of the necessity of adopting some steps to put a stop to a practice which in itself gives sufficient cause to Her Most Faithful Majesty's Government to demand its suppression, when it is considered that such a practice is against the Treaty of the 3rd of July, 1842, and that the crews of the vessels at present taken in the Slave Trade, consist chiefly of a piratical set of men, of all nations, and of the most abandoned character and habits, whose residence in any place is sufficient to pervert the morals of its inhabitants, and to introduce among them every vice to which human nature can be subject.

I have no hesitation in stating, in reply to this communication, that the practice, if it exists, is a just ground of complaint on the part of the Government of Her Most Faithful Majesty, and ought to be remedied; although, unless the alleged practice referred to the crews of Portuguese captured slavers, I do not see that it would be a breach of the Treaty of 1842, as stated in your letter.

The practice complained of, however, I understand to refer to the crews of captured slave-vessels other than Portuguese; but I have not been able to ascertain from the archives of this department, that any such practice does exist, and it appears to be more likely that the individuals of whom your letter treats, are the crews of slave-vessels which may have been chased by British cruisers, and who, when hard-pressed, may have run their vessels on shore to avoid being captured, and have afterwards abandoned them, as is not unfrequently done under such circumstances.

If such should turn out to be the case, I would beg leave to observe, without intending to underrate the inconvenience which the presence of such persons may occasion to the Portuguese authorities, that the commanders of Her Majesty's cruisers could not fairly be held responsible or blameable for what, in the case supposed, would be, so far as they are concerned, an unavoidable consequence of their legitimate acts under the Treaties for the suppression of the Slave Trade.

I have thought it right to trouble you with these few remarks, which naturally suggest themselves on the perusal of your representation, in the absence of any information corroborative of the practice of which Her Most Faithful Majesty's Government complain; but I beg at the same time to assure you that I will lose no time in bringing the subject under the notice of the Lords Commissioners of the Admiralty, in order that enquiries may be forthwith made thereupon, the result of which I will do myself the honour to make known to you in a future letter.

Baron Moncorvo,
&c. &c.

I have, &c.
(Signed) ABERDEEN.

No. 68.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, March 13, 1846.

My Lord,

(Received March 20.)

WITH reference to my despatch of the 18th March, 1844, I have the honour to transmit to your Lordship a copy and a translation of the reply of the Minister of Foreign Affairs to my note, a copy of which accompanied that despatch.

Your Lordship will perceive from the tenor of this reply, that the Portuguese Government entirely justify the conduct of their officer at Loanda, in granting papers such as those which formed the ground of Captain Foote's complaint in the case of the "*Bom Successo*."

I have, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

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

Enclosure in No. 68.

Senhor Gomes de Castro to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, March 5, 1846.

IN answer to your Lordship's note of the 8th March, 1844, enclosing a copy of correspondence addressed to the British Admiralty by Captain John Foote, senior officer on the Angola station, relative to case of the "*Bom Successo*," and the existence of barracoons for slaves at a place a few miles from Ambriz; I have the honour to acquaint your Lordship, that the Minister of Marine communicated to me on the 31st January last, that Her Majesty had called on the Governor-General of Angola, as I informed your Lordship in my note of the 17th May, 1844, to report on the matter of the culpability of the Administrator of Customs *ad interim* in that province, Eusebio Catella de Lemos Pinheiro Falcão, with reference to the despatches furnished to the vessel in question, which, having sailed from Loanda for Lisbon, with a cargo of flour, rice, and other articles of merchandize, and having the necessary custom-house certificate passed by the said Administrator, did not proceed on her destination, but went to Novo Redondo, where she took in a cargo of slaves. The Governor-General replied, that having made the most scrupulous examination of the documents and registries existing in the office of the general government of the province, he had found that, nothing having been discovered on board the vessel which could cause any suspicion of her being engaged in the odious Slave Trade, the Council of Government, acting at the time in the absence of a Governor-General, granted her the necessary despatches to sail for Lisbon, touching at Novo Redondo, Quibombo, and Benguela, where she was to have taken in a fresh cargo for Lisbon.

From the report of the Governor-General, it is therefore evident that the first cargo of the "*Bom Successo*" showed no indication of illicit trading; for the cargo was composed of articles of produce and merchandize which precisely constitute a licit commerce in the ports to the south of Angola, where they are in great demand, and form the most important branch of the carrying trade, so profitable to the merchants of that province.

Consequently, if the occurrence which took place with regard to the "*Bom Successo*," were considered a sufficient reason for throwing suspicion on every vessel bound for the ports in the south, having a similar cargo on board, and the necessary despatches were refused them, great and serious injury would be done to fair trading and the carrying trade, and to the ports of Benguela, Mossamides, and other places on the coast; as it is moreover notorious that the greater number of vessels going to those ports carry large quantities of goods and merchandize of a like nature, without being ever destined for the Slave Trade.

Your Lordship will doubtless feel convinced by the above reasons, that no just motive exists for obstructing the exportation of goods to Benguela and other ports of the south, such as provisions and materials for building, which latter, although they certainly may be used in constructing barracoons for slaves, are nevertheless indispensable in the construction of sheds for storing the urzella and copal, and other articles of licit commerce.

As regards the certificate passed by the Administrator of Customs *ad interim* in that province, the accusation brought forward against that employé is perfectly without foundation; for on the certificate being brought before the Council of Government, the latter finding it perfectly regular, granted the despatches required for the vessel to be allowed to sail.

I avail, &c.

(Signed)

JOZE JOAQM. GOMES DE CASTRO.

Lord Howard de Walden and Seaford,

&c.

&c.

No. 69.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, March 17, 1846.

My Lord,

(Received March 26.)

WITH reference to your Lordship's despatch marked Slave Trade, of the 11th ultimo, I have the honour to report to your Lordship, that the copy of Mr. Brand's commission, to which the Portuguese exequatur was annexed, as well as the instructions from the Minister of Marine to the Portuguese authorities, on the subject of that gentleman's appointment, were duly forwarded by the Portuguese transport "*Princeza Real*," on the 23rd of September of last year.

Senhor Gomes de Castro having applied to the Minister of Marine for information in regard to the arrival of the "*Princeza Real*" at St. Paul de Loanda, states that he is informed by that Minister, that she had had not reached Loanda up to the date of the last official correspondence from Angola; but that as soon as accounts of her arrival are received, he will furnish him with all due information on the subject of the recognition of Mr. Brand as British Vice-Consul.

I have, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

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

&c. &c. &c.

No. 70.

The Earl of Aberdeen to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, April 15, 1846.

I REGRET to have occasion again to call your Lordship's attention to the subject of the long-pending prosecutions which have been instituted in the Cape de Verd Islands, under orders from the Portuguese Government, against certain parties, who from evidence taken on trials before the Slave Trade Commissioners at Sierra Leone, had been discovered to be engaged in the Slave Trade.

In the last despatch which I received from your Lordship on this subject, dated the 5th of April, 1845, you inclosed a copy of a note which, in accordance with your renewed instructions, you had addressed to the Portuguese Minister for Foreign Affairs; and also a copy of that Minister's reply, wherein his Excellency stated that he had called on the Minister of Marine for information on this subject, and had requested that such steps might be taken thereupon as the case required.

Her Majesty's Government had hoped that this intimation would have been followed up with effect; but I now learn by a despatch recently received from Her Majesty's Commissioners at Boa Vista, dated the 22nd of October last, of which I enclose an extract for your Lordship's information, that the question still remains in the same unsatisfactory state as when you last addressed the Portuguese Minister upon the subject. For it appears, that notwithstanding the repeated assurances which Her Majesty's Government have received from the Government of Portugal, that these prosecutions should be carried on, and notwithstanding the repeated orders which have been sent from Lisbon to the supreme authorities of the Cape de Verds, the Local Government still obstinately refuse to bring the prosecutions to a conclusion.

Her Majesty's Government do not presume to interpret the motives which actuate the colonial authorities in thus disregarding the orders of Her Most Faithful Majesty's Government; but I am bound to instruct your Lordship to bring the facts again under the notice of that Government.

You will, therefore, on the receipt of this despatch, address a further note to Senhor Gomes de Castro, in which you will remonstrate in the name of your Government against the continued delay that has been suffered to take place in this matter. You will remind that Minister, that more than five years ago the Portuguese Government pledged itself to bring the accused parties to trial; that nearly five years have elapsed since the late Governor informed Her Majesty's Consul at Boa Vista, that he had already instituted legal proceedings; but that notwithstanding this, and the promises and assurances since so often repeated from time to time, the matter remains to this day totally and wilfully neglected by the colonial authorities.

You will therefore once more appeal to the good faith of the Cabinet of Lisbon, and urge M. Gomes de Castro to cause such peremptory orders to be sent out to the Governor-General of the Cape de Verd Islands as may be requisite to bring these long-protracted trials to a termination, without further loss of time.

It is now become the more incumbent on Her Majesty's Government to press this matter on the earnest attention of the Cabinet of Lisbon, since it appears that the present Governor-General of the Cape de Verds, following the example of his predecessor, refuses to entertain the question on the representation of the British Consul, and that he even refuses to reply to the enquiries which that functionary considered it to be his duty to address to the Governor-General upon the subject.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 70.

Her Majesty's Commissioners at Boa Vista to the Earl of Aberdeen,
October 22, 1845.

[See Class A, No. 182, p. 317.]

No. 71.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, April 12, 1846.
(Received April 28.)

My Lord,

WITH reference to your Lordship's despatch marked Slave Trade, of the 22nd of August of last year, by which I was instructed to bring under the notice of the Portuguese Government circumstances connected with the Brazilian vessel "*Esperança*," which, in the opinion of the Commission established at Sierra Leone, give rise to strong suspicion as to collusion on the part of the Portuguese Vice-Consul in regard to the slave trade enterprise for which the said vessel was destined, I have the honour to enclose a copy of a note which I have received from Senhor Gomes de Castro, containing explanations as in exculpation of the said Vice-Consul.

I have, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

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

&c. &c. &c.

Enclosure 1 in No. 71.

Senhor Gomes de Castro to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, April 4, 1846.

HAVING issued the most positive orders to the Portuguese Consul at Bahia to proceed to a strict investigation with reference to the conduct attributed to the Portuguese Vice-Consul in that city, and communicated to me by your Lordship in your note of the 4th September of last year, the said Consul informs me officially, under date of the 22nd January last, that the "*Esperança*" took out its papers at that Consulate on the 19th December, 1844, as being bound to St. Thomas and Princes Islands, touching at the ports of the coast of Africa; that these papers were, according to the established practice, certified at the Consulate, and distinctly registered in the proper book; and that the correspondence attributed to the Vice-Consul cannot be considered to have been written by him, as no registry of it exists at the Consulate; it being in his opinion more probably of the owner or consignee of the vessel, as being addressed to the captain, and not of the Vice-Consul, who cannot be responsible for the faults or negligences of captains.

With respect to the alteration of the date to which your Lordship alludes, referring to the despatch addressed to Lord Aberdeen by the British Members of the Mixed Commission at Sierra Leone, a copy of which accompanied your Lordship's note, the Consul states that a similar alteration may possibly not exist in the duplicate manifest, the original of which is customarily sent under cover to the Director of Customs at the port of the vessel's destination, and a faithful copy delivered to the captain to present, if requested by any vessel of war: this is the practice with respect to all vessels sailing for ports in the Portuguese dominions; and the Consul adds, that the manifest of the "*Esperança*," a copy of which is hereby enclosed, is registered at the Consulate.

The Consul in question required of the Vice-Consul, Jozé Agoztinho de Salles, information on the subject of the charge brought against him, which he duly furnished in the letter, of which a copy is enclosed, addressed by him to the Consul on the 22nd January last; and the latter affirms that the Vice-Consul is a highly respectable man, and one on whom no suspicion can justly fall of connivance in matters of so delicate a nature as those treated of.

From the report of the Consul, and the reasons brought forward by the Vice-Consul, Her Majesty's Government therefore consider that no motive exists for a legal proceeding to be instituted against the Vice-Consul referred to, unless positive evidence of his criminality should be adduced.

I renew, &c.

(Signed) JOZE JOAQM. GOMES DE CASTRO.

Lord Howard de Walden and Seaford,

&c.

&c.

Enclosure 2 in No. 71.

Manifest of the "Esperança."

(Translation.)

BRAZILIAN brig "*Esperança*," December 19, 1844, master, João Evangelista da Silva. Bound to Saint Thomas and Princes Islands, touching at the ports of Africa. Crew, 13 men. Brazilian tons, 118. Proprietors, the Brazilian subjects, Antonio Gomes dos Santos and Co. of this city. Passengers, 3. Cargo, 2003 bales of tobacco. 83 bales of goods. 5 boxes of goods. $7\frac{1}{2}$ pipes and 57 barrels of brandy, and various small parcels; all of which cargo, calculated according to the table referring to 1844, already forwarded through this Consulate, amounts in Brazilian money to reis 28,069 \$000.

Enclosure 3 in No. 71.

The Portuguese Vice-Consul at Bahia to the Portuguese Consul.

(Translation.)

Sir,

Bahia, January 22, 1846.

I CONSIDER it my duty to lay before you an ingenuous report of what took place with regard to the papers of the Brazilian brig "*Esperança*," on the 19th December, 1844, when I had the honour of filling the Consular office; seeing that the Mixed Commission at Sierra Leone (considering that vessel a good prize, as being implicated in the Slave Trade), or the agents of the British Government, dared (pardon the expression) to make a complaint against the Vice-Consul at Bahia, as was communicated to our Minister his Excellency Senhor Joze Joaquim Gomes de Castro on the 4th September, 1845, by Lord Howard de Walden. During the time I served in the Portuguese Consulate, after the death of the Consul Francisco Joze de Noronha Feital, it was my system to make no alteration in the established system of business at the Consulate, as carried on in conformity with the instructions of Her Most Faithful Majesty's Government then in force; as regards Portuguese vessels, the captains and owners or consignees sign a declaration, and take the oath that they will only engage in licit commerce; and Brazilian vessels are furnished with a manifest and bills of lading, placed under cover, and addressed to the Directors of Customs at the Portuguese ports of destination. This practice was followed with respect to the Brazilian brig "*Esperança*;" whereas the circumstance of that vessel having sailed and left its papers behind, which were subsequently forwarded by the consignee of the brig in the schooner "*Vivo*," also captured, cannot in any way tell against the Consulate, or prove any illegality; for at the Consulate, vessels despatched for a certain port cannot be prevented from altering their course at sea; in which case a vessel may be considered a good prize. But let it not be said that any fault attaches to the Consulate of Portugal, for such is not the case.

In the archives of the Consulate you will find the proof of my statement, and of my proceeding with regard to the papers of the "*Esperança*;" and from your long practice and better judgment in these matters, ought to be a competent judge of my conduct. I may have committed some faults, of which, however, I am ignorant; but I will never consent that they should be interpreted in a manner derogatory to my character, or to the dignity of my Government.

As a private individual, I have a right to defend myself against any charge, and if it be unjust, I ought to be excused if I use strong language in refutation; for I prize myself on being an honourable merchant, and not an illicit trader; but as a public functionary, I have even the right of demanding immediate reparation for such an unjust complaint against the Consulate at Bahia, for it falls equally on my Government. I hope for the good of the service of Her Most Faithful Majesty, this affair will be cleared up by you as your judgment may dictate, in order to bring it under the knowledge of his Excellency Senhor Joze Joaquim Gomes de Castro.

(Signed)

JOSE AGOSTINHO DE SALLES.

Illmo. Snr. Joaqm. Jozé da Costa Portugal,
Portuguese Consul.

No. 72.

The Earl of Aberdeen to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, April 29, 1846.

WITH reference to your Lordship's despatch dated the 28th of May, 1844, transmitting a copy of a report from General Bastos, then Governor of the Cape de Verd Islands, in answer to charges brought against that officer with respect to the protection said to be given by him and the authorities in those

'slands to slave-trading vessels; I transmit to you herewith a copy of a despatch from Mr. Consul Rendall, dated the 9th of February last, commenting upon the defence set up by the ex-Governor in his report above mentioned.

Your Lordship will communicate Mr. Rendall's despatch to the Portuguese Government.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 72.

Consul Rendall to the Earl of Aberdeen, February 9, 1846.

[See No. 107, p. 123.]

No. 73.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, May 10, 1846.
(Received May 30.)

My Lord,

I HAVE the honour to enclose a copy of a note which, under your Lordship's instructions conveyed to me by your despatch of the 15th ultimo, I addressed to Senhor Gomes de Castro, on the subject of the delays which have taken place in carrying on the prosecutions which had been instituted against certain parties in the Cape de Verds, who, from evidence taken on trials before the Slave Trade Commissioners at Sierra Leone, had been discovered to be engaged in the Slave Trade. I add a copy of a note which I have received from Senhor Gomes de Castro, informing me that he has forwarded my representation to the Minister of Marine and Colonies, requesting him to take such measures in this matter as the case required, and that he would duly communicate to me the answer he should receive on the subject.

I have also spoken to Senhor Gomes de Castro, complaining not only of the unwillingness of the authorities in the Cape de Verds to obey the instructions they receive from the Government, but of the reluctance and indisposition manifested by his Excellency the Minister of Marine and Colonies, to accept or admit the force of accusations against any one under him from a sort of false *esprit de corps*. Senhor Gomes de Castro contended and assured me that this was not the case; that no one was more zealous against the Slave Trade than his colleague in question, Senhor Falcão; that he was always ready and most anxious to co-operate against that iniquitous traffic. I replied, that as far as the personal tendency of Senhor Falcão's original opinions and acts, as emanating from himself, went, I did Senhor Falcão full justice; but that I still maintained that, taking into consideration various circumstances, he was open to the imputation of the weakness of a tendency in general to excuse those employed under his department against whom any charges might be brought by British agents.

Senhor Gomes de Castro naturally defended his colleague, but assured me that he would talk the matter over specially with Senhor Falcão, with a view to effect a remedy for whatever might be found to be wrong in the conduct of the authorities complained of.

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

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

Enclosure 1 in No. 73.

Lord Howard de Walden and Seaford to Senhor Gomes de Castro.

M. le Conseiller,

Lisbon, April 24, 1846.

I HAD the honour to address your Excellency, under date of the 31st March, 1845, on the subject of the long-pending prosecutions which had been instituted in the Cape de Verd Islands, under the orders of Her Most Faithful Majesty's Government, against certain parties who, from evidence taken on trials before the Slave Trade Commissions at Sierra Leone, had been discovered to be engaged in the Slave Trade. I duly transmitted to Her Majesty's Government a copy of the note which I received from your Excellency in reply, in which your Excellency told me that you had called on the Minister of Marine for information on this subject, and had requested that such steps might be taken thereupon as the case required.

Her Majesty's Government had hoped that this intimation would have been followed up with effect; but it appears from a despatch recently received from Her Majesty's Commissioner at Boa Vista, dated the 22nd October last, that the question still remains in the same unsatisfactory state as when I had the honour of addressing your Excellency on the subject; and that, notwithstanding the repeated assurances which Her Majesty's Government have received from the Government of Portugal, that these prosecutions should be carried on; and notwithstanding the repeated orders which have been sent from Lisbon to the supreme authorities of the Cape de Verds, the Local Government still obstinately refuse to bring the prosecutions to a conclusion.

Her Majesty's Government do not presume to interpret the motives which actuate the colonial authorities in thus disregarding the orders of Her Most Faithful Majesty's Government; but I am instructed by the Earl of Aberdeen, in addressing your Excellency on this subject, to remonstrate in the name of Her Majesty's Government against the continued delay that has been suffered to take place in this matter. More than five years ago the Portuguese Government pledged itself to bring the accused parties to trial; nearly five years have elapsed since the late Governor informed Her Majesty's Consul at Boa Vista, that he had already instituted legal proceedings: but notwithstanding this, and the promises and assurances since so often repeated from time to time, the matter remains to this day totally and wilfully neglected by the colonial authorities.

It has become the more incumbent on Her Majesty's Government to press this matter on the earnest attention of the Government of Her Most Faithful Majesty, since it appears that the present Governor-General of the Cape de Verds, following the example of his predecessor, refuses to entertain the question on the representation of the British Consul; and that he even refuses to reply to the enquiries which that functionary considered it to be his duty to address to the Governor-General upon the subject.

I have therefore once more to appeal to the good faith of the Government of Her Most Faithful Majesty, and to invoke your Excellency's energetic intervention, to cause such peremptory orders to be sent out to the Governor-General of the Cape de Verd Islands, as may be requisite to bring these long-protracted trials to a termination without further loss of time.

I avail, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

His Excellency Sr. J. J. Gomes de Castro,

&c.

&c.

Enclosure 2 in No. 73.

Senhor Gomes de Castro to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, May 1, 1846.

I THIS day communicate to the Minister of Marine your Lordship's note of the 24th ultimo, relative to the manner in which the Cape Verd authori-

ties elude the orders which Her Majesty's Government has sent to them, relative to the processes of vessels and persons implicated in the Slave Trade. Having requested his Excellency to take such measures in this case as he might think most proper, I will have the honour to make known to your Lordship his Excellency's reply.

I renew, &c.

(Signed)

JOZE JOAQM. GOMES DE CASTRO.

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

No. 74.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, May 12, 1846.

(Received May 30.)

My Lord,

I HAVE the honour to enclose a copy of an official report which has been published in the "Diario do Governo" of this date, indicating a spirit in the proceedings of the Portuguese authorities in Africa, of great importance towards the suppression of the Slave Trade.

It has always been calculated by those who knew anything about the African possessions of Portugal, and who were honest in the expressions of their opinions, in opposition to those who advocated the Slave Trade, as a necessity, although an evil, either from ignorance or interested motives, that transactions of barter with the tribes of the interior of Africa might be rendered a most important and valuable source of wealth, as a substitute for the commerce in slaves by which so many have hitherto supported themselves.

It was well known that every disposition existed on the part of the natives to trade, but that they were deterred from doing so in consequence of the frequency with which the blacks, who were bearers of merchandize (burthens being necessarily carried in that part of the country by human beings) were fallen upon, seized, and sold to the slave-dealers.

The success attending the re-establishment of this great fair of Mossuril can hardly fail to be followed by the most extensive results, of the utmost importance to the cause of humanity, as well as to the development of the resources of commerce in Africa.

I have, &c.

(Signed)

HOWARD DE WALDEN & SEAFORD.

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

Enclosure in No. 74.

Extract from the "Diario do Governo" of May 12, 1846.

(Translation.)

FROM official communications received from the Province of Mozambique, under date the 29th December last, it appears that perfect tranquillity reigned there, and also that the ancient fair of Mossuril had been re-established, to which the chiefs of different tribes of those districts and thousands of the people flocked, bringing a great quantity of ivory, manufactured articles, and goats, all which they bartered for goods in demand amongst them as articles of dress. This market, which appears to have been discontinued in consequence of ill-treatment suffered in former times by the chiefs of these tribes, has been renewed through the exertions of the Governor-General of the province; and it is to be hoped that the good reception given to these tribes, and the ready sale of their merchandize, will induce them to return this year and speculate more largely, from which great advantage will result to this province.

Two vessels had been captured at the islands of Cape Delgado, bearing every indication of being intended for the Slave Trade. The Governor was

going to inquire into the matter, as regarded the culpability of the local authorities, in order to take such measures as he might consider proper.

The brig "*Villa Flor*," having arrived on the 23rd November at the Bay of Pomba, where she fell in with Her Britannic Majesty's brig "*Mutine*," was informed by this vessel that a pangaio was in that bay, with every appearance of being about to receive a cargo of slaves. The commander of the "*Villa Flor*" having ascertained this fact, endeavoured to capture the craft, but found it run aground and abandoned. He then ordered it to be set fire to, as well as some barracoons for slaves which existed in the vicinity, employing in this operation a force from his brig, combined with an equal number of men which the commander of the English brig placed at his disposal. On landing, they sustained an active fire against about 400 or 500 Arabs and negroes armed, who offered resistance, but subsequently dispersed and abandoned the place.

No. 75.

Lord Howard de Walden and Seaford to the Earl of Aberdeen.

Lisbon, June 12, 1846.

My Lord,

(Received June 26.)

I HAVE requested the Count de Lavradio's serious attention to the prosecutions so long pending in the Cape de Verd Islands, the duration of which I said I could not but ascribe to the constant disposition I had observed on the part of the late Minister of Marine and Colonies, Senhor Falcão, to protect the Portuguese authorities against whom any charges connected with slave-trading, might be advanced by any British agents.

Senhor Falcão, although I believe sincerely anxious to co-operate honestly for the extinction of the Slave Trade, appeared to receive all charges against functionaries employed under him as compromising his own good faith, and consequently he would not listen willingly to any such accusation, nor do anything cordially to put the truth to a public test.

Count Lavradio assured me that he would take the earliest opportunity to look into all matters connected with the Slave Trade, with a view to give every impulse to the policy of entirely suppressing a commerce not only intolerable in the sense of humanity, but ruinous to the Portuguese interests in Africa.

Count Lavradio has evinced real zeal for the abolition of the Slave Trade, and his views on the subject are those of an enlightened statesman, as well as a philanthropist.

I have, &c.

(Signed) HOWARD DE WALDEN & SEAFORD.

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

&c.

&c.

&c.

No. 76.

The Earl of Aberdeen to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, June 27, 1846.

YOUR Lordship's despatches, marked Slave Trade, up to that of the 12th instant inclusive, have been received and laid before the Queen.

Her Majesty's Government have been gratified to observe by the official report published in the "*Diario do Governo*," of which a copy is enclosed in your despatch of the 12th ultimo, that the Governor-General of Mozambique, amongst other measures, is exerting himself to revive and encourage legitimate trade in that part of Africa, with a view to supplant and repress the Slave Trade.

Your Lordship will take a suitable opportunity of expressing to the Govern-

ment of Portugal, how agreeable it is to Her Majesty's Government to observe these indications of the policy which the Portuguese Government and their colonial authorities are pursuing in this humane cause.

I am, &c.
(Signed) ABERDEEN.

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

No. 77.

The Earl of Aberdeen to Lord Howard de Walden and Seaford.

My Lord, *Foreign Office, June 27, 1846.*

I HAVE to acquaint your Lordship, that Her Majesty has been pleased to appoint Keppel Robert Edward Foote, Esq., to be Arbitrator on the part Her Majesty in the Mixed British and Portuguese Commission established at Boa Vista, Cape Verd Islands, under the Treaty of the 3rd of 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. Foote is about to proceed to his post.

Your Lordship will request that instructions may be issued to the Portuguese authorities of the Cape Verds, to acknowledge Mr. Foote 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 and Seaford, G.C.B.
 &c. &c.

No. 78.

The Earl of Aberdeen to Lord Howard de Walden and Seaford.

My Lord, *Foreign Office, June 30, 1846.*

I HEREWITH transmit to you, for communication to the Portuguese Minister for Foreign Affairs, a copy of a letter received at this department from the Admiralty, enclosing copies of a correspondence between the late Commodore Jones, commanding Her Majesty's squadron on the west coast of Africa, and the Governor-General of Angola, respecting the embarcation of slaves at Ambriz and Palmarinhas.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure 1 in No. 78.

The Secretary to the Admiralty to the Hon. G. S. Smythe.

Sir, *Admiralty, June 27, 1846.*

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Aberdeen, copies of a correspondence between the late Commodore Jones, commanding Her Majesty's squadron on the west coast of Africa, and the Governor-General of Angola, respecting the embarkation of slaves at Ambriz and Palmarinhas.

I am, &c.
(Signed) W. A. B. HAMILTON.

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

Enclosure 2 in No. 78.

*Commodore Jones to the Governor-General of Angola.**“Penelope,” St. Paul de Loanda,
February 16, 1846.*

Most Excellent Sir,

IT is with extreme concern that I submit to your Excellency's consideration the enclosed papers and extracts from reports addressed to me by officers of the squadron under my orders. From these papers it appears, that on the 18th December a vessel was captured by Her Majesty's ship “Cygnet,” under Brazilian colours, which had on board 562 slaves, embarked at Palmarinhas; and that on the 7th January the same sloop captured a brig, without papers or colours, having on board 547 slaves, embarked at Ambriz. In communicating these painful facts to your Excellency, I feel it to be my duty to recall very respectfully to your recollection, the understanding which I had the honour to come to with you in our last interview, “that the Portuguese squadron would undertake the effectual watching of the coast, with a view to the prevention of Slave Trade along that portion of your Government included between Ambriz and Cape Ledo.” With the most implicit reliance on the efficiency of your Excellency's measures, I have, in distinct reference to the above-mentioned understanding, withdrawn the attention of the British cruizers from the district described, although I was well aware of the extent of slave-trading interests within its limits. I should thus not have become acquainted with the serious degree to which the vigilance of the Portuguese squadron had been evaded, but for the accidental meeting of the “Cygnet” with the slave-vessels, after they had successfully escaped to a distance from the coast.

Permit me to assure your Excellency, that I submit to you this communication with undiminished reliance on the zeal and good faith which have reflected so much honour in your own personal exertions, and able administrative measures in the sacred cause in which your illustrious Government is allied with my own. I very recently took occasion to report my high opinion of the probable good effect which would attend the vigorous proceedings of your Excellency in the suppression of the barracoons; and this suggests the only observation which I shall permit myself to offer, with great respect, to your consideration, upon the distressing facts which I have now laid before you. I cannot but suppose that your confidence must have been betrayed to admit of two such considerable embarkations of slaves, one of them within the immediate vicinity of your seat of Government. Or rather I would beg leave earnestly to press on your attention, the great inconsistency of assemblages of slaves for exportation being permitted, either in barracoons or other buildings, within the immediate observation of the authorities of a Power pledged, as Portugal is, to the effectual suppression of the enormous evil which is thus virtually countenanced and encouraged. While this anomaly is suffered to exist, your Excellency is well aware, that no degree of vigilance on the part of ships or vessels, can effectually prevent at least occasional evasion to a greater or less amount. I refrain from troubling your Excellency with any further observations, and gladly turn to the more grateful task of offering you my sincere congratulations on the honour derived by you and the officers serving under your orders, from the well-earned approbation of your august Sovereign, as appears from the accompanying papers sent to me by the British Government.

I have, &c.

(Signed)

W. JONES, *Commodore, &c.**His Excellency P. A. da Cunha,
&c. &c.*

Enclosure 3 in No. 78.

Captain Mansel to Commodore Jones.

Sir,

"Actæon," off Cabenda, February 9, 1846.

I THIS day received the accompanying letter from Commander Layton, and I beg leave to call your attention to the circumstances therein mentioned, that both the "*Cygnets*" prizes had taken in their slaves at places within the limits of the coast which the Portuguese had undertaken to guard.

I am, &c.

Commodore Jones,
&c. &c.

(Signed) GEORGE MANSEL, *Captain.*

Enclosure 4 in No. 78.

Commander Layton to Captain Mansel.

Sir,

"Cygnets," at Sea, latitude 11° 57' S., longitude 3° 49' E., January 20, 1846.

I BEG to report to you, that on the 18th of December, two days after I left you off Benguela, on my passage to St. Helena, I sighted, and after a twelve hours' chase, captured the Brazilian brigantine "*Quatro de Março*," three days from Palmarinhas, bound to Bahia, having on board 562 slaves. I sent her to St. Helena, having ascertained that slaves and slave-vessels are now allowed to go there for adjudication. This vessel arrived there on the 26th of December, and the "*Cygnets*" on the afternoon of the previous day.

After giving my crew leave on shore, completing the provisions and water, and received on board two prize-crews of the "*Star*," and one of the "*Prometheus*," I proceeded to sea on the 2nd of January; on the 7th of that month, at 1 P.M., in latitude 10° 40' south, longitude 2° 30' east, I fell in with, and, after a four hours' chase, captured a brig, without papers, colours, or name, having on board 547 slaves, bound to any part of the coast of Brazil they could find the best market from Ambriz.

Having only one lieutenant, and the master away on prize duty, I was obliged to send this officer to take charge of her, and being thus left without an executive officer on board, and four prize-crews away, I considered it for the good of the service to return to St. Helena with this vessel (being so short a distance from it), to enable me to get my lieutenant and his crew back to the ship, which I did in forty-eight hours after my arrival there.

During my short absence from St. Helena, one of your prizes arrived in charge of Mr. Lowe, second master of the "*Actæon*," and two from the "*Prometheus*." I took them all on board to rejoin their ships, with the exception of Mr. Lowe, who represented to me that it was necessary for him to remain for the condemnation of the vessel. I left St. Helena for the second time on the 13th of January, and hope to resume my station in a very few days.

25th January.—I have this day communicated with the "*Star*," in latitude 12° 13' south, longitude 12° 11' east, and sent her three officers and eleven men on board, and then bore up for Loanda, in obedience to your directions, and to obtain your further orders. I arrived at this port on the afternoon of the 27th instant, and beg leave to acknowledge the receipt of your orders dated the 24th of December, and in compliance therewith left St. Paul de Loanda on the following morning, in pursuit of the "*Star*."

I joined the "*Star*" in the evening of the 1st of February, and delivered your letter to Commander Dunlop, and discharged to her, 1 prize-officer, 2 crews, and 3 stragglers belonging to the "*Actæon*," and 3 prize-officers, 4 crews, belonging to the "*Prometheus*," for a passage to their respective ships.

In obedience to instructions from Commodore Jones, contained in General Memorandum dated the 12th of August, 1844, I had, previously to receiving your directions, sent my returns up to the 31st of December, 1845, from St. Helena to Ascension. The documents now required I have sent by Commander Dunlop to you.

I have, &c.

Captain Mansel,
&c. &c.

(Signed) H. LAYTON, *Commander*

Enclosure 5 in No. 78.

The Governor-General of Angola to Commodore Jones.(Translation.)
Sir,*Palace of Government in Loanda,
February 17, 1846.*

I HAVE received your letter dated yesterday, from on board the "Penelope," at Loanda, enclosing two extracts of reports from your subordinate officers, relative to two captures made by the brig "Cygnet," belonging to the squadron under your command; the first on the 18th of last December, with 562 slaves on board, said to have been embarked at Point Palmarinhas, near this city; the other on the 7th of January, with 547 slaves on board, which were stated to have been embarked at Ambriz; and upon which events you have very judiciously commented, if the fact is correct that the prizes in question succeeded in getting away from the points which they have declared, when captured, but which you must permit me to doubt; for in the first place it seems to me impossible, when I assure you that no slave trade embarkation has taken place from Palmarinhas, which is situated in this immediate vicinity, since I have held this government; and I am persuaded that such information obtained from these interested evaders of the law is not only incorrect, but that it has been deliberately and designedly spread with the intention of leading astray the cruisers, rendering useless your forces, and escaping pursuit, and at the same time of calumniating the authorities whose duty it was to have prevented it; in all these points they had evidently an object in view.

With respect to the prize which is said to have left "Ambriz," the audacity of the act is decidedly opposed to the probability of this assertion; and it seems to me that under the same circumstances as the other, it is a false declaration of the prisoners, and made for the same purpose.

It is notorious that, for some months, the dealers of slaves have gradually concentrated in the neighbourhood of Ambriz, but I hope that on that part of the coast, they are as certain of being watched as in the vicinity of this capital, which has the reputation of being comparatively more secure from their efforts. I have observed lately considerable activity, and I entertain doubts that the before-mentioned prize effected her shipment of slaves at Ambriz, or in its vicinity, where the Portuguese cruisers are assembled, and whose activity and zeal I have no reason to suppose diminished.

The Government of Her Most Faithful Majesty has firmly decided to use all its efforts for abolishing at once the flagitious Traffic in Slaves from its possessions, and I have determined to request more forces for this station; in the meantime it is my intention to send a cruiser to reinforce those off Ambriz, until the slave-dealers abandon that quarter, or until she is required off other parts of the coast.

So if you judge it practicable to spare two of the vessels under your orders, for more efficiently watching Ambriz and the coast to the north, which part has for some time been much troubled with slavers, we shall obtain our end quicker, and that is what I so much desire.

It is possible, as you observe, that in some cases my confidence may have been betrayed, but in the two cases in question I am sure, from what I have seen, that it is not possible; and I assure you that all those who do so shall not escape with impunity, when the fact is duly brought to my knowledge.

In reference to your observations, in which I concur with you, as to the inefficiency of the cruisers in finally suppressing Slave Trade, so long as assemblages of slaves for exportation, or depôts for such purpose are permitted on the coast, either in barracoons or other buildings, and which I must say is in direct opposition to the service and cause in which we are engaged; if any one informs me of the existence of depôts for slaves, or barracoons, on the coasts of Government, when I am satisfied of the facts, and that they actually exist in accessible places, I will take care to have them destroyed; and I have given orders to that effect in all the places in this province.

I must not forget to express my sincere gratitude at receiving the four copies of documents which you did me the honour to send me, also referred to in your official despatch, which were directed to you by the British Admiralty, which convinces me of the important part taken by you to bring to the notice of the Government of Her Britannic Majesty, my poor services, and those of

my subordinates, in doing the duty incumbent upon us, in exterminating the Traffic in Slaves upon the coast, in which service we are both employed; and moreover, the interest which my Most Faithful and Most August Sovereign takes in the happy result of this difficult enterprise is shown by the fourth of those papers, in which appears an order from the Minister of Marine and Foreign Affairs, dated 14th June, 1845, by which Her Majesty honours us by acknowledging our services in our captures, and promises promotion and rewards to those who distinguish themselves the most; and we have already been incited by the encouraging and kind favour of our Sovereign to redouble our zeal and exertions.

I have now to thank you for the flattering expressions which you have addressed to me in your despatch, and I trust in the certainty of the continuation of your esteem and good opinion, which I so much prize.

God preserve you.

Commodore William Jones,
&c. &c.

(Signed)

P. A. CUNHA, G.G.

Enclosure 6 in No. 78.

Commodore Jones to the Governor-General of Angola.

*"Penelope," at St. Paul de Loanda,
February 18, 1846.*

Most Excellent Sir,

I HAVE the honour to acknowledge the receipt of your letter of this date, and to express my full concurrence in all the opinions and sentiments therein stated.

I shall immediately endeavour to make the arrangements which your Excellency suggests, for stationing two additional British cruizers off Ambriz; and I will call the attention of his Excellency the French Admiral, who is now acting under the Convention recently concluded between France and Great Britain, to your Excellency's statement, as to the increased activity of the Slave Trade in the vicinity of Ambriz, in the hope that it may consist with his Excellency's arrangements to direct the particular attention of some portion of his squadron stationed on this coast to that quarter.

With reference to the list of seizures made by the British squadron, which I had the honour to submit to your Excellency, may I request you to favour me with a corresponding list of those detained by the Portuguese squadron during the same period, that I may have the satisfaction of submitting it to my Government, which takes a lively interest in the success of your Excellency's proceedings.

I have, &c.

His Excellency P. A. da Cunha,
&c. &c.

(Signed) W. JONES, Commodore, &c.

No. 79.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, July 16, 1846.

I TRANSMIT to you herewith a copy of a despatch from Her Majesty's Commissioners at the Cape of Good Hope, dated the 24th of April last, together with copies of its enclosures, relative to the departure for Portugal of Dr. Moniz, their Portuguese colleague, who had been elected Deputy to the Cortes for the Islands of Madeira and Porto Santo.

Her Majesty's Government observe with much satisfaction the honourable testimony which Her Majesty's Commissioners bear to the character and conduct of Dr. Moniz, both in his public capacity, in carrying out the engagements of Portugal for the suppression of the Slave Trade, and in his general intercourse with the British Members of the Mixed Commission.

Your Lordship will communicate the enclosed papers to the Portuguese Government, who will no doubt participate in the satisfaction which Her

Majesty's Government feel at the unanimity and cordiality which has existed amongst the Members of the Commission, and which has so greatly facilitated the performance of these public duties.

Until a successor to Dr. Moniz is appointed, the duties of his office, it appears, will devolve upon the Chevalier Alfredo Duprat, the Portuguese Arbitrator, of whom Her Majesty's Commissioners also speak in terms of cordiality and confidence.

(Signed)

PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

&c.

Enclosure in No. 79.

*Her Majesty's Commissioners at the Cape of Good Hope to the Earl of Aberdeen,
April 24, 1846.*

[See Class A, No. 120, p. 208.]

No. 80.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, August 13, 1846.

I TRANSMIT to you herewith copy of a despatch dated the 1st of May last, from Her Majesty's Commissioners at St. Paul de Loanda, respecting the mode at present adopted for disposing of slave-vessels captured by Portuguese cruisers, and confiscated by the tribunal established in that city for the adjudication of seizures made in conformity with the decree of Her Most Faithful Majesty, dated the 10th of December, 1836.

It appears from the Commissioners' report, that these slave-vessels are sometimes furnished with various articles of slave equipment, and that after sentence of condemnation has been passed upon the vessels, their slave provisions, water, and, as the Commissioners believe, the other moveable articles of their equipment, are taken out in order to be sold separately; and that the vessels themselves, which are generally of a class and description peculiarly adapted to the purposes of Slave Trade, are sold, with all their rigging, stores, and furniture complete, and in a perfectly seaworthy state; by which means these vessels after condemnation pass almost immediately into the hands of slave-dealers to be again employed in their iniquitous trade.

Her Majesty's Government, depending upon the good faith and earnestness with which the Government of Her Most Faithful Majesty are acting in the suppression of the Slave Trade, feel confident that upon your representing to the Portuguese Government the evil consequences which result from the mode which has been adopted at Loanda for disposing of condemned vessels, no time will be lost in adopting an effectual remedy, by ordering that the condemned vessels shall be entirely broken up, and shall be sold in separate parts, so divided as not to be capable of being easily put together again.

Your Lordship will, therefore, address a note to the Portuguese Minister for Foreign Affairs, in which you will urge this matter upon his attention, and you will suggest as the only means of giving full and complete effect to the declared intention of the decree of Her Most Faithful Majesty, before referred to, that orders should be issued to cause all vessels condemned under that decree, together with their slave-fittings, to be broken up and entirely demolished; in the same manner as is done in the case of vessels condemned by the Mixed Commission Courts under the provisions of the Treaty between Great Britain and Portugal.

I am, &c.

(Signed)

PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

&c.

Enclosure in No. 80.

Her Majesty's Commissioners at Loanda to the Earl of Aberdeen, May 1, 1846.

[See Class A, No. 170, p. 308.]

No. 81.

*Lord Howard de Walden and Seaford to Viscount Palmerston.**Lisbon, August 12, 1846.**(Received August 28.)*

My Lord,

WITH reference to the Earl of Aberdeen's despatch, marked Slave Trade, of the 30th June last, on the subject of the embarkation of slaves at Ambriz and Palmerinhas, on the west coast of Africa, I have the honour to enclose a copy of a note which Count de Lavradio has addressed to me, in reply to my communication to him on the subject, in which his Excellency states, that he learns, from the correspondence of the Governor-General of Angola, that the actual shipment of slaves at Ambriz had not been proved, and that, on the other hand, it appears certain that none had been embarked at Palmerinhas, while every measure had already been taken by the Governor-General of Angola, in furtherance of the orders of Her Most Faithful Majesty's Government, to have all the slave-barracoons at Ambriz destroyed.

I have, &c.

(Signed) HOWARD DE WALDEN AND SEAFORD.

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

&c.

&c.

&c.

Enclosure in No. 81.

The Count de Lavradio to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, August 10, 1846.

IN addition to my note of the 1st instant, and in definitive reply to yours of the 16th ultimo, in which your Lordship transmitted to me copies of the correspondence which took place between the Commander of Her Britannic Majesty's squadron on the west coast of Africa, and the Governor-General of Angola, relative to two prize slave-vessels which that commander stated to have embarked slaves at Palmerinhas and Ambriz, I have the honour to acquaint your Lordship, that having communicated the above correspondence to the Minister of Marine, his Excellency answered me on the 6th instant, that from the official communications received at that department from the Governor-General of Angola, it appears that it is not demonstrated that slaves were actually embarked at the above points, and that on the contrary it appears certain that such embarkation did not take place at Palmerinhas, while the Governor-General in question had taken every measure at his disposal for the destruction of the barracoons and other objects destined for embarking slaves at Ambriz, by which proceeding he complies strictly with the orders which Her Majesty's Government has transmitted to him on the subject.

I renew, &c.

(Signed) CONDE DE LAVRADIO.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

No. 82.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, August 31, 1846.

I HEREWITH transmit to your Lordship a copy of a despatch from Captain Mansel, of Her Majesty's ship "Actæon," the officer in command of Her Majesty's squadron on the west coast of Africa, bearing testimony to the

zeal displayed, and to the exertions made, in the suppression of the Slave Trade, by the Governor-General of Angola, and by the Portuguese squadron on that coast.

Her Majesty's Government have great satisfaction in instructing you to communicate the enclosed papers to the Portuguese Government, and to express to them how gratifying the statements which they contain have proved to Her Majesty's Government.

I am &c.

(Signed)

PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

Enclosure 1 in No. 82.

Captain Mansel to the Secretary to the Admiralty.

Sir,

"*Actæon*," *Ascension*, July 3, 1846.

IN enclosing the copy of a letter addressed by me to the Governor-General of Angola, for the information of the Lords Commissioners of the Admiralty, I feel myself impelled to bear testimony to the very cordial zeal and exertion manifested on all occasions by that functionary for the suppression of the Slave Trade, not only by the vigilance of his squadron, but also in the material assistance he has, in more than one instance, afforded to our cruisers.

As a proof that the Portuguese are in earnest, I transcribe an extract from a letter of Commander Ussher, of the "*Wasp*," who writes respecting a corvette of that nation, "*Relampago*," "he had captured on the 10th and 11th of April the Brazilian brigantine '*Lealdade*,' and '*Espirito Santo*,' equipped for the Slave Trade."

I have, &c.

(Signed)

GEORGE MANSEL, *Captain.*

The Secretary of the Admiralty.

Enclosure 2 in No. 82.

Captain Mansel to the Governor-General of Angola.

Sir,

"*Actæon*," *Ascension*, July 3, 1846.

I HAVE the honour to inform your Excellency, that in consequence of the departure to England of Commodore Jones, the temporary command of the station of the west coast of Africa, has devolved on me. I shall cheerfully endeavour to vie with your Excellency's well known zeal, in the accomplishment of the common object we have in view, the suppression of the Slave Trade, and shall always be happy to receive any information or suggestion, tending to the furtherance of our purpose. I beg you will accept the assurance of the high consideration with which

I have, &c.

(Signed)

GEO. MANSEL.

His Excellency the Governor-General of Angola.

No. 83.

Lord Howard de Walden and Seaford to Viscount Palmerston.

Lisbon, August 24, 1846.

(Received September 7.)

My Lord,

I HAVE the honour to transmit herewith copies of a note which, under your Lordship's instructions, I addressed to the Minister for Foreign Affairs of Her Most Faithful Majesty, and of the answer which I have received from his Excellency relative to the high testimony borne by Her Majesty's Slave Trade Commissioners at the Cape of Good Hope, under the Treaty of 1842 with Portugal, to the character of their Portuguese colleague, Dr. Lourenço Jozé Moniz, on the occasion of that gentleman's departure for Portugal.

I have, &c.

(Signed)

HOWARD DE WALDEN AND SEAFORD.

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

&c.

&c.

&c.

Enclosure 1 in No. 83.

Lord Howard de Walden and Seaford to the Count de Lavradio.

M. le Comte,

Lisbon, July 25, 1846.

HER Majesty's Government has received from the British Commissioners at the Cape of Good Hope a despatch, dated the 24th April last, relative to the departure for Portugal of Dr. Moniz, their Portuguese colleague, who had been elected Deputy to the Cortes for the Islands of Madeira and Porto Santo.

Her Majesty's Government observe with much satisfaction the honourable testimony which Her Majesty's Commissioners bear to the character and conduct of Dr. Moniz, both in his public capacity in carrying out the engagements of Portugal for the suppression of the Slave Trade, and in his general intercourse with the British Members of the Mixed Commission.

I am instructed to communicate the enclosed papers to the Government of Her Most Faithful Majesty, who will no doubt participate in the satisfaction which Her Majesty's Government feel at the unanimity and cordiality which has existed amongst the Members of the Commission, and which has so greatly facilitated the performance of their public duties.

Until a successor to Dr. Moniz is appointed, the duties of his office, it appears, will devolve upon the Chevalier Alfredo Duprat, the Portuguese Arbitrator, of whom Her Majesty's Commissioners also speak in terms of cordiality and confidence.

I avail, &c.

(Signed)

HOWARD DE WALDEN AND SEAFORD.

His Excellency the Count de Lavradio,

&c.

&c.

Enclosure 2 in No. 83.

The Count de Lavradio to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, August 22, 1846.

I HAVE the honour to acknowledge the receipt of your Lordship's note of the 25th ultimo, and of the documents referred to therein.

Her Majesty's Government felt highly gratified at the flattering expressions which your Lordship addressed to it in the name of your Government, on the harmony and good feeling subsisting between the Portuguese and British Members of the Mixed Commission established at the Cape of Good Hope; and as a proof of the satisfaction which this information has caused to Her Majesty and to her Government, Her Majesty has been pleased to command that the Counsellor Lourenço José Moniz shall return to the said Commission so soon as his term of leave shall expire, which Her Majesty was pleased to grant him, to reside for some time in Europe.

I avail, &c.

(Signed)

CONDE DE LAVRADIO.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

No. 84.

Baron Moncorvo to Viscount Palmerston.

(Translation.)

My Lord,

*London, September 22, 1846.**(Received September 22.)*

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty to Her Britannic Majesty, in compliance with orders from his Government, has the honour to state to the Right Honourable Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, that the Portuguese patacho (brig) "*Andorinha*," proceeding from the Isle of St. Thomas to the Port of Loanda, in the Province of Angola, being on the 7th of May last at anchor in the Port of Annobon, was examined

by the commander of the "Hecate," a war-steamer of the British navy, who, on having had presented to him, as he demanded, the ship's papers, opened the respective manifest, which was sealed with the seal of the Royal Portuguese Arms, and addressed by the Administrator of the Custom-house of the said Isle of St. Thomas to the Administrator of the Custom-house of Loanda, for all that he, the commander, had previously taken cognizance of the duplicate of that manifest, which was open, a proceeding proved by the correspondence in the enclosed copies, among which is also the necessary protest of the master of the patacho in question.

The Undersigned, confident that his Lordship will acknowledge that the proceeding of the commander of the steamer "Hecate" is very extraordinary, he having dared to break open the Royal seals, under whose safeguard were the official documents of a foreign nation, in the name and in favour of his Government, demands from the Government of Her Britannic Majesty, not only complete satisfaction for such a proceeding, but that it will take the most efficacious measures for preventing hereafter the recurrence of such excesses.

Being persuaded that so just a claim will be duly attended to by the Government of Her Britannic Majesty, it only remains for the Undersigned to avail himself, &c.

(Signed) BARON DE TORRE DE MONCORVO.

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

&c.

&c.

&c.

Enclosure 1 in No. 84.

The Master of the "Andorinha" to the Secretary of the Government of Loanda.
(Translation.)

Most illustrious Sir,

City of St. Paul de Loanda, May 26, 1846.

I HAVE the honour to inform you that on my voyage from the Isle of St. Thomas to this city in the Portuguese patacho "Andorinha," of Princes Island, and having to touch at the Isle of Annobon, where I was at anchor on the 7th of this month, I was overhauled by the "Hecate," Her Britannic Majesty's war-steamer; and one of her officers having come on board the patacho, whose master I am, made me accompany him in his boat, with all the ship's papers, to the steamer "Hecate." I presented to her commander the ship's papers, among which was also the manifest, open, and a copy of the same in a closed cover, sealed with the Royal Arms, and addressed by the authority of the Custom-house of the Isle of St. Thomas to those of this province. The commander of the steamer, not satisfied with the open manifest which I had presented to him, broke open the closed packet containing the copy of the manifest, against which proceeding, the moment that I had returned on board, I drew up the protest, of which I enclose a copy, requesting that you, Sir, will bring this occurrence under the notice of his Excellency the Governor-General of this province, for such further steps as may be deemed requisite.

God preserve you, Sir.

(Signed)

CHRISTOVAO XAVIER VELLOZO.

Sr. João de Robredo,

&c.

&c.

Enclosure 2 in No. 84.

(Translation.) *Protest of the Master of the "Andorinha."*

I, THE Undersigned, protest, as Master of the patacho "Andorinha," belonging to the fortress of Princes Island, against the Commander of the steamer of war of Her Britannic Majesty "Hecate," for having broke open the sealed-up manifest of the cargo of the said patacho, on board the steamer in question, to-day, in the Isle of Annobon, when I had been carried on board by her boat, he saying that he did so for the purpose of verifying the sealed-up manifest by that which I brought open, being a copy of the former; against which proceeding, immediately after I got on board, I made out, with the

knowledge and privity of my crew, the present deed of protest, which I sign, on board the patacho "*Andorinha*," lying at anchor off the Isle of Annobon, the 7th May, 1846.

(Signed) CHRISTOVAO XAVIER VELLOZO.

Enclosure 3 in No. 84.

The Governor-General of Angola to the Minister of Marine.

(Translation.)

Most illustrious and most excellent Sir,

Loanda, June 1, 1846.

I ENCLOSE to your Excellency the copy of a return dated the 26th May last, and drawn up by the Master of the Portuguese patacho "*Andorinha*," of St. Thomas and Princes Islands for the violence he experienced from the Commander of the English steamer "*Hecate*," in breaking open the manifest of the cargo which the said master produced closed and sealed up with the seal of the Royal Arms, and which was addressed to the administrator of the custom-house of this city, by the Administrator of St. Thomas. This proceeding of the English commander appears to me extraordinary, and I cannot discover what necessity there existed for it, towards giving complete execution to the Treaty of the 3rd July, 1842; I therefore call your Excellency's attention to the subject matter of this letter, that your Excellency may be pleased to take it into the consideration which it deserves.

God preserve your Excellency.

(Signed)

P. A. DA CUNHA,

Governor-General.

The Minister of State for the Affairs of the Navy.

No. 85.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, September 26, 1846.

I HAVE to refer you to Article II of the Convention of the 28th of July, 1817, additional to the Treaty of the 22nd of January, 1815, between Great Britain and Portugal, for the prevention of the illicit Traffic in Slaves.

By that Article, His Most Faithful Majesty reserved to his subjects the right, under certain conditions, of carrying on Slave Trade on certain parts both of the east and west coast of Africa.

With respect to those parts of the West Coast where Slave Trade was to remain lawful, your Lordship will perceive that they are classed under two heads; the first, described as territories possessed by the Crown of Portugal, from the 8th to the 18th degree of south latitude; the second, as territories over which His Most Faithful Majesty has declared that he maintained his rights, namely, the territories of Molembo and Cabenda, from the 5th degree 12 minutes of south latitude down to the 8th degree of south latitude.

It appears, therefore, that while the right of Portugal to exclusive sovereignty and jurisdiction, from the 8th to the 18th degree of south latitude, was fully recognized by the British Government, her right from the 5th degree 12 minutes down to the 8th degree of south latitude was not so recognized.

Your Lordship is aware that the Portuguese Government, acting in cordial co-operation with that of Her Majesty in the suppression of Slave Trade, under the Treaty of 1842, have employed cruisers on the west coast of Africa, and have established, by Royal Decree of September 14th, 1844, a Tribunal at Loanda, for the adjudication of vessels captured within Portuguese jurisdiction, and which are found engaged in Slave Trade.

Accordingly, in the month of February last, one of these cruisers, the Portuguese corvette "*Uranea*," captured, about 25 miles north of Ambriz, (that is to say, 25 miles north of the 8th degree of south latitude, and 25 miles north of the point up to which the Portuguese dominion was recognized by the Convention of 1817,) a Brazilian vessel, fully equipped for Slave Trade; and this vessel, on being taken for adjudication before the Portuguese Court at Loanda, was declared a good and lawful prize, on the ground of having been

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engaged in Slave Trade within Portuguese jurisdiction, contrary to the municipal law of Portugal.

Her Majesty's Government have become acquainted with these facts, by reports from the British Commissioners in the Mixed Court at Loanda, and from the Admiralty, copies of which papers I enclose for your Lordship's information.

Your Lordship will perceive that an opinion is expressed in these papers, that a judgment, similar to that given in the case of the prize to the "*Uranea*," would, no doubt, be delivered in the case of any vessel, apparently a slaver, captured off any part of the coast from Molembo in $5^{\circ} 12'$ south down to Ambriz in 8° south (Molembo being the extreme northern point of the Portuguese claim to sovereignty not recognized by Great Britain, Ambriz being the extreme northern point of the Portuguese claim to sovereignty recognized by Great Britain), and that an apprehension is expressed lest an enforcement by Portugal of sovereign rights over this territory would "much interfere with the intercourse of British merchants with the natives."

Her Majesty's Government are not wholly without apprehension that, if allowed to pass without notice, this sentence of the Portuguese Court at Loanda, which involves a claim of exclusive territorial possession, might prejudice the right, which it is important in the interests of commerce for Her Majesty's Government to maintain, to unrestricted intercourse with that part of the west coast of Africa which lies between the 5th degree 12 minutes of south latitude and the 8th degree of south latitude.

I have accordingly to instruct your Lordship, in expressing to the Portuguese Government the satisfaction of Her Majesty's Government at receiving this renewed proof of the diligence of the Portuguese Authorities in the suppression of the Slave Trade, to state that Her Majesty's Government does not admit the claim to a right of sovereignty from $5^{\circ} 12'$ to 8° south latitude set up by Portugal, and would not permit a British vessel, captured off that part of the West Coast, on suspicion of Slave Trade, by a Portuguese cruizer, to be adjudicated by any Portuguese Court, but would require that she should be dealt with according to the stipulations of the Treaty of 1842.

I am, &c.

(Signed) PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

Enclosure 1 in No. 85.

Her Majesty's Commissioners at Loanda to the Earl of Aberdeen, March 25, 1846.

[See Class A, No. 164, p. 203.]

Enclosure 2 in No. 85.

The Secretary to the Admiralty to the Hon. G. S. Smythe.

Sir,

Admiralty, July 6, 1846.

I AM commanded by my Lords Commissioners of the Admiralty, to transmit to you herewith, for the information of the Earl of Aberdeen, copy of a letter dated the 28th February last, addressed by Her Majesty's Consul in Angola, to the late Commodore Jones, relative to the capture of a Brazilian brigantine, the "*Boã União*," by a Portuguese cruizer, beyond the limits of the Portuguese water; and also an extract of a letter from Commander Bosanquet, of Her Majesty's sloop "*Alert*," reporting another case of a similar nature, and in which the vessel so detained has been condemned.

I have, &c.

The Hon. G. S. Smythe,

&c.

&c.

(Signed)

W. A. B. HAMILTON.

Enclosure 3 in No. 85.

Vice-Consul Brand to Commodore Jones.

Sir,

St. Paul de Loanda, February 28, 1846.

I HAVE the honour to acquaint you that, on the 17th instant, Her Most Faithful Majesty's corvette "*Uranea*," captured on the coast in the vicinity of Ambriz the Brazilian brigantine "*Boã União*," complete in her equipment for receiving a cargo of slaves, having on board a slave-deck, slave-coppers, upwards of 3000 gallons of water, and casks for at least 1000 gallons more, and a corresponding quantity of provisions.

All these articles of equipment are formally entered in the manifest; and it appears that the brigantine cleared out from Rio Janeiro under the pretence of proceeding to Ambriz for a cargo of wax for the Island of St. Michael, one of the Azores, and afterwards taking emigrants from the place, for the use and accommodation of whom, it is alleged, her equipment was necessary.

This vessel is now being adjudged by the Portuguese Tribunal of Prizes in this city, established under the Decree of the 14th September, 1844, for the trial of all vessels, except English and Portuguese, found engaged in the Slave Trade on the coast of the Portuguese dominions of Western and Eastern Africa; and the legality or illegality of this capture, therefore, involves the important question of the extent of the Portuguese possessions in this part of the world.

Commodore Jones,
 &c. &c.

I have, &c.
 (Signed) G. BRAND,
British Vice-Consul in Angola.

March 11, 1846.

P. S.—I open this letter to inform you that the "*Boã União*" has been condemned this day.

Enclosure 4 in No. 85.

Extract of a Letter from Commander Bosanquet of Her Majesty's ship "Alert."

DURING my stay at Loanda, a judgment was given by the Supreme Court at that place, which may be of considerable importance to mercantile interests, and also with respect to the abolition of the Slave Trade.

A Brazilian schooner, fully equipped for the Slave Trade (but having all the proper documents from the authorities at Rio de Janeiro, showing her to be intended to carry emigrants from the Western Island to the Brazils), was captured by one of the Portuguese schooners off Ambrizette, about 25 miles to the north of Ambriz, and consequently to the northward of any place that has hitherto been proved to be Portuguese territory. The Supreme Judge liberated her on the plea that she had not been found in Portuguese waters, his two colleagues declaring for her condemnation, and she was condemned accordingly. His Excellency the Governor, though a Member of the Court, had no vote, but he fully concurred in the legality of the judgment.

This point having been decided in favour of the Portuguese right of territory, I think there can be no doubt that a similar judgment will be given in the case of any vessel captured off, or to the southward of Molembo; and should the Portuguese authority be fully established to that limit, I think it probable that hereafter it may interfere with the intercourse of our merchants with the natives.

No. 86.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, September 26, 1846.

I HAVE to refer your Lordship to the correspondence which passed between yourself and my predecessor in the year 1843, as marked in the margin* of this despatch, respecting the mode in which Article XII of the Treaty of the 3rd July, 1842, for the suppression of the Slave Trade, might best be carried into effect. That Article stipulates, that "when any vessel shall have been declared good prize by one of the Mixed Commissions, the captain, pilot, crew, and passengers found on board the said vessel shall be immediately placed at the disposal of the Government of the country under whose flag the said vessel was navigating at the time of her capture, to be tried and punished according to the laws of that country," &c.

Senhor Gomes de Castro, in his note to you of the 9th of October, 1843, declined, for the reasons he then set forth, to accede to the proposition, which by direction of Her Majesty's Government you submitted to the Portuguese Government on the 12th of April, 1843, on this subject. But he expressed the willingness of his Government to adopt any other measure which might have been adopted for that purpose by the principal maritime and colony-holding nations with which Great Britain had Treaties or Conventions for the suppression of the Slave Trade.

The British Government not having at that time entered into any understanding on this subject with any Foreign Power, between which and this country there existed a Treaty for the suppression of the Slave Trade; and being consequently unable to avail itself of the willingness of the Portuguese Government to adopt such measures, if any such had existed, took no further step on the receipt of Senhor Gomes' note.

But at the close of the year 1843, after the condemnation by the Mixed Commission at the Cape of Good Hope of the first prize brought before them for adjudication, namely, the Portuguese brig "*Sociedade*," a question arose as to the mode in which the crew of that vessel should be given up to the Portuguese Government, and whether there was in any authority a right to detain them in custody after adjudication; and the result of the discussions at the Cape of Good Hope on this subject was, that the offenders were set free, and that Article XII of the Treaty was wholly inoperative with respect to them.

I have to refer you for information on this subject to the papers marked in the margin†, which form part of Class A of the papers on Slave Trade presented to Parliament in the year 1845.

The British Government has, since the result of the case of the "*Sociedade*" was made known to it, had under careful consideration, in conjunction with the Law Advisers of the Crown, the question as to the power of the Mixed Courts established under the Treaty of 1842, and of the Executive Governments of the British colonies where the Mixed Courts reside, to carry Article XII of the Treaty into effect.

The Law Advisers of the Crown have reported their opinion, that the Mixed Commissioners have right and powers, through their Marshal or other officer, to retain in custody, until adjudication, all persons taken on board a suspected vessel, and brought to the port of adjudication; and, assuming that the Treaty of 1842 has been made the law of Portugal by lawful authority in that country, they are of opinion, that after the condemnation of a Portuguese vessel by one of the Mixed Commissions established in British colonies, it is "the duty of the Executive Government of the colony to return them to Portugal, and that for that purpose the Executive Government may detain them a reasonable time before sending them upon their return voyage to Portugal, by the most convenient route, either direct to Portugal or by England, or by any other

* The Earl of Aberdeen to Lord Howard, Slave Trade, March 31, 1843. Lord Howard to the Earl of Aberdeen, Slave Trade, April 12, 1843. The Earl of Aberdeen to Lord Howard, Slave Trade, September 22, 1843. Lord Howard to the Earl of Aberdeen, Slave Trade, October 15, 1843.

† Class A, 1844, presented 1845, No. 209, p. 202; No. 211, p. 282; No. 217, p. 299.

convenient route, and that the charges incurred for the support, and for the return voyage of the commanders and crews of such condemned vessels, are, by Annex B, Article VI, to be defrayed by the Government of which such commanders and crews are the subjects, *i. e.*, in the case of a vessel condemned as Portuguese by the Government of Portugal."

But the Law Advisers of the Crown are of opinion, that if the Treaty of 1842 has not been made the law of Portugal by lawful authority in that country, it would not hereafter be proper to detain or to return to Portugal any persons found in a Portuguese vessel condemned for slave-trading by a Mixed Court in a British colony.

You are aware that the Treaty of 1842 is made the law of this country, by the Act of the 6th and 7th Victoria, cap. 52, copies of which were transmitted to you in Lord Aberdeen's despatch, Slave Trade, of September 11, 1843, and that by that Act power and authority have been given to Her Majesty to put into execution all such portions of the Treaty as required the sanction of Parliament, to render the Act of the Crown, in regard thereto, valid and legal.

Her Majesty's Government are not aware that any law analogous to that Act of the British Parliament has been passed in Portugal for carrying the Treaty of 1842 into effect; nor, indeed, whether any such law was necessary to enable Her Most Faithful Majesty to do so.

I have accordingly to instruct you to inquire and to report to me, for the information of Her Majesty's Government, whether Portuguese subjects, captured in a slave-vessel condemned as Portuguese by the Mixed Commissions in a British colony, would, if delivered up to the proper Portuguese authorities at any port or place within Portuguese territory, be liable to be proceeded against and punished under the existing laws of Portugal against slave-trading; and if they would be so liable, I request that you will also report to me, at what ports, and to what authorities in such ports, it is the wish of the Portuguese Government that the Portuguese prisoners from the Cape of Good Hope and from Jamaica should be given up.

I am, &c.

(Signed) PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

No. 87.

Viscount Palmerston to Baron de Moncorvo.

Foreign Office, October 3, 1846.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 22nd ultimo, by Baron Moncorvo, &c., complaining that the Commander of Her Majesty's steam-vessel "Hecate," while making a legal and authorized visit of the Portuguese brig "Andorinha," broke open a cover sealed with the Royal Arms of Portugal, and containing the manifest of that vessel, which cover was addressed by the Administrator of the custom-house of St. Thomas to the Administrator of the custom-house at Loanda; a transaction for which Baron Moncorvo demands satisfaction on the part of his Government, and with regard to which he expresses a confident hope, that measures will be taken by the British Government to prevent a recurrence of any similar proceeding.

The Undersigned has the honour in reply, to acquaint Baron Moncorvo, that Her Majesty's Government cannot consider that the act of the Commander of the "Hecate" was improper, or that any satisfaction is due to the Portuguese Government, on account of it, for when a British officer, in the performance of his duty and in virtue of the stipulations of the Treaty between Great Britain and Portugal, visits and searches a Portuguese vessel suspected of being engaged in Slave Trade, such officer has a right to demand to see all the ship's papers, and if they are not produced to him, he is entitled to search for them, and to break open any place in the ship in which they may be concealed; and Her Majesty's Government cannot possibly admit that this necessary right of search

shall be defeated by the circumstance that any of the ship's papers, instead of being locked up in a drawer, may happen to be enclosed in a sealed cover, by a Portuguese custom-house officer, the breaking open of such cover cannot be regarded as any affront to the dignity of the Crown of Portugal, for it is merely an act necessary for the due execution of the Treaty, and which may be rendered necessary by the previous act of the Portuguese custom-house officer, who has chosen to seal up a document, which ought properly to have been left open for the inspection of the searching officer.

The Undersigned, &c.

Baron de Moncorvo,
&c. &c.

(Signed)

PALMERSTON.

No. 88.

Lord Howard de Walden and Seaford to Viscount Palmerston.

Lisbon, September 24, 1846.

(Received October 10.)

My Lord,

I HAVE the honour to enclose a copy of a note which, under your Lordship's instructions conveyed in your despatch, marked *Slave Trade*, of the 3rd ultimo, I addressed to the Minister for Foreign Affairs, representing to his Excellency the obviously objectionable practice tolerated by the tribunals in Angola, of allowing of the sale of vessels condemned under the Decree of December, 1836, for being engaged in the *Slave Trade*, in a complete state of equipment; and suggesting the adoption of the system laid down for the guidance of the Mixed Commission under the Treaty of the 3rd July, 1842, of previous breaking up of such prizes.

I add a copy of the answer which I have received from his Excellency, in which he communicates to me a Decree, dated 10th September instant, issued by the Minister of Marine to the "Tribunal de Prezas" sitting at Loanda under Decree, of the 14th September, 1844, ordering it strictly to act up to the provisions of Annex B to the Treaty of July, 1842, between Great Britain and Portugal, with respect to the sale of prize slavers as prescribed in the decree for the organization of the tribunal in question of the 14th September, 1844.

I enclose a copy of the Decree referred to in that of the Minister of Marine, the tenor of which was reported by me to the Earl of Aberdeen in my despatch, marked *Slave Trade*, of the 15th September, 1844, but of which I find a copy by inadvertence was omitted to be transmitted at the time of its being subsequently officially published.

I have, &c.

(Signed)

HOWARD DE WALDEN AND SEAFORD.

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

&c.

&c.

&c.

Enclosure 1 in No. 88.

Lord Howard de Walden and Seaford to the Count de Lavradio.

Monsieur le Comte,

Lisbon, August 25, 1846.

IT appears from the reports received from Her Majesty's Commissioners at Saint Paul de Loanda on the subject of the *Slave Trade*, that a practice has been adopted by the tribunal in that city in regard to the slave-vessels captured by the Portuguese cruizers, and confiscated under the decree of Her Most Faithful Majesty of the 10th December, 1836, which is attended with results which must be entirely at variance with the spirit of the said decree, as well as the intention and policy of the Portuguese Government.

After sentence has been passed upon these vessels, their slave-provisions, water, and some moveable articles of their equipment, only are removed to be sold separately, while the hulls themselves are exposed to public auction, with all their rigging, stores, and furniture complete, and often in a perfectly sea-worthy

state are sold to the highest bidder: thus the vessels after condemnation pass almost immediately into the hands of slave-dealers, often their original owners.

Her Majesty's Government, depending upon the good faith and earnestness with which the Government of Her Most Faithful Majesty is acting in the suppression of the Slave Trade, feel confident that on their exposure of this system, steps will be taken to obviate for the future the evil consequences which result from this practice, which has been followed at Saint Paul de Loanda, and with this view I have been instructed to submit to the consideration of the Government of Her Most Faithful Majesty how advantageous it would be that one uniform system should be observed in regard to the treatment of vessels confiscated as concerned in the Slave Trade; and in furtherance, that orders should be issued to cause all vessels condemned under the Decree of the 10th December, 1836, together with their slave-fittings, should be broken up and entirely demolished, in the same manner as is done in the case of vessels condemned by the Mixed Commission Courts under the provision of the Treaty between Great Britain and Portugal, as the only means of giving full and complete effect to the said Decree of Her Most Faithful Majesty according to its declared spirit and intention.

I avail, &c.

(Signed) HOWARD DE WALDEN AND SEAFORD.

The Count de Lavradio,
&c. &c.

Enclosure 2 in No. 88.

The Count de Lavradio to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, September 23, 1846.

HAVING communicated to the Minister of Marine the note which your Lordship addressed to me on the 25th August last, relative to the inconvenience resulting from the practice followed by the "Tribunal of Prizes" established at Loanda, of causing the hulls of the vessels condemned as being implicated in the Slave Trade to be sold without being previously broken up, as in the case of those tried by the Mixed Commissions, that Minister returned me an answer on the 18th instant, communicating to me a Decree, of which I enclose a copy, in which it is ordained that the hulls of such vessels shall be sold broken up, in conformity with the provisions of Annex B to the Treaty concluded with Great Britain for the suppression of the Slave Trade on the 3rd July, 1842, that being the legislation under which the tribunal in question ought to act, as determined in the Decree of its creation of the 14th September, 1844.

I have the honour to communicate this information to your Lordship in reply to your above-mentioned note, and renew, &c.

(Signed) CONDE DE LAVRADIO.

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

Enclosure 3 in No. 88.

Decree respecting Sale of Slavers condemned by Portuguese Tribunal at Angola.

(Translation.)

*Department of Marine and Colonies, Ultramarine Section,
Palace of Belem, September 10, 1846.*

THE Tribunal of Prizes created in the city of St. Paulo da Assumpção de Loanda, by Decree of the 14th September 1844, not having applied to the hulls of vessels condemned by it as slavers, the provisions of Annex B to the Treaty concluded with Great Britain on the 3rd July, 1842, for the suppression of Slave Trade, notwithstanding what is determined in Article V of the above-mentioned Decree, but having put up to public auction the said hulls, with all their furniture, provisions, and rigging, instead of causing them to be completely broken up immediately after their condemnation, and sold separately, as prescribed in Article XI of the said Treaty of the 3rd July, 1842, I am pleased to ordain that

in those cases in which the Government may not desire to retain possession of them, the hulls of all vessels captured as slavers, and condemned as such by the tribunal in question, shall be immediately after their condemnation completely broken up and sold separately.

(Countersigned) LUIZ DA SILVA MOUSINHO D'ALBUQUERQUE. (Signed) QUEEN.

Enclosure 4 in No. 88.

Decree establishing a Special Tribunal at Loanda for Trial of Slavers.

*Department of Marine and Colonies, Ultramarine Section,
Palace of Belem, September 4, 1844.*

(Translation.)
DESIRING to remove, to the utmost possible extent, the difficulties which have hitherto presented themselves, practically, in the punctual execution of the decree of the 10th December, 1836, and which have mostly originated in the insufficiency or inaccuracy of colonial authorities, who in the trial of prizes not included in the provisions of the Treaty of the 3rd July, 1842, between Portugal and Great Britain, for the complete abolition of the Slave Trade, who have constantly committed such and so numerous irregularities (nullidades) that the "Relação Commercial" has not been able to pass sentence definitively on the greater number of such cases, or punish the offenders as being engaged in Slave Trade; from which results much abuse, against which certain authorities in the colonies have requested that preventive measures should be taken; for all these reasons, and making use of the authority conceded by Article I of the Law of the 2nd May, 1843, and having heard the Councils of Ministers and of State, I am pleased to decree as follows:—

Article I. In the city of St. Paulo de Loanda, in the province of Angola, shall be established a tribunal for sentencing in first and last instance all prizes captured at sea under the Decree of the 10th December, 1836, when not coming under the provisions 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 act as President, the Judge of Right of the district, and the Portuguese Commissioner and Arbitrator to the Mixed Commission established there under the above-mentioned Treaty, as Members, and the Secretary to the said Commission as Secretary.

§ 2. The President shall not vote. The Judge of Right shall act as Reporter (relator) in the cases.

Article III. In the absence of the Governor-General, the highest military authority in active service in the capital of the province shall act as President. In the absence of the Judge of Right, his substitute shall take his place; and in that of either of the other members, the Secretary shall act in the double capacity of Member and Secretary.

Article IV. The Members of the tribunal shall not receive in their capacity as such any salary or gratuity from the treasury. The Secretary shall alone charge the legal fees as in other cases in courts.

Article V. The cargo, hull, rigging, and other appurtenances, of vessels captured on the coast of the Portuguese dominions of Western and East Africa, as well as the negroes found on board, shall be sent to Loanda, and placed at the disposition of the tribunal, which shall duly pass sentence on the prize. The form of trying such prizes shall be that established in the already-mentioned Treaty of the 3rd July, 1842, according to the regulation of Annex B, in as far as is applicable.

Article VI. The captains, masters, pilots, and crews, of the vessels captured, as also the passengers found on board, shall be detained under arrest until after sentence shall be passed by the tribunal on the prize, which, if condemned, they shall be placed at the disposal of the Judge of Right of the district, to be sentenced and punished according to law, the certificate of the condemnatory sentence passed by the tribunal, and which, together with the prisoners, shall be transferred to the Judge of Right, serving as the accusation.

§. The sentence passed by the Judge of Right may be appealed against

to the Relação of Lisbon, as also the report of the Judge, by parties on whom the law confers this right.

Article VII. The owners of the vessels condemned, their correspondents, and other parties involved as in the Slave Trade, though not being on board, as also the authorities and functionaries specified in the Decree of the 10th December, 1836, shall likewise be proceeded against by the competent ordinary Justices, and sentenced in the first instance by the Judge of Right of the respective district, with appeal to the Relação of Lisbon.

Article VIII. Prizes made on shore shall in like manner be proceeded against and sentenced by the ordinary Justices of the place where they are taken. The form of process for these cases is that established in the "New Judiciary Reform" for cases of contraband and embezzlement.

Article IX. The 5th section of Article CCCLIV of the "New Judiciary Reform" is applicable to cases tried under Articles VIII and IX of this Decree.

Article X. After the prizes captured at sea shall have been tried and condemned under this Decree, their produce shall be delivered over to the Junta de Fazenda (Finance Board) of the place, and by it divided amongst the captors, as determined in Article V of the Alvara of 7th December, 1796, the 4th section of Article XXIV of the Decree of the 10th December, 1836, being thus interpreted in this case.

Article XI. The produce of prizes captured on shore, and tried and sentenced under Article IX of this Decree, shall have the application specified in the Decree of 10th December, 1836.

Article XII. All legislation to the contrary is hereby cancelled. The Minister and Secretary of State for the Marine and Colonial Department shall so cause it to be executed.

(Countersigned) JOAGM. JOSE FALÇAO. (Signed) QUEEN.

No. 89.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, October 12, 1846.

I TRANSMIT to you herewith a copy of a letter and of its enclosures, received at this department, from the Admiralty, reporting the proceedings of Captain Wyvill, of Her Majesty's ship "Cleopatra," and of the Portuguese authorities at Lourenço Marquez, with respect to a slave-vessel met with at anchor in Delagoa Bay, and chased into Lourenço Marquez by Her Majesty's ship, where she was deserted by her crew and taken possession of by the Portuguese authorities.

You will perceive that an opinion is expressed in these papers that the conduct of the Governor of Lourenço Marquez in this case was suspicious, and I have accordingly to instruct you to make known the substance of the enclosed papers to the Portuguese Government for such steps as they may think proper to take thereupon.

I am &c.

(Signed) PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

Enclosure 1 in No. 89.

The Secretary to the Admiralty to the Hon E. J. Stanley.

Sir,

Admiralty, October 1, 1846.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you herewith, for the information of Viscount Palmerston, copies of a letter from Rear-Admiral Dacres, dated the 6th July last, and of its enclosures from Captain Wyvill, of Her Majesty's ship "Cleopatra," reporting that a brig, supposed to be a Brazilian, after having been chased by the "Cleopatra," had

CLASS B.

been captured at Lorenzo Marques by the Portuguese Governor, whose conduct on the occasion was considered by Captain Wyvill to be very questionable, and more particularly in allowing the master and crew to escape, by which the establishing the vessel's nationality was prevented.

I have, &c.

(Signed) W. A. B. HAMILTON.

The Right Hon. E. J. Stanley,
&c. &c.

Enclosure 2 in No. 89.

Rear-Admiral Dacres to the Secretary to the Admiralty.

Sir,

"President," Simon's Bay, July 6, 1846.

I ENCLOSE herewith a copy of a letter from Captain Wyvill, of the "Cleopatra," detailing his proceedings in the suppression of the Slave Trade, since leaving Simon's Bay, on the 12th February last, with enclosures relative to the circumstances under which a brig had been captured at Lorenzo Marques, by the Portuguese Government, as being fitted for a slave-vessel, she having been previously chased into Delagoa Bay by the "Cleopatra," and afterwards navigated by an officer and crew from that ship to Mozambique, and there delivered up to the Governor-General for adjudication; and by which it will appear that the conduct of the Governor at Lorenzo Marques on this occasion was very questionable. That there was every reason to believe the brig was Brazilian, and that, had he been so disposed, it was in his power to have detained the captain and crew, for the purpose of establishing the nationality of the vessel. I have therefore to request you will be pleased to bring the subject before the Lords Commissioners of the Admiralty.

I have, &c.

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

(Signed) JAS. R. DACRES,
Rear-Admiral.

Enclosure 3 in No. 89.

Captain Wyvill to Rear-Admiral Dacres.

Sir,

"Cleopatra," Mozambique, May 13, 1846.

IN obedience to the orders of Rear-Admiral the Hon. J. Percy, C.B., I sailed from Simon's Bay, on the 12th of February last, to resume my station as senior officer in the Mozambique channel; on the 28th February, I stood into Delagoa Bay, where I discovered a brig at anchor, which proved to be a slave-vessel; and I beg to enclose the correspondence relative to the circumstances of the case.

Her Majesty's ship "Cleopatra" sailed in company with the detained vessel on the 9th of March, to be delivered over to the Governor-General of Mozambique; on my passage down I called off Inhambane, from thence to Quillemane, where I arrived on the 18th of March, and communicated with the Governor.

On the 25th of March, off the Chesterfield Shoals, I chased a large suspicious brig, which however escaped in the night; from information, I find she had been driven off the Angozha River, by a Portuguese man-of-war, and has again returned and shipped a cargo of slaves. I stood over towards the Querimba Islands, where I left two boats to cruize, in hopes of falling in with the brig we had chased, in charge of Lieutenant Gibson, but without effect. I arrived here on the 9th instant, where I found Her Majesty's sloop "Helena," in a very sickly state, and received your orders relative to that vessel.

I regret that I am obliged to order the "Helena" to proceed to the Cape of Good Hope, from the great number on board sick of dysentery, which I trust will meet your approbation.

I hope to be able to watch the coast until the beginning of August, when Her Majesty's ships under my command will require provisions and stores.

I have, &c.
 Rear-Admiral Jas. R. Dacres, (Signed) C. WYVILL, Captain.
 &c. &c.

Enclosure 4 in No. 89.

Lieutenant Hornby to Captain Wyvill.

Sir, "Cleopatra," Delagoa Bay, March 1, 1846.

IN compliance with your order, I beg to inform you that yesterday on my approaching the brig that was lying at anchor off English River, she weighed and ran up the river; I saw her at anchor off the Portuguese fort, and three boats going from her to the shore, one of which on landing at the fort was re-manned by negroes, and, with a Portuguese officer, put off to take possession of the brig.

I accompanied him alongside, but was not allowed on board.

I then landed to communicate with the Governor, who, in answer to questions put by me, said that the flag she had hoisted on entering the river was Brazilian, that the brig was fully equipped for the Slave Trade, and that her crew had escaped into the country.

I have &c.
 Christopher Wyvill, Esq. (Signed) GEOFFREY HORNBY,
 &c. &c. Lieutenant.

Enclosure 5 in No. 89.

Lieutenant Hornby to Captain Wyvill.

Sir, "Cleopatra," Delagoa Bay, March 3, 1846.

IN pursuance of your instructions, I landed yesterday to offer to the Governor of Lorenzo Marques, the assistance of an officer and crew from Her Majesty's ship under your command, to navigate the slave-brig chased into English River on the 28th February, to Mozambique; this offer for a considerable time he declined accepting, nor was it until I told him, according to your orders, that in case he detained the brig it would be your duty to have two boats to watch the port, that he agreed to deliver her to your charge, to convey her to Mozambique.

I have, &c.
 Christopher Wyvill, Esq. (Signed) GEOFFREY HORNBY,
 &c. &c. Lieutenant.

Enclosure 6 in No. 89.

Captain Wyvill to the Governor of Lorenzo Marques.

Sir, "Cleopatra," in Delagoa Bay, March 1, 1846.

I HAVE the honour to acquaint your Excellency, that by the Treaty for the prevention of the Slave Trade between Great Britain and Portugal, dated July, 1842, I am directed to communicate with the Governor of any of the Portuguese settlements at which vessels may be anchored, suspected of being engaged in that traffic, and request him to take the necessary measures to prevent the violation of the stipulations of that Treaty.

In the present instance, on Her Majesty's ships under my command approaching this anchorage, the brig which entered Lorenzo Marques yesterday, the 28th February, was at anchor six or seven miles from the entrance of the English River, from which position she weighed and anchored again about three miles from the entrance of the same river, and on the boat of this ship approaching her, she apparently slipped, and took protection under the

Portuguese fort. Lieutenant Hornby, the officer sent from this ship, informed me that your Excellency had detained her, being without papers, and fitted for the Slave Trade; and as there must be considerable delay before the said brig can be brought to adjudication, in consequence of there not being a Portuguese man-of-war here to take her to Mozambique, I beg to offer your Excellency the services of an officer and crew to take charge of her, and deliver her over to the proper authorities at Mozambique.

Should, however, your Excellency not wish to avail yourself of co-operation, I request that I may be furnished with a thorough description of the said brig, stating the circumstances of her having entered Lorenzo Marques, owing to the appearance of the "Cleopatra" off the Bay, and of your having detained her, and that she shall be brought before a proper tribunal for adjudication, for being fitted for the Slave Trade, and not having the protection of any flag, although she did show Brazilian colours, in order that I may be enabled to lay a statement of the case before his Excellency the Governor-General, for the satisfaction of Her Most Faithful Majesty's Government, as well as my own.

I have, &c.

(Signed) C. WYVILL, *Captain.*

His Excellency Joze Antonio de Silveira,
&c. &c. &c.

Enclosure 7 in No. 89.

The Governor of Lorenzo Marques to Captain Wyvill.

Illustrissimo Senhor,

Lorenzo Marques, March 2, 1846.

HAVING precipitately entered this port on the 28th February last, a brig without a flag, and having sent on board the Register Officer, who found no person in the vessel, and for that reason he considered her abandoned, and the said officer having informed me, that she was implicated under the Decree of the 10th December, 1836, on account of her having on board coppers, a quantity of slave-provisions and water, and everything else, well showing that she was to be employed in the Slave Trade, in consequence of which I have taken the said vessel for the Portuguese nation, and having seen your letter of office that you directed to me (although I understood but little of it, and there being no person here that speaks the English language), but by the explanation that was made to me by the officer of the frigate, I will accept your favour, asking you in the name of the Portuguese nation, to send an officer and sailors to conduct the prize to Mozambique, taking the Portuguese officer as captain of the said prize, who will take with him an escort of eight soldiers and a corporal. Hoping in your honour, that you will deliver this vessel to the Governor-General of the Province of Mozambique, this vessel will be ready to sail on the 5th instant, and you can send the officer and sailors on the 4th; this is all I have to ask on the part of the Portuguese nation.

God save you.

(Signed)

JOZE ANTONIO DE SILVEIRA,

Illustrissimo Senhor Christopher Wyvill,
&c.

Governor of Lorenzo Marques.

Enclosure 8 in No. 89.

Declaration of Captain Wyvill.

I, THE Undersigned, Christopher Wyvill, Esquire, holding the rank of Captain in Her Britannic Majesty's service, and commanding Her Britannic Majesty's ship "Cleopatra," do hereby declare, that on entering Delagoa Bay, on the 28th February, 1846, a brig without colours was observed at anchor about seven miles from the entrance of English River; she weighed on seeing Her Majesty's ship, and ran within three or four miles of the Portuguese fort, and again anchored; a boat was sent with Lieutenant Hornby to board the said brig, but on arriving within about four miles of her she again weighed, set the jib-fore-topsail, and hoisted an ensign at the peak, which Lieutenant Hornby believes to have

been Brazilian, but on the boat arriving within sight of the fort, the brig was at anchor about a quarter of a mile from it, and three boats were going from her to the shore, one of which landed under the fort, and returned with a Portuguese officer on board the brig; that Lieutenant Hornby followed the said officer in his own boat, but was not permitted to go on board the brig, upon which he landed and communicated with the Governor, who stated that she was a vessel without papers, fitted for the reception of slaves, with a cargo of slave-provisions, consisting of farinha, beans, rice, beef, water, and that the captain and crew had escaped on shore; that he had seized her for a breach of the Slave Treaty, and that the colours she hoisted were Brazilian. This, however, the Governor has since denied, although Lieutenant Hornby and H. Piers, Assistant-Surgeon of Her Majesty's ship under my command, distinctly understood him to say so, and the flag was seen by the above officer, as represented to me in my letters dated March 1 and 3.

That on Lieutenant Hornby reporting the above circumstance to me, I immediately offered the assistance (by my letter dated March 1) of an officer and crew to navigate the said brig to Mozambique, to be disposed of by his Excellency the Governor-General; that this assistance was ultimately accepted, and arrangements were made for the officer and crew to take charge of the said brig on Wednesday afternoon, the 4th of March, 1846, in order that she might leave English River on the morning of the 5th of March, 1846, wind and weather permitting; that the said brig was taken charge of by Lieutenant Hornby on the 4th of March, 1846, and left English River on the 6th of March, 1846, to proceed to Mozambique, and be there delivered over to his Excellency the Governor-General.

And I do further declare, that I believe the said brig to be a Brazilian, and that the Governor of Lorenzo Marques had it in his power to have detained the captain and crew, to establish her nationality, particularly as she had been at anchor outside the river for two or three days previous to the arrival of Her Majesty's ship "Cleopatra," whose prize I consider her to be.

Given on this 6th day of March, 1846.

(Signed) C. WYVILL, *Captain,*
Commanding Her Majesty's ship "Cleopatra."

Enclosure 9 in No. 89.

(Translation.)
(Circular, No. 598.)

Decree.

*Marine and Ultramarine Ministry, Ultramarine Section,
Palace at Belem, December 10, 1844.*

HER Majesty the Queen of Portugal, through the Marine and Ultramarine Affairs Department, acquaints the Governor-General of Mozambique, for his information and convenient purpose, that, according to the contents of the official correspondence from the Minister of Foreign Affairs, dated the 7th instant, it is not lawful that the commanders of Portuguese ships-of-war should board Brazilian vessels on suspicion of Slave Trade, save within our ports, in conformity to the Decree of the 10th December, 1836, there not existing between Portugal and Brazil any Treaty about the extinction of Slave Trade; but for the present they can seize Brazilian vessels, finding they are trading in slaves, within the coasts of the Portuguese dominions; and in this case it is necessary that the apprehended vessels should be transferred, for their adjudication, to the tribunal created at Angola by the Decree of the 14th of September last. Furthermore, in case any Brazilian vessel be seized and transported by English cruisers to Angola to be adjudicated there, the same Governor-General should take the necessary steps to establish whether the crime was perpetrated within our ports, otherwise he has no power to proceed against such vessels.

(Signed) JOAQUIM JOZE FALCAO.

Enclosure 10 in No. 89.

Receipt by the Governor-General of Mozambique.

I, Rodrigo Luciano d'Abreu de Lima, Privy Councillor to Her Most Faithful Majesty, Governor-General of Mozambique, &c., &c., have, this 21st day of March, 1846, received from Her Britannic Majesty's ship "Cleopatra" a brig of 170 tons, fitted for the Slave Trade, and had been driven under the Fort of Lorenzo Marques on the 28th of February, 1846, by that ship, and navigated to this port, seized by the Governor of Lorenzo Marques, in pursuance of a Decree from the Minister of Marine, dated the 12th day of December, 1844, a copy of which I herewith furnish to Captain Wyvill.

Dated at the Palace of the Governor-General of Mozambique, this 21st day March, 1846.

(Signed) RODRIGO LUCIANO D'ABREU DE LIMA.

No. 90.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, October 15, 1846.

I HAVE received your despatch, marked Slave Trade, of the 24th ultimo, enclosing a copy and translation of a note, dated the 23rd ultimo, from Count Lavradio, in which, in pursuance of the request of Her Majesty's Government conveyed to that of Portugal in your note of the 25th of the preceding month, that Minister encloses a copy of a Decree, issued on the 10th ultimo by Her Most Faithful Majesty, directing the Tribunal established at Loanda for the adjudication of slave-vessels captured by Portuguese authorities or cruizers for breach of Portuguese law, to cause the hulls of all condemned vessels to be broken up immediately after condemnation, and to be sold in separate parts.

I have to instruct you to express in writing to Count Lavradio, the sincere thanks of Her Majesty's Government, for the readiness with which Her Most Faithful Majesty's Government has adopted the suggestion made by Her Majesty's Government on this important point.

I am, &c.

(Signed) PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

No. 91.

Viscount Palmerston to Lord Howard de Walden and Seaford.

My Lord,

Foreign Office, October 16, 1846.

I HEREWITH transmit to your Lordship an extract from a despatch from Her Majesty's Commissioners at the Cape of Good Hope, containing a report on the Slave Trade carried on on the east coast of Africa during the year 1845.

Her Majesty's Government regret to perceive from this report, that while the orders for the suppression of the Slave Trade, and the faithful execution of the Treaty of 1842, issued by Her Most Faithful Majesty's Government to their authorities on the East Coast, continue to be diligently executed by the superior officers of the Portuguese Government, the venality of their subordinate functionaries has tended in a great measure to counteract their meritorious exertions.

I have to desire that you will communicate the enclosed paper to the Portuguese Government, for such steps as they may judge it expedient to take thereupon.

I am, &c.

(Signed) PALMERSTON.

Lord Howard de Walden and Seaford, G.C.B.

&c.

&c.

Enclosure in No. 91.

Her Majesty's Commissioners at the Cape of Good Hope to the Earl of Aberdeen.

(Extract.)

April 6, 1846.

WE have the honour to lay before your Lordship our Report upon the state of the Slave Trade on the east coast of Africa during the year 1845.

It is with much regret that we have to state that our informants are unanimous in their opinion that the traffic is still carried on to a great extent, and in a manner which defies the exertions of the ships employed by Her Majesty's Government, and by that of Her Most Faithful Majesty, for its suppression.

Since the date of our last despatch to your Lordship on this subject (the 15th October, 1845), we have learnt that slaves have been carried off principally from Ibo and Pomba, and other places to the northward of Quillemane.

At Pomba, indeed, in the month of November last, the slave-dealers were so confident of impunity, that they had the temerity to fire upon a party of men sent by Captain Pinho, of Her Most Faithful Majesty's brig "*Villa Flor*," to seize a slave-dhow lying in the bay, killing one man and wounding another. Captain Pinho, however, landed more men, and, with the aid of Her Majesty's ship "*Mutine*," destroyed two slave-barracoons and the houses in the neighbourhood.

At Ibo slaves had been collected in considerable numbers. But Her Most Faithful Majesty's brig "*Villa Flor*" and a gun-boat, which formed the force employed in this quarter, had not succeeded in making any captures, the Portuguese Governor being in favour of the Slave Trade. We have, however, the satisfaction to state, that this officer's conduct having been represented by Captain Pinho to the Governor-General, he was immediately removed, and Senor Ferrar, the second in command of the "*Villa Flor*," an officer whose zeal and integrity are highly spoken of, was appointed to succeed him. This is the second instance in which the Governor-General has had to recall a Governor from Ibo, to be tried before the proper tribunal at Mozambique, as implicated in the Slave Trade. The result of the investigation into their conduct has not yet reached us.

Perhaps the most disheartening fact which has come to our knowledge as regards Quillemane, is that the Governor of that place, Major Madeira, has yielded to the tempting offers of the slave-dealers, and, to have received bribes for his connivance in the malpractices of the subordinate authorities. Information to this effect reached us at the close of the last year, when our report was in preparation, but we were unwilling even to mention a rumour so seriously affecting an officer, of whose conduct, in opposing the Slave Trade, it had been our pleasing duty to make honourable mention, until the accounts to his discredit received further confirmation. This, we regret to say, is now the case, and it only remains to be hoped, that the Governor-General, to whom we learn a strong representation upon the subject has been addressed by the second in command at Quillemane, will, in this as in other cases, cause an investigation to be instituted, and the offender, if found guilty, to be replaced by some one more worthy of his confidence. We are led to the conclusion that the Slave Trade still continues to be carried on upon the east coast of Africa, and that although the highest class of Portuguese officers do all in their power to support the Treaty, yet their efforts are constantly thwarted by the conduct of the subordinate officers conniving at the Slave Trade, as has been the case with the Governors above mentioned of Ivo and Quillemane.

No. 92.

Lord Howard de Walden and Seaford to Viscount Palmerston.

Lisbon, October 4, 1846.

(Received October 18.)

(Extract.)

WITH a view to afford greater facilities for the adjudication of slave-vessels captured in the Portuguese waters, under the Decree of December, 1836,

the Portuguese Government proposes to invest the Criminal Courts of the Provinces of Cape Verd and Mozambique respectively, with powers similar to those which the Special Tribunal of Saint Paulo de Loanda has been exercising under the Decree of the 14th of September, 1844, for the trial of Slave prizes, though restricted, as the case may be, to the adjacent latitudes as designated.

The Supreme Tribunal of Goa is also made a Court of Appeal for cases tried in Mozambique.

(Signed)

HOWARD DE WALDEN AND SEAFORD.

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

&c.

&c.

&c.

No. 93.

Baron Moncorvo to Viscount Palmerston.

Portuguese Legation, London, October 22, 1846.

(Translation.)

(Received October 23.)

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty to Her Britannic Majesty, in conformity with orders from his Government, brings under the cognizance of the Right Honourable Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, that from the proceedings instituted in the Vice-Admiralty Court at the Cape of Good Hope, against the Brazilian brig "*Triumphante*," captured by the English brig of war "*Sappho*," and from verbal communications between the Portuguese Commissioner at that colony, and Captain Robert Fitzgerald Gambier, it appears that this captain, and also Lieutenant Reid, pretend to erect themselves into interpreters and executors of the Treaty of Commerce, of the 3rd July, 1842, between Portugal and Great Britain, even regarding questions which have reference exclusively to the internal jurisdiction of the authorities of the Portuguese dominions, as in the case of the provision that obliges the merchant vessels bound to the Portuguese ports of Eastern Africa first to touch at, and clear out from, the capital of Mozambique, which the above officers suppose to be the condition exacted by the said Treaty, thence concluding that it is incumbent on them to insist on its being complied with.

The Undersigned, being persuaded that the Right Honourable Viscount Palmerston will recognize that so erroneous a construction on the part of the commanders of ships of the British navy stationed on the coast of Africa, may furnish occasion for acts offensive to the prerogatives of the Crown of Her Most Faithful Majesty, which the Government of Her Britannic Majesty is certainly willing to prevent by all means in its power, in the name of his August Sovereign, calls upon (reclama) the Government of Her Britannic Majesty to cause circular orders to be issued to all those commanders, requiring them positively and clearly to abstain from giving such an interpretation to the said Treaty, and from pretending to demand its fulfilment to that effect.

The Undersigned, &c.

(Signed)

BARON DA TORRE DE MONCORVO.

No. 94.

Viscount Palmerston to Mr. Southern.

Sir,

Foreign Office, October 29, 1846.

I HAVE received Lord Howard de Walden's despatch of the 4th instant, respecting a Decree which Her Most Faithful Majesty's Government propose to issue, for the purpose of investing the Criminal Courts of the Cape Verds and of Mozambique with power similar to that granted by Decree of the 14th of September, 1844, to the Court of Loanda, to adjudicate vessels seized by Portuguese

cruizers or authorities on suspicion of being engaged in Slave Trade, in contravention of the Municipal Law of Portugal.

Her Majesty's Government do not doubt that the proposed measure is dictated by a sincere desire on the part of the Portuguese Government to do all in its power to suppress the Slave Trade, and to give increased facilities for the vindication of the law of Portugal against that traffic.

Her Majesty's Government trusts that the proceedings of these Courts will be in consonance with the desire of Her Most Faithful Majesty's Government on this subject; and would accordingly suggest to the Government of Portugal the expediency of exercising a strict supervision over their proceedings, and more especially over those of the Court at Mozambique, which, owing to its great distance from the seat of Government, and to its situation on a part of the coast of Africa whence the export of slaves continues to be effected to a considerable extent, might perhaps at times not be wholly free from the influence of the Brazilian slave-traders.

You will make a communication to the above effect to the Portuguese Government, and you will add that Her Majesty's Government beg to suggest that the Decree issued on the 10th ultimo to the Court at Loanda, enjoining them to cause all condemned vessels to be broken up and sold in separate parts, should also be communicated to the Courts of the Cape Verds and Mozambique for their guidance.

Henry Southern, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 95.

Mr. Southern to Viscount Palmerston.

*Lisbon, October 16, 1846.
(Received November 6.)*

My Lord,

WITH reference to your Lordship's despatch to Lord Howard de Walden, marked Slave Trade, of the 31st of August last, I have the honour to enclose a copy of a note addressed to his Lordship by Her Most Faithful Majesty's Minister for Foreign Affairs, expressing the satisfaction of the Portuguese Government, at the testimony borne by Her Majesty's Government to the exertions of the Portuguese authorities, on the west coast of Africa, in the suppression of the Slave Trade.

I have, &c.
(Signed) HENRY SOUTHERN.

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

Enclosure in No. 95.

The Count de Lavradio to Lord Howard de Walden and Seaford.

(Translation.)

My Lord,

Foreign Office, Lisbon, October 2, 1846.

I HAVE the honour to return the despatch of the 31st August last, and the document enclosed therein, addressed to your Lordship by Her Britannic Majesty's Minister for Foreign Affairs, and which your Lordship was so good as to confide to me. Thanking your Lordship for this civility, I have to beg you to be so good as to inform your Government that Her Majesty's Government felt great satisfaction at the communication conveyed in that despatch, with respect to the honourable conduct of the Governor-General of Angola, and the

CLASS B.

commander of the Portuguese corvette "*Relampago*," in co-operating with the greatest loyalty and decision with the British cruisers on that point of the coast of Africa against slave-traders.

I avail, &c.

(Signed)

CONDE DE LAVRADIO.

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

&c.

No. 96.

Baron Moncorvo to Viscount Palmerston.

London, November 3, 1846.

(Received November 4.)

(Translation.)

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty to Her Britannic Majesty, having had the honour to receive the note addressed to him by the Right Honourable Lord Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, dated the 3rd of October ultimo, in reply to that which the Undersigned had addressed to his Lordship on the 22nd of the preceding September, cannot help once more to repeat in writing some of the arguments stated by the Undersigned in the conference which he had the honour to hold with his Lordship on the 14th ultimo, and in which he personally dwelt on the great inconveniences that would result as well to the Government of Her Most Faithful Majesty in general, and to the functionaries of that Government in the Portuguese provinces of Africa, as also to some measures adopted by those authorities for more effectually contributing to the desired end of suppressing the infamous and reprobated traffic in Africans.

The Undersigned then took occasion to prove to his Lordship, that, independently of the general principle common to all and every Government, of not being capable to suffer or permit, without great disparagement of its dignity, that it should be free for any individual, native or foreign, in command of any ship employed in cruising against the Slave Trade, of his own authority to open an official document, closed and secured with the seal of the Royal Arms, under the very special circumstances in which the civil and military authorities of Portugal on the coast of Africa are placed, it is absolutely and indispensably necessary that such a power of opening documents sealed with Royal seals should be entirely prohibited. So long as there do not exist any regular packets, or any posts by land, for the transmission of the official correspondence of those authorities, either with the mother country or the other transatlantic provinces, it is only possible to convey this correspondence by merchant-vessels. If these letters, therefore, be not protected, as they needs must, by the Royal seals wherewith they are closed, they will remain liable to be read by any one who has a fancy for it, and will be inspected by any officer who comes to overhaul a merchant-vessel, in order to discover whether or not she is employed in the illicit traffic.

As respects the case which occurred between the British war-steamer "*Hecate*," and the Portuguese patacho "*Andorinha*," when the seals of the manifest of the cargo of the patacho were broke open, the commander of the "*Hecate*" not being satisfied with examining the copy of that manifest duly certified and authenticated by the custom-house, the Undersigned will refrain from entering into certain motives which it seems prompted the British commander to that exigency, and he will here only repeat what he communicated to his Lordship by word of mouth, that the precaution of giving closed and sealed manifests to the coasters in Africa is also a preventive of any attempt at fraudulent alteration in those manifests, of which the master of the vessel is always provided with an authenticated copy, to enable him to produce it where and for whom it is proper to obtain such cognizance, till he reaches the port he is bound to, at which then is opened the original manifest, sealed by the fiscal authority competent thereto, and is compared with the authenticated unsealed copy, in the custody of the master of the vessel, who, if he were to try to falsify the copy by foisting into it, as if it were an article of his cargo, some

object not entered into the original sealed document, would become liable to be visited with all the rigour of the laws.

Considering all these reasons, which when verbally set forth appeared to attract his Lordship's attention, the Undersigned hopes that the complaint preferred by him on occasion of this occurrence, in virtue of the instructions of his Government, will be duly attended to on the part of Great Britain.

The Undersigned, &c.

(Signed)

BARON DA TORRE DE MONCORVO.

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

&c.

&c.

&c.

No. 97.

Baron Moncorvo to Viscount Palmerston.

London, November 3, 1846.

(Received November 4.)

(Translation.)

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty to Her Britannic Majesty, proceeds to examine in the presence of the Right Honourable Lord Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, the circumstances of the unwarrantable and unexpected refusal put forth by Sir Cornwallis Ricketts and by Captain Edmund Peel, of the British navy, to pay the costs and other expenses occasioned by the trial of the Portuguese brig "*União*," captured by those officers for being suspected of trafficking in slaves, of which charge she was acquitted by the Mixed Portuguese and English Commission established at the Cape of Good Hope.

It appears from the official documents which the Undersigned had before him, that on the termination of that trial the Mixed Commission passed and caused to be published in Court the decree of the sentence for indemnities of the costs, and of all the other prejudices resulting from the unjust capture and detention of the said brig, against her captors, in conformity with Article II, Annex B, of the Treaty of July 3, 1842, between Portugal and Great Britain, and of Section 28, 6 & 7 *Victoriae*, cap. 53.

That Sir Cornwallis Ricketts being required to pay those costs and expenses, answered by a letter of the 20th January, 1845, that, as it appeared to him, it was not the intention of his Government that the captor should discharge them, invoking in his favour the just-mentioned Section 28, 6 & 7 *Victoriae*, cap. 53, and also Section 27.

That the Mixed Commission, seeing in the captor's answer no legitimate round for altering its sentence, repeated its demand of payment.

That on the 30th June of last year Sir C. Ricketts again answered, that he had given full consideration to the decision of the Commission, but that it was not his intention to comply with its requisitions.

That the Commission, considering that the personal services of the respective functionaries must be as promptly paid in the case of the acquittal of the prize, as in that of her condemnation, and that for such purpose it could not have recourse to legal proceedings in order to compel the captors, as that would be throwing a slur on the Commission, nor lay hands on the cargo of the acquitted vessel, as that would be unjust, resolved that its Secretary should pay the expenses in question for account of the British Government (under the understanding that the amount would have to be reimbursed by the capturing officers) by drawing for the needful funds on the Lords of the British Treasury.

That this proceeding was disapproved of by the Government of Her Britannic Majesty in Lord Aberdeen's despatch of the 27th September of last year, who, in clear and peremptory terms declared that the responsibility of paying the expenses in question rested undoubtedly and solely with the captors and their representatives.

That the British Members of the Commission on the 19th December last communicated that resolution first to Sir Jocelyn Percy, for him to make it known to the whole station under his command, to which he replied that he possessed no power to that effect, and afterwards to the captor Sir C. Ricketts

himself, observing to him that the Commission rejected the ground whereby he supported his refusal. But this officer had recourse to other subterfuges, such as, that he had not been the only captor, and that the above resolution had not been intimated to him by the Supreme Department of the Navy, thus persisting in his refusal, and declaring that it was not his intention to comply with the determination of the Mixed Commission without a special superior order or the sentence of some other tribunal.

It being therefore manifest, from what has been stated, that if the brig "União" had been adjudicated a good prize, the captors would have consented to pay the expenses incurred, as they would have had to receive her proceeds, and that as she was acquitted they refuse such payment, that is, that they would be ready to receive but refuse to pay, the Undersigned, being convinced that it is the intention of Her Britannic Majesty's Government, already enunciated in the above despatch of Lord Aberdeen, that the captors of vessels either actually or suspected of being engaged in the Traffic of Slaves, should pay the costs and other expenses of the respective trials, whether the Mixed Portuguese and English Commission acquit or condemn the vessels brought before them, in just and literal compliance with Article II of Annex B of the Treaty of the 3rd July, 1842, between Portugal and England, calls in the name and by order of his August Sovereign upon the Government of Her Britannic Majesty, to cause circular orders to be issued to all the commanders of its naval stations, and of any ships appointed to counteract the Slave Trade, to conform with the stipulation set forth in the above Article II of Annex B of the Treaty dated the 3rd July, 1842, and in the special case which has furnished occasion for the present note, to cause direct orders to be forwarded to Sir Cornwallis Ricketts and to Captain Edmund Peel, to pay, in observance of the same Article, to the Mixed Portuguese and English Commission established at the Cape of Good Hope, the sum to which shall appear to amount the costs and other expenses incurred by the proceedings against the Portuguese brig "União," captured by them and acquitted by the said Commission.

The Undersigned, &c.

(Signed)

BARON DA TORRE DE MONCORVO.

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

&c.

&c.

&c.

No. 98.

Baron Moncorvo to Viscount Palmerston.

November 10, 1846.

(Received November 11.)

My Lord,

ACCORDING to information which my Government received from Loanda, the British Member of the Portuguese and British Commission established there, intended to address his Government, to inquire whether they recognised the Ports of Cabenda and Ambriz as Portuguese.

Though my Government and myself are quite sure that no doubt can be entertained on this subject by Her Britannic Majesty's Government, it is my duty to call your Excellency's attention to Article II of the additional Convention to the Treaty of 22nd January, 1815, by which Great Britain acknowledged the reservation of the right which Portugal had to the points south of the Equator, comprehending the territories of Molembo and Cabenda on the western coast of Africa, from 5° 12' south latitude to 8°, in which Ambriz is included; and also to the note which Lord Aberdeen addressed to me on the 20th September, 1845.

I have therefore to request your Excellency will be pleased, should the inquiry from Loanda be made, to direct that it may be answered in conformity with what I have had the honour to state as above.

I have, &c.

(Signed)

MONCORVO.

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

&c.

&c.

&c.

No. 99.

Viscount Palmerston to Mr. Southern.

Sir,

Foreign Office, November 11, 1846.

I TRANSMIT to you herewith a copy of a despatch from Her Majesty's Acting Commissioners at Loanda, dated the 25th of July last, relative to the Slave Trade on the coast of that province.

It is stated in that report, amongst other facts showing the continued activity with which the slave-dealers were carrying on their operations, that there were at that time several hundreds of slaves in barracoons near Ambriz, ready for shipment, and that three or four cargoes of merchandize had then recently been landed at that place from the Brazils, and deposited in the slave factories.

The Commissioners also report their belief that there were great numbers of slaves ready for embarkation at different places south of St. Paul de Loando; but upon this point they were unable to speak with entire confidence.

I have to instruct you to communicate the substance of this report to the Portuguese Government, and to state that, as from the great extent of the Portuguese possessions in that quarter it may be difficult for the local authorities entirely to prevent such abuses from being carried on, Her Majesty's Government would be glad if the Portuguese Government would grant permission to enable the officers commanding Her Majesty's cruizers on that coast to land small detachments of their crews from time to time, as occasion might require, in order to destroy the barracoons on any part of the territory belonging to, or claimed to belong to Portugal on that part of the coast of Africa, and being more than a given distance, say ten or fifteen miles, from any Portuguese military establishment. The Portuguese Government might be assured that such permission would not be abused, nor applied to any improper purpose.

You will also request the Portuguese Government to let their own cruizers visit that part of the African coast.

I am, &c.

Henry Southern, Esq.
&c. &c.

(Signed) PALMERSTON.

Enclosure in No. 99.

Her Majesty's Commissioners at Loanda to the Earl of Aberdeen, July 25, 1846.

[See Class A, No. 174, p. 310.]

No. 100.

*Viscount Palmerston to Baron Moncorvo.**Foreign Office, November 26, 1846.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the note of Baron Moncorvo, &c., dated the 22nd ultimo.

In this note Baron Moncorvo complains, by order of his Government, that during the proceedings which were instituted in the Vice-Admiralty Court at the Cape of Good Hope, against the Brazilian brig "*Triumphante*," captured by the English brig-of-war "*Sappho*," Captain Robert Fitzgerald Gambier and Lieutenant Reid constituted themselves interpreters and expounders of the Treaty of Commerce of the 3rd of July, 1842, between Great Britain and Portugal, even regarding questions which relate entirely to the internal jurisdiction of the authorities of the Portuguese dominions, as in the case of a regulation which obliges Portuguese merchant-vessels bound to the Portuguese ports of Eastern Africa, first to touch at, and clear out from the capital of Mozambique; and which regulation, Baron Moncorvo states, the above-named officers supposed to be a condition exacted by the said Treaty, thence concluding that it was incumbent on them to insist on that condition being complied with.

Baron Moncorvo concludes by stating his persuasion, that the Undersigned will admit that so erroneous a construction of the Treaty on the part of the

commanders of the British squadron stationed on the coast of Africa, may furnish occasion for acts offensive to the prerogative of the Crown of Portugal, which the British Government would doubtless desire to prevent by all the means in its power; and he therefore requests, in the name of his Government, that circular orders should be issued to Her Majesty's naval commanders, requiring them positively to abstain from giving such an interpretation to the said Treaty, and from pretending to demand its fulfilment to that effect.

In answer to this representation, the Undersigned has the honour to inform the Baron Moncorvo, that in the report of the proceedings in the case of the "*Triumphante*," which has been transmitted to this office by Her Majesty's Commissioners at Cape Town, there is nothing to be found which bears in any way upon the present complaint of the Portuguese Government; and the Undersigned is persuaded that it has originated in some misapprehension of the part which was really taken by Captain Gambier and Lieutenant Reid, on the occasion referred to; but the Undersigned will nevertheless give directions that those officers shall be called upon for a report, in explanation of the charges which Baron Moncorvo has been instructed to bring forward; and as soon as such report shall have been received, the Undersigned will not fail to make a further communication to the Baron Moncorvo upon the subject.

The Undersigned, &c.

Baron Moncorvo,
&c. &c.

(Signed)

PALMERSTON.

No. 101.

Viscount Palmerston to Baron Moncorvo.

Foreign Office, November 27, 1846.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him, on the 3rd instant, by Baron Moncorvo, &c., in which Baron Moncorvo acknowledges the receipt of the note of the 3rd ultimo from the Undersigned, in reply to a complaint brought forward by Baron Moncorvo against the commander of Her Majesty's steam-vessel "*Hecate*," for having, while making an authorized search of the Portuguese brig "*Andorinha*, broken open a cover sealed with the Royal Arms of Portugal, and containing the manifest of that vessel.

Baron Moncorvo, in his note of the 3rd, repeats the arguments adduced by him at an interview held with the Undersigned on the 14th ultimo, and which set forth the inconvenience that would result to the Government of Her Most Faithful Majesty, and to its authorities in Africa, if naval officers, acting in the suppression of the Slave Trade, were permitted to break open covers of communications which are addressed to Portuguese authorities in Africa, and are sealed with the Royal Arms of Portugal. And Baron Moncorvo further enters into an explanation of the reasons why his Government has thought fit that the manifests of Portuguese vessels bound to African ports should be enclosed in such sealed covers.

The Undersigned has now the honour to state to Baron Moncorvo, in reply, that Her Majesty's Government, being at all times desirous of proving their friendly feeling towards that of Portugal, and being specially anxious to show all due and proper deference to the dignity of the Portuguese Crown, will take care that orders shall be given to the officers commanding British cruizers, employed in the suppression of the Slave Trade, never in future to open any packet sealed with the official seal of a Portuguese authority, and addressed to an official servant of the Portuguese Crown. But then, on the other hand, the character and pursuits of Portuguese merchant-vessels, searched on suspicion of being engaged in Slave Trade, must be judged of by the documents which may be open and accessible to the searching officer, and the British officer making the search cannot be held responsible for any inconvenient detention to which any such merchant-vessel may be subjected in consequence of the non-production of documents sealed up in such packets above mentioned, and of which no properly authenticated copies or duplicates may have been left open for inspection.

The Undersigned has only to add, that with respect to the particular act of

the commander of the "Hecate" complained of by Baron Moncorvo, he trusts that no inconvenience resulted therefrom to any Portuguese authority or subjects; and that the act of that officer, which was one performed by him in the zealous and, as he believed, the proper discharge of his duty, will not be considered as one by which any want of respect was intended to be shown to the flag or rights of Portugal.

The Undersigned, &c.

Baron Moncorvo,
&c. &c.

(Signed)

PALMERSTON.

No. 102.

Viscount Palmerston to Baron Moncorvo.

Foreign Office, November 27, 1846.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 3rd instant, by Baron Moncorvo, &c., complaining of the conduct of Commanders Sir Cornwallis Ricketts and Edmund Peel, the captors of the Portuguese brig "União," for refusing to pay, when required by the Mixed Commission at the Cape of Good hope to do so, the costs and expenses incurred by them in bringing the said vessel to adjudication; requesting that orders be forthwith issued to those officers to pay the amount of the costs and expenses alluded to; and demanding the issue of circular orders to the commanders of Her Majesty's ships employed in the suppression of the Slave Trade, enjoining them to conform to the stipulations of Article II of Annex B to the Treaty of the 3rd of July, 1842.

The Undersigned, in reply, will recapitulate the facts of this case for the information of Baron Moncorvo and his Government.

The "União" was captured on the 29th of July, 1844, by Her Majesty's ships "Helena" and "Bittern," Commanders Sir Cornwallis Ricketts and Edmund Peel, on suspicion of being equipped for Slave Trade, and was restored by the Mixed Commission at the Cape, on the 18th of November, 1844, and the Court, on the 20th of the same month, awarded the sum of 2,430*l.* 8*s.* as compensation to the owners for their losses by the illegal detention.

In bringing this vessel to adjudication, certain expenses were incurred on behalf of the captors, being the amount of fees due to the officers of the Mixed Court, the expense of unloading and relading the cargo of the prize, fees of counsel, &c., and shortly after the conclusion of the case, the Mixed Commission, through its Registrar, called on the Prize Officer, Lieutenant Holmes, to pay the amount of the expenses in question, which that officer declared his inability to do; accordingly, no further step was taken in the matter until the month of January, 1845, when Her Majesty's ship "Helena" arrived in Simon's Bay; and the Registrar, by direction of the Mixed Commission, applied to Sir C. Ricketts for payment of 496*l.* 16*s.* 11*d.*, the amount of the expenses incurred in the case by the captors as follows:—

	£	s.	d.
Prize Officer's Account	80	12	2
Witnesses	29	9	0
Marshal	289	1	4
Superintendent of Liberated Africans	32	12	5
Copyist	54	12	0
Expenses of Disputed Claim	10	10	0
Total	£496	16	11

which Sir C. Ricketts peremptorily declined to pay.

Upon this the British Commissioner and Arbitrator informed their Portuguese colleagues that they would undertake, on behalf of Her Majesty's Government, to supply the funds requisite to satisfy the claims of the persons employed upon the responsibility of the Mixed Commission, viz., the Marshal, the Superintendent of Africans, and the Copyist; but they did not undertake the payment of the accounts presented by the Prize Officer and the captor's

agent, as the Commissioners, both British and Portuguese, considered that these parties had no right to claim the interference of the Court in their behalf.

Commander Peel, the other joint captor, having in the month of April confirmed the refusal of Sir C. Ricketts to pay the amount claimed from them, Her Majesty's Commissioners accordingly drew on the Lords of Her Majesty's Treasury, a bill for 394*l.* 9*s.* 3*d.*, being the amount before mentioned of the accounts of the Marshal, of the Curator of the Captured Negroes, and of the Copyist, in addition to 2½ per cent. thereon for agency and cash advances; which bill, to prevent inconvenience, was paid by their Lordships. But their Lordships considered this step of Her Majesty's Commissioners to be so irregular, that they caused the amount thereof to be deducted from the salaries of Her Majesty's Commissioners.

The remainder of the expenses incurred by the captors in this case, and not included in the aforesaid sum of 394*l.* 9*s.* 3*d.*, has been subsequently discharged by them.

Thus Baron Moncorvo will perceive that there exists no necessity for calling, as requested by him, on Sir C. Ricketts and Commander Peel to pay the sum referred to, inasmuch as the act of Her Majesty's Commissioners, in drawing for the amount on the Treasury, and its payment by that board, has rendered this part of the case a question solely between Her Majesty's Treasury and Her Majesty's Commissioners at the Cape.

The Undersigned has now further the honour to acquaint Baron Moncorvo, that the Lords of Her Majesty's Treasury have come to the determination of relieving the captors of this vessel from the payment of any portion of the said sum of 394*l.* 9*s.* 3*d.*, or of any portion of the sum of 2,430*l.* 8*s.* awarded as compensation to the owners.

For payment of this latter sum no demand has yet been made on Her Majesty's Government, but as soon as such demand is made, the Undersigned will take care that no unnecessary delay shall take place in its liquidation.

Of the conduct of Commanders Sir C. Ricketts and Peel, in refusing to pay the costs and expenses incurred by them, Baron Moncorvo is already aware that Her Majesty's Government do not approve; and the Undersigned will not fail, in accordance with the request of Baron Moncorvo, to cause the attention of Her Majesty's officers, employed in the suppression of the Slave Trade, to be called to the obligation imposed upon them by Article II of Annex B to the Treaty of 1842, of paying the costs and expenses which they may incur in bringing to adjudication a vessel released with damages against the seizers, by any of the Mixed Commissions established under that Treaty.

The Undersigned, &c.

Baron Moncorvo,
&c. &c.

(Signed)

PALMERSTON.

No. 103.

Viscount Palmerston to Baron Moncorvo.

Monsieur le Baron,

Foreign Office, November 30, 1846.

I HAVE the honour to acknowledge the receipt of your note of the 10th instant, in which you state that, according to information received by your Government from Loanda, the British Member of the Mixed Commission there intends to inquire of Her Majesty's Government whether they recognize the ports of Cabenda and Ambriz as Portuguese possessions; and whereupon you observe, that although both you and your Government are quite sure that no doubt can be entertained on this subject by the Government of Her Britannic Majesty, yet it is your duty to call my attention to Article II of the additional Convention (signed 28th of July, 1817) to the Treaty of 22nd of July, 1815, whereby Great Britain acknowledges the reservation of the rights which Portugal has to the points south of the Equator, comprehending the territories of Molembo and Cabenda on the western coast of Africa, in which Ambriz is included; and also to a note from Lord Aberdeen to yourself, dated the 20th of September, 1845; and you request that the inquiry of the Loanda Commissioners may be answered in conformity with the tenor thereof.

Presuming that your present representation has its origin in the case of

the Brazilian brig "*Boã União*," which was lately captured on the west coast of Africa by a Portuguese cruiser, in latitude $7^{\circ} 36'$ south, and longitude $12^{\circ} 53'$ east, and was condemned by the Portuguese Tribunal at Loanda, on a charge of being engaged in the Slave Trade within Portuguese jurisdiction, I beg leave to state to you the following particulars:—

The British Commissioners, in reporting to Her Majesty's Government the case of the "*Boã União*," observed, that a similar judgment would no doubt be given in the case of any slave-vessel captured by a Portuguese cruiser off any part of the coast from Molembo in $5^{\circ} 12'$ south, down to Ambriz in 8° south; and they stated their apprehension that if Portugal enforced sovereign rights over this territory, it would interfere greatly with the intercourse between British merchants and the nations who at present carry on their trade without the payment of any dues to the Portuguese Government.

Now, according to the Treaty of 1817, Molembo, as you are aware, is the extreme northern point of the Portuguese claim to sovereignty, not actually recognized by Great Britain, but to which Portugal declares that she retains her rights; and Ambriz is the extreme northern point recognized by Great Britain. Upon the receipt, therefore, of the communication from Her Majesty's Commissioners, Her Majesty's Government were not wholly without apprehension that, if allowed to pass without notice, the sentence of the Portuguese Court at Loanda, which involves a claim of exclusive territorial possession, might prejudice the right, which it is important in the interests of commerce for Her Majesty's Government to maintain, to unrestricted intercourse with that part of the west coast of Africa which lies between $5^{\circ} 12'$ of south latitude and 8° of south latitude.

I therefore instructed Lord Howard de Walden and Seaford to represent to the Portuguese Government, with reference to the condemnation of the "*Boã União*," that while Her Majesty's Government received with satisfaction the renewed proof which the capture of that vessel afforded of the diligence of the Portuguese authorities in the suppression of the Slave Trade, they did not admit the claim of Portugal to a right of sovereignty from $5^{\circ} 12'$ to 8° south latitude, and would not permit a British vessel captured off that part of the West Coast by a Portuguese cruiser, on suspicion of being a slaver, to be adjudicated by any Portuguese Court, but would require that she should be dealt with according to the stipulations of the Treaty of 1842.

As it is to be inferred from your note that at the time of writing it you were not cognizant of this instruction to Lord Howard de Walden and Seaford, I have thought that I could not better answer your representation than by thus repeating to you the substance of that instruction, as conveying the sentiments of Her Majesty's Government upon the matter to which you have drawn my attention.

I am, &c.

Baron Moncorvo,
&c. &c.

(Signed) PALMERSTON.

No. 104.

Viscount Palmerston to Mr. Southern.

Sir,

Foreign Office, December 7, 1846.

HER Majesty's Government have been informed that a Portuguese schooner, belonging to a man of the name of Barros, at Bissão, landed a number of slaves at Boa Vista, one of the Cape Verd Islands, in the month of October last, and that this was done with the knowledge of the Director of the Customs, Senhor Thedim, who, it is said, received duties upon the importation of these slaves.

Her Majesty's Government have also been informed that a number of slaves were landed at the Island of Fuego in the month of May last, from a brig belonging to Cayetano José Nosolini, of Bissão. Her Majesty's Government have, moreover, heard that the men-of-war take over slaves as servants to the officers, when they are landed and sold or otherwise disposed of.

It is pretended, as a justification of these acts, that the Treaty with Great Britain permits ten slaves to be carried in Portuguese vessels from any one

CLASS B.

Portuguese colony to another, and that Portuguese vessels going to the above-mentioned islands from Bissão and Cacheo, do not take more than that number.

It will be seen, however, upon referring to the several clauses of Article V of the Treaty of 1842, that such proceedings as those above described are not sanctioned by that Article; and I have therefore to instruct you, when the present state of confusion in Portugal has ceased, and a regular Administration, with which communications can usefully be held, shall have been established, to represent this matter to them, and to request that these abuses may be prevented in future.

Henry Southern, Esq.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 105.

Viscount Palmerston to Mr. Southern.

Sir,

Foreign Office, December 16, 1846.

WITH reference to my despatch, marked Slave Trade, of the 16th of October last, to Lord Howard de Walden, I herewith transmit to you a copy of a despatch from Her Majesty's Commissioners at the Cape of Good Hope, containing further information relative to the state of the Slave Trade carried on upon the east coast of Africa.

I have to desire that as soon as there shall be established at Lisbon a Government with which you can usefully hold communications upon such matters, you will communicate the enclosed paper to them; that you will express the satisfaction of Her Majesty's Government at the fidelity with which it appears that the Governor-General of Mozambique, Senhor Abreu de Lima, continues to carry out the orders of his Government with respect to the suppression of the Slave Trade; and that you will urge the expediency of supporting and encouraging the efforts which the inhabitants of Quillemane are represented as making to establish legal commerce, as the best means of checking the illicit traffic which unfortunately still continues to be carried on to a very great extent from the east coast of Africa.

Henry Southern, Esq.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

Enclosure in No. 105.

*Her Majesty's Commissioners at the Cape of Good Hope to Viscount Palmerston,
 September 17, 1846.*

[See Class A, No. 132, p. 231.]

PORTUGAL. (*Consular*)—*Cape Verds.*

No. 106.

Consul Rendall to the Earl of Aberdeen.

St. Antonio, Cape Verds, February 2, 1846.
(Received March 9.)

My Lord,

IT affords me very great pleasure to be able to report to your Lordship the first instance I have heard, since my residence in these islands, of a disposition upon the part of the Portuguese authorities here, to interrupt seriously the nefarious Traffic in Slaves.

I have just heard that the Portuguese authorities at Porto Praia, St. Jago, have seized a vessel, under American colours, from the Havana, with 50 tons of water, boilers, mess-tubs, spoons, and every requisite for the Slave Trade, with some Spanish passengers on board, bound to the coast of Africa. It is stated that this vessel has been, or is about to be, handed over to the American Commodore.

His Excellency Governor-General Norronha assured me, when I saw him in November last, that he had sent the most positive orders to the authorities in all the Cape Verd Islands, to be very watchful of any infraction of the Slave Trade Abolition Law, and that he had desired them to report the then state of the islands, particularly in reference to that subject.

I have, &c.

(Signed)

JNO. RENDALL.

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

&c.

&c.

&c.

No. 107.

Consul Rendall to the Earl of Aberdeen.

Ponta de Sal, St. Antonio, February 9, 1846.
(Received April 16.)

My Lord,

THE printed Slave Trade correspondence published in the last session of Parliament having been perused by me, my attention has been drawn to a despatch (No. 127 of the Portugal series) of Lord Howard de Walden, in which his Lordship encloses one from Senhor Jozé Joaquim Gomes de Castro, transmitting two letters, with enclosures, from the ex-Governor-General of this province, Brigadier-General Bastos, who attempts to deny that certain reports, which I felt it my duty to make to your Lordship, in reference to an apparent encouragement given to notorious slave-dealers, by some of the authorities of

the islands, was founded in truth, and doubting my motives in making such reports. I trust your Lordship will excuse my troubling you with this affair, but feeling that there is so much wanting, in regard to truth, in the matter put forth by the ex-Governor-General, that I feel it a duty incumbent upon me not to allow the case to rest where it is; I shall however be as brief as possible, and confine myself to a single contradiction to the several statements in detail.

1st. General Bastos states "that the 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."

In answer to this I state that slaves have been introduced into these islands, that I have myself seen them after they were landed, and in fact some that were just imported from a Portuguese man-of-war, as I have before detailed to your Lordship. I deny that there is a want of capital in the islands to carry on the Slave Trade in all its branches, if a trade to such an extent was practicable; but to encourage and protect notorious slave-dealers, who pay for everything with a liberal hand, no capital is required, and therefore General Bastos' remark does not apply to this point of the subject, and it is well known that to the end of that officer's period of government these sort of characters found protection in all the parts of the islands.

2nd. General Bastos declares, that because the authorities of the islands are desired to make periodical reports to him, that therefore he is cognizant of everything passing, and that consequently Slave Trade can in no shape exist.

To this I answer, that a Brazilian brig-schooner, completely fitted with casks, water, irons, and all things necessary for the Slave Trade was at Porto Grande, St. Vincent, and from thence went to the Island of Sal, the latter end of 1844 and the beginning of 1845. There was also a brig-schooner under Portuguese and Brazilian colours at the Island of Boa Vista, commanded by a native of that island, and who has been for years in the Slave Trade; this vessel had her cargo for trade, and everything ready for the abominable traffic. She was at Boa Vista the beginning of 1845. The authorities did not interfere with these vessels, although every person ashore knew that they were destined for the Slave Trade, because the captains made no secret of it, and openly spoke of their intentions.

3rd. General Bastos urges that there can be no Slave Trade, as few vessels under the Portuguese flag have communication between these islands and the coast of Africa.

To this I also answer, that considering the importance of the Portuguese settlements of Bissão, and Cacheo, I think there are a great many Portuguese vessels that so run between the places, but General Bastos makes no allusion to the American vessels that have been employed in this traffic, nearly the whole of which have been charged with carrying slaves to these islands from Bissão and Cacheo.

4th. General Bastos maintains, that the Slave Trade cannot be carried on in these islands, because there is no instance upon record for the last hundred (!) years, of a vessel being taken in the Slave Trade between the islands and the coast of Africa.

To this I answer, that I am astonished how General Bastos can make such an assertion, because he ought to know, that a vessel belonging to the island was taken by an English cruizer, with slaves on board, carried to Sierra Leone, and there condemned, and by the correspondence found, it was proved that the cargo chiefly belonged to the Governor and Collector of Bissão. These officers lost their appointments in consequence; and it was ordered from Lisbon, that they should be prosecuted. I also say, that I could in five minutes, in any one of the islands, put my hand upon twenty individuals who have been employed in the sailing of slave-vessels and in the Slave Trade.

In referring to the act of Her Majesty's brig "Heroine" visiting the "Rosa" at Porto Praia, General Bastos does not say a word respecting the seven slaves that were found on board, which Captain Stewart and myself reported to General Bastos, nor does his Secretary, or the Director of the Customs allude to it; the latter, however, in his certificate declares that nothing suspicious was found on board. It was during this interview that General

Bastos told me and Captain Stewart, that he had ordered a prosecution to go forth against the person shipping the slaves in the brig "*General Espartero.*"

General Bastos ridicules my report of a Spanish slave-schooner being at Porto Praia, and chooses his own dates to obtain certificates, from only July to September. But why so fastidious of the period? why not have made it for the whole year? and why speak only of the Porto Praia? why not have included all the ports of the island of St. Jago? The fact is clear: it would have shown that there was nothing uncommon in a Spanish slave-vessel being at Porto Praia, or in one of the ports near to it. In respect to the vessel I reported, and denied by General Bastos to be in existence, she went from Porto Praia, or at the port near to it, where many slavers are accustomed to come, or at least were, to anchor, to Bissão, and near that place, was taken by Her Majesty's brig "*Wanderer,*" Captain Denman.

In regard to the latter part of General Bastos' first letter, hinting the difficulty I should have met, if called upon to prove the introduction of slaves into the Cape de Verd Islands, I beg to say, that if it had been required of me to prove my assertion, General Bastos is, I am sure, perfectly aware, that I need not have gone far to find matter to do so.

In respect to General Bastos' second letter, respecting my report of the slave-trading brig "*Cyrus,*" under American colours, having been at anchor at Porto Praia, and which vessel General Bastos attempts to prove was not at all concerned in the Slave Trade, by exhibiting several certificates to that effect, particularly one from the American Consul, I have only to state, that this vessel, after leaving Porto Praia, went to Cabenda, and landed her cargo there; she was then visited by Captain Foote, of the "*Madagascar*" frigate, who had no doubt of her being concerned in Slave Trade, and who reported to me, that he thought she was waiting time for her cargo to be got ready; this information proved quite true, and the "*Cyrus*" went from Cabenda with a cargo of slaves, and was ultimately taken by one of the English squadron.

As the facts I have here stated require no comment, but speak for themselves, I think it quite unnecessary to trouble your Lordship further at present upon the matter referred to by the ex-Governor-General of this province.

I have, &c.

(Signed) JNO. RENDALL.

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

&c.

&c.

&c.

No. 108.

Consul Rendall to the Earl of Aberdeen.

St. Antonio, June 24, 1846.

(Received August 10.)

My Lord,

IN reference to the letter I had the honour to address your Lordship, of the 2nd February last, reporting the seizure of a vessel under American colours at Porto Praia, St. Jago, suspected to be engaged in the Slave Trade, I have the honour to inform your Lordship, that the Portuguese authorities absolutely seized the vessel in question; but I understand it was for an evasion of the custom-laws. At this period the American Commodore was lying in the harbour, and he lost no time in making the necessary inquiries of every thing relating to the suspected schooner; and finding from the articles on board, that not even a possibility of a doubt could exist that she was engaged in Slave Trade, the Commodore proceeded at once to the Island of Brava, and had an interview with the Governor-General of this province, General Don Jozé de Miguel de Norronha, and it was arranged that the vessel should be given up to the American Commodore, that he might prosecute the captain and all concerned upon the more serious charge of slave-trading, instead of permitting her to be dealt with upon a simple infringement of the custom-laws of Portugal.

I am happy in being able to state to your Lordship, that the American Commodore has sent the vessel to the United States, to be dealt with as the law may direct.

I feel much gratified in further being able to report to your Lordship the almost total absence of suspected slave-vessels in these islands, which must be attributable to the measures taken by the Governor-General in this respect, and the general feeling that exists within this province, of his perfect sincerity in the abolition of the abominable Slave Trade.

I have, &c.
(Signed) JNO. RENDALL.

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

No. 109.

Consul Rendall to the Earl of Aberdeen.

St. Antonio, Cape Verds, September 24, 1846.
(Received November 23.)

My Lord,

I HAVE the honour to enclose herewith to your Lordship a copy of a letter which I this day addressed to Her Majesty's Commissioners at Sierra Leone, in reference to Slave Trade in the neighbourhood of the Bissagos Shoals on the west coast of Africa.

I have, &c.
(Signed) JNO. RENDALL.

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

Enclosure in No. 109.

Consul Rendall to Her Majesty's Commissioners at Sierra Leone.

(Extract.)

St. Antonio, Cape Verds, September 24, 1846.

I HAVE the honour to state, that it has come to my knowledge, from a quarter in which I place much credit, that slave-vessels are in the habit of taking in their cargoes at one of the islands bordering on the Bissagos Shoals, and that the slaves are brought in canoes from Pengos, Munez, and other parts in the neighbourhood of those shoals. By this means the slave-traders consider they avoid great risk, as the quarter they have selected, being a dangerous one, is not generally approached with the same boldness as is done upon other parts of the coast of Africa, and therefore they hope to be free from the visits of the cruizers.

I am not able to name the island to which I have alluded, but it is asserted that a person, well known in the Slave Trade, went from these islands, and took a cargo of slaves from thence, and got clear to the Havana, the cargo having been supplied from his connections in the Rio Pongos.

I am also assured that a good deal of Slave Trade exists at Bissão and Cacheo, and that the shipments of slaves are of frequent occurrence.

I have, &c.
(Signed) JNO. RENDALL.

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

No. 110.

Consul Rendall to the Earl of Aberdeen.

St. Antonio, Cape Verds, October 1, 1846.
(Received November 23.)

My Lord,

I HAVE the honour to report to your Lordship, that an individual, upon whom I place much reliance, has informed me, that a Portuguese schooner, belonging to a man of the name of Barros, at Bissão, landed a lot of slaves at Boa Vista, one of the Cape de Verd Islands, in the month of October last, and that

the act was committed with the knowledge of the Director of Customs, Senhor Thedian, who, it is said, imposed the regulated duties upon the importation of slaves.

I am also informed that a brig, belonging to Kytaneo, of Bissão, landed a lot of slaves at the Island of Fuego, in the month of May last.

It is pretended that the Treaty with Great Britain permits ten slaves to be carried in Portuguese vessels from one Portuguese colony to another, and that the Portuguese vessels coming to these islands from Bissão and Cacheo only bring that number. It is said the men-of-war bring over slaves as servants to officers, when they are landed and sold, as the case may be.

I have, &c.

(Signed)

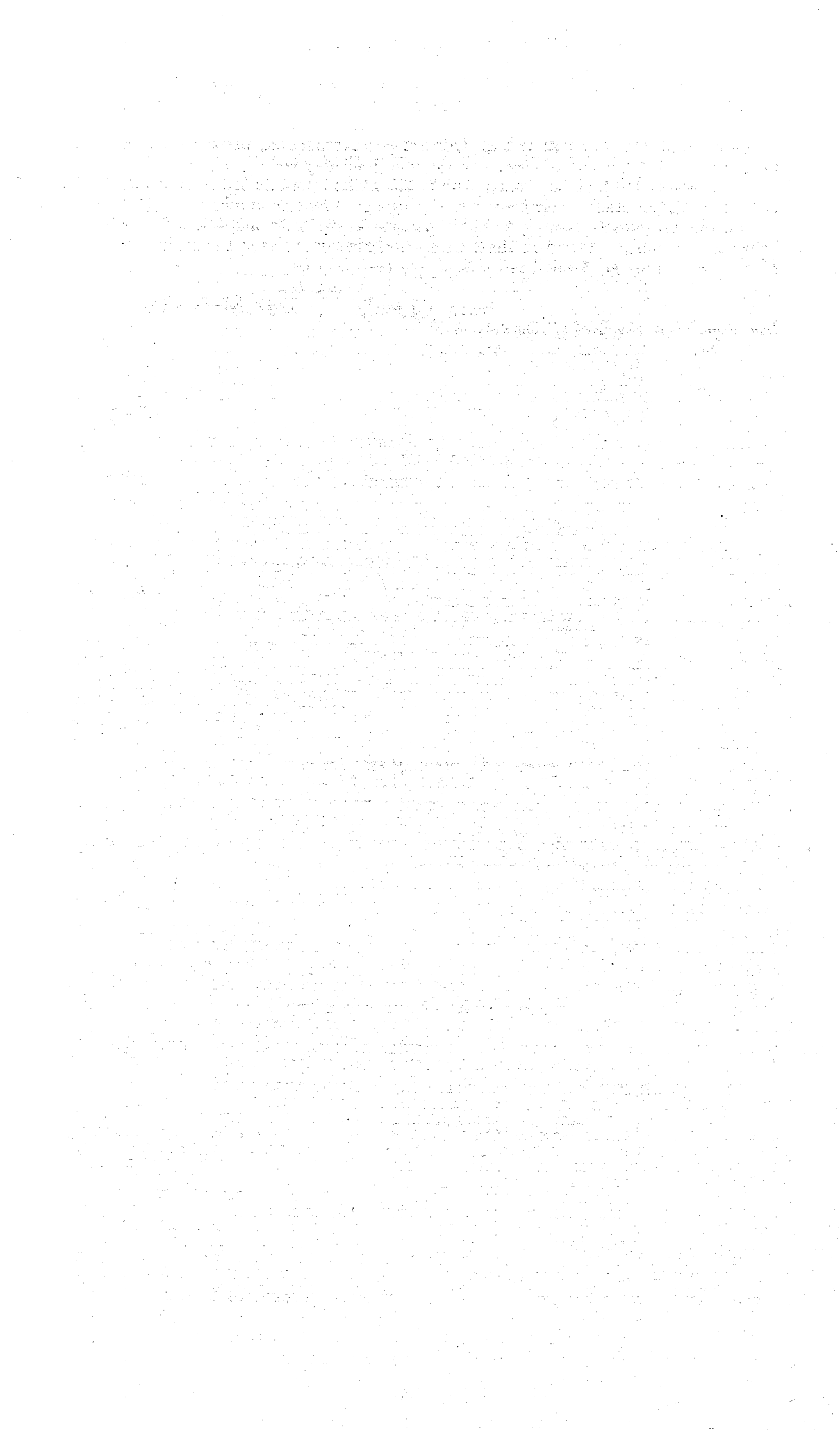
JNO. RENDALL.

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

&c.

&c.

&c.



BRAZIL.

No. 111.

*The Earl of Aberdeen to M. Lisboa.**Foreign Office, January 7, 1846.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the note of the Commander Marques Lisboa, &c., dated the 27th ultimo, enclosing a printed copy of a note of the Brazilian Government, dated the 22nd of October, 1845, on the subject of an Act of the British Parliament passed on the 8th of August of the same year, relating to the Slave Trade, the original of which note was addressed by the Brazilian Minister for Foreign Affairs to Her Majesty's Minister at Rio de Janeiro, and has by him been communicated to the Undersigned.

The Undersigned, &c.

The Commander Marques Lisboa,
&c. &c.

(Signed)

ABERDEEN.

No. 112.

*The Earl of Aberdeen to M. Lisboa.**Foreign Office, January 14, 1846.*

THE Undersigned, &c., has not failed to take into his attentive consideration the note which the Commander Marques Lisboa, &c., did him the honour to address to him on the 28th of January last, in reply to the note of the Undersigned, dated the 21st of the same month, on the subject of the claim brought forward by the owner of the Brazilian brig "*Relampago*," for compensation for the alleged illegal detention of that vessel by Her Majesty's brig "*Dolphin*," in the month of April, 1844, on account of her having been found off Macahé unprovided with a manifest.

The Commander Marques Lisboa will remember that, in the note which the Undersigned addressed to him in answer to his first representation upon this subject, the Undersigned observed, that the absence of so important a document as the ship's manifest, which, for some secret and unexplained motive, was in this case sent on board another vessel, constituted so suspicious a circumstance as to justify an officer employed under the Convention with Brazil in suppressing the Slave Trade, in taking the "*Relampago*" back to the port from which she had sailed the previous day; and that for this reason Her Majesty's Government must feel themselves justified in declining to make the required compensation.

The Undersigned is compelled to say that he finds nothing in the Commander Marques Lisboa's further representation to lead him to change the opinion expressed in his former note.

With respect to the discrepancy adverted to by the Commander Lisboa, as occurring between the view taken of the case by the seizer, and that taken by Sir Thomas Pasley, the Undersigned begs leave to observe that the officer who seized the vessel conducted her back to Rio de Janeiro, the port from

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which she had sailed on the previous day, on account of the absence of that important document, the manifest, and the suspicion that she was going on an illegal voyage. On her arrival in port, the absence of the manifest being accounted for, and the other suspicious circumstances appearing to Sir Thomas Pasley to render the vessel amenable to the Brazilian Tribunals, rather than to a Mixed Commission, he directed that she should be forthwith given up, but at the same time requested Her Majesty's Minister to give the requisite information to the Brazilian Minister in order that proceedings might, if deemed proper by that Government, be instituted in the Civil Tribunals of the country.

The Undersigned, &c.

The Commander Marques Lisboa,
&c. &c.

(Signed)

ABERDEEN.

No. 113.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 6, 1845.

(Received January 19, 1846.)

(Extract.)

ON the 13th ultimo, two days after the departure of the "Swift" packet, which conveyed my despatch "Slave Trade," and to which I request reference, I received from the Minister for Foreign Affairs a note, expressive of his regrets at being unable to forward to me the draft of Slave Trade Convention, which Senhor Galvão had been instructed to prepare. Difficulties had arisen, which were not yet removed, but he was directing all his efforts to effect it, and he would not delay to apprise me of the result, for the information of Her Majesty's Government.

Senhor Limpo d'Abreu said, that he proposed to write to the Brazilian Legation at London, by the packet now on the eve of sailing, with instructions to Senhor Marquez Lisboa, to assure your Lordship of his Excellency's regret at the delay which has occurred in opening negotiations; but, at the same time, to explain the dilemma in which he found himself involved through the Emperor's absence, and the discrepancy between his opinions and those entertained by other persons.

The principal point of divergence was in regard to African colonization; some persons insist, that the faculty to introduce into the empire African negroes as colonists, shall be reserved to Brazil in the draft of the Treaty which he is preparing. I assured his Excellency, that so long as slavery, in any form, should be tolerated or be advocated in Brazil, so long would the Government of Her Majesty the Queen refuse its sanction and ratification to any compact wherein should appear a stipulation which, either in its letter or its spirit, should consecrate such a covert and insidious means of continuing the Slave Traffic.

Here the subject was dropped, but it is one likely to be resumed; and I would submit to your Lordship, that some specific instruction for my guidance in such case might be found advantageous.

(Signed)

HAMILTON HAMILTON

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

No. 114.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 6, 1845.

(Received January 19.)

My Lord,

A FLAGRANT occurrence, manifesting beyond any doubt collusion on the part of the subordinate local authorities, not only coastways but under the very observation of the Government, with slave-merchants in the capital and elsewhere, has very recently come to my knowledge.

The "*Paranapitanga*" steam-vessel, plying in the vicinity of Rio de Janeiro, received on board, twice within a fortnight of the past month, a cargo of newly

imported African negroes. I lost no time in addressing a representation on the subject to the Minister for Foreign Affairs: no answer has yet reached me; but his Excellency assured me verbally that he had instituted the needful inquiries. What results may ensue, in the thralldom under the slave-merchants to which the Administration is subjected, I cannot foresee; but I hardly dare hope for any energetic proceedings against the offenders.

Copy of my note to the Government is enclosed.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure in No. 114.

Mr. Hamilton to Senhor d'Abreu.

Rio de Janeiro, November 26, 1845.

THE circumstances reported below, exhibiting the uninterrupted progress of the Slave Traffic in this country, and, as it were, under the very eyes of the Government, have just come to the knowledge of the Undersigned, &c.

The Brazilian steamer "*Paranapitanga*," after leaving this harbour with passengers for Santos on the 1st of the month, received on board from a small craft, when beyond the bar, 100 newly imported African negroes, and landed them in the vicinity of Santos during the night of the 3rd instant.

The same steamer returned to Rio harbour from Santos on the 10th instant, and sailed again on the 13th, having been chartered, according to current report, by Senhor Malta, of Jacaraky near Saint Sebastian, and Senhor Caidazo, of Saint Paul's, to convey from one of the neighbouring depôts of contraband Africans another shipment to Santos.

The Undersigned is not aware of the number of negroes who were embarked this second time on board the "*Paranapitanga*," but he is assured that it greatly exceeded that which was conveyed in her on the voyage preceding.

When these proceedings could come to the knowledge of the Undersigned, it is unreasonable to suppose that they should remain a secret to the Brazilian authority, at the different places where they occurred. Still the Undersigned understands that no measures have been taken by such authorities to punish the parties implicated in them, or even to investigate the irregular employment of the steamer.

The Undersigned considers it incumbent on him to make known to Senhor Limpo d'Abreu this additional instance of the constant, the perfect security from any opposition on the part of the local authorities of the Empire, under which slave-dealers continue to extend their nefarious operations on this portion of the Brazilian coast.

It is for the Imperial Government to reflect whether such impunity as is here apparent is consistent with the assurances so repeatedly given of their antipathy to the traffic, of their anxiety to suppress it, and of their steady determination to employ all practicable and legal means for that purpose.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

Senhor Antonio Paulino Limpo d'Abreu,

&c.

&c.

No. 115.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, December 22, 1845.**(Received January 28, 1846.)*

(Extract.)

YOUR Lordship will have perceived, from my Slave Trade despatch of the 6th inst., forwarded by the "Crane" packet on the 6th instant, how little satisfactory are our prospects of an early commencement of the negotiations for a new Slave Trade Convention.

So long as the Emperor is absent from the seat of Government, so long as the preparing of the draft of the Convention remains with Senhor Galvão, so long any effectual progress towards the important object we have in view cannot be expected.

With this impression on my mind, it appeared to me that our only chance of accomplishing anything at present lay in friendly concert and arrangement between Senhor Limpo d'Abreu and myself. I considered it a valuable acquisition to gain time amidst all the dilatory and procrastinating influence of Senhor Galvão, that any joint preliminary examination of the principal clauses in Slave Trade compacts, whereon a difference of opinion between the two Governments has prevailed hitherto, any joint deliberation on the preferable means of removing those differences, however informal and irregular the mode of procedure, would still be a measure most legitimate, should it, in however small a degree, facilitate the course of the negotiations and the attainment of the object of so great moment to which they are directed.

Under this idea, then, and with some hope that it might be possible to carry it into execution, I made to Senhor Limpo d'Abreu a proposition to the following effect: That it appeared desirable that Senhor Limpo d'Abreu should lay on the table some one particular Slave Trade Treaty—the one Great Britain had concluded with Spain, or that with Portugal; that, taking the Articles of such Treaty *seriatim*, his Excellency should indicate those which, to his judgment, required modification, and what others, should there be any—a case I was unwilling to anticipate—might be wholly inadmissible; that I would then explain how far my instructions would justify me in admitting such modifications or exceptions; and that, if an adjustment could not be arrived at between us, I would report the same to your Lordship without delay, and request other instructions for my guidance, sending my despatches by Her Majesty's steam-frigate "Cyclops."

An arrangement of this nature would at least be the means of preparing me, after the lapse of some weeks, to meet, I trust satisfactorily, at all events in a definite and conclusive manner, any further objections which, after the conferences of the Plenipotentiary should have formally commenced, might be urged on the part of Brazil.

I was much gratified by the manner in which Senhor Limpo d'Abreu received my proposal. No objection whatever was offered; on the contrary, it was regarded feasible to its full extent. "But," his Excellency added, "I must communicate on the circumstance with my colleagues in the Cabinet." And here our conversation terminated, with the understanding that his Excellency should communicate with his colleagues immediately.

We have since had two or three conferences on the subject; and I regret to state, that the issue of the Minister's communications with his colleagues had not proved quite so much in harmony with my proposal as I had hoped for. Certainly, however, some profit has attended my efforts. These Ministers have not opposed a preparatory arrangement that should be initiated by his Excellency, with a view to the more prompt completion of the Treaty; but they were of opinion that, being a preliminary measure, it was advisable I should not be a party to it. Further concert, therefore, between the Minister and myself, such as I had proposed, is now out of question. Still, a positive and useful result has followed; a project has been drawn by his Excellency.

This project Senhor Limpo d'Abreu intends to forward by a confidential despatch to the Brazilian Minister at London, with an instruction to read it confidentially to your Lordship, although the other two Members of the Cabinet have

not yet pronounced their judgment upon it. It will be conveyed by the "Cyclops," which carries also the despatch.

The only novel feature in the project that his Excellency has specified to me, is an extension of the distance from the coast of Brazil, within which it has been declared illegal to visit Brazilian vessels, the object of this innovation being a greater protection to the coasting trade of the Empire.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

No. 116.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 22, 1845.

(Received January 28, 1846.)

My Lord,

I HAVE the honour to enclose a further correspondence with the Brazilian Government, relating to the detained slaver "*Nova Granada*."

Mr. Consul Hesketh is agent for the captor; having had surveys made of the vessel, it was ascertained that she was in so leaky a condition as to be kept afloat with great difficulty, and that the store of provisions on board had become entirely putrid. It was decided, in consequence, that after the provisions had been thrown overboard, the vessel should be run ashore at a place pointed out by the dock-yard authorities.

These proceedings were duly notified by me to the Brazilian Government.

In his reply to my communication, Senhor Limpo d'Abreu, &c., again reverts to the discordant votes given by the British and Brazilian Commissioners, which are assumed by his Excellency to have been taken for the express purpose of delaying the final adjudication—a delay to which is attributable all the deterioration of the property—and to antecedent representations of the Brazilian Government on the subject, renewing the protests then and there made for adequate indemnification for all the loss and injury which the proprietor of the vessel might ultimately sustain. And his Excellency concludes with observing, that as the instructions recently issued to Her Majesty's Commissioners to proceed to arbitration, should the question not have been already disposed of, arrived after the functions of the Court had expired, it was not possible for the Brazilian Government, without assuming a responsibility not appertaining to it, to take any further decision on the matter.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure 1 in No. 116.

Consul Hesketh to Mr. Hamilton.

Sir,

Rio de Janeiro, November 14, 1845.

AS agent to Lieutenant Carter, of Her Majesty's schooner "*Viper*," I have lately been in constant communication with the senior officer, Captain Lapidge, of Her Majesty's steam-frigate "*Cyclops*," respecting the detained vessel "*Nova Granada*;" and it appearing from the surveys which have been lately held that the provisions on board were entirely putrid, they were all thrown overboard.

The surveys also show, that the vessel was too leaky to keep afloat, especially after the mass of rotten farinha, &c., had been removed; and she was therefore

launched on the 12th instant, near the Gamboa, at the spot indicated by the Commissioner of the Imperial Dockyard, where she is left with nothing but her lower masts and bowsprit standing, all her stores, &c., having been deposited in the British storehouse at Cabras Island.

I hold official copies of all the surveys, at your command when required.

I have, &c.

Hamilton Hamilton, Esq.
 &c. &c.

(Signed) ROBERT HESKETH.

Enclosure 2 in No. 116.

Mr. Hamilton to Senhor d'Abreu.

Rio de Janeiro, November 18, 1845.

WITH reference to preceding correspondence, on the subject of the detained slaver "*Nova Granada*," the Undersigned, &c., has the honour to forward, for the information of his Excellency the Minister for Foreign Affairs, the accompanying copy of a communication he has received from the agent* of Lieutenant Carter, of Her Majesty's schooner "*Viper*," that detained the "*Nova Granada*," reporting the deteriorated condition of that last-mentioned vessel, and that to save her from sinking she has been run on the beach near Gamboa, at a spot indicated by the authorities of the Imperial Dockyard.

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

Senhor Antonio Paulino Limpo d'Abreu,
 &c. &c.

Enclosure 3 in No. 116.

Senhor d'Abreu to Mr. Hamilton.

Rio de Janeiro, November 24, 1845.

THE Undersigned, &c., had the honour of receiving with the note of the 18th instant, addressed to him by Mr. Hamilton Hamilton, &c., the copy which accompanied it, of a despatch from Mr. Hesketh, as agent for Lieutenant Carter, of the English schooner-of-war "*Viper*," relating to the patacho "*Nova Granada*."

Mr. Hamilton states, that the provisions which were on board the said schooner (patacho), being in a state of decomposition, were thrown overboard, and that the vessel herself was run on shore near the Gamboa, at a place pointed out by the Marine Arsenal, in consequence of her leaky state from the deteriorations suffered in this port.

The difference of opinion between the two Commissary Judges, Brazilian and English, of the Mixed Commission in this capital, when they gave their votes regarding the legality of the prize treated of, and the constant refusal of the latter to agree to the drawing of lots for a Commissioner of Arbitration, in conformity to Article III of the respective Regulations, are, among others, the chief cause of the delay in the decision of this case, and of the damages referred to by Mr. Hamilton, damages which rendered it necessary to run the vessel aground, as was also the case with the brig "*Dous Amigos*," because the British Commissioner would not fulfil one of the other Articles of the above-mentioned Regulations.

The British Commissary Judge had recourse to many other dilatory measures to put off the conclusion of this affair during the whole time in which the adjudication might have taken place by the Commission; against which the Imperial Government repeatedly represented in the notes of the current year, protesting for a just indemnification for the losses and damages which the owner of the vessel might claim.

* Mr. Hesketh, November 14.

As regards the principle invoked in support of the non-fulfilment of Article III of the Regulations for the Mixed Commissions, it cannot be said that it has not been duly contested by all diplomatic means, and the Imperial Government deems it so untenable, in reference to the letter and spirit of the Conventions concluded between the two countries, that it would be at a loss to qualify such persistence on the part of the British Government.

The resolution of the Government of Her Britannic Majesty ordering the drawing of lots was verbally communicated to the Undersigned by Mr. Hamilton, when the period for the exercise of the functions of the Mixed Commissions had already expired. That resolution certainly recognised the justice of the demand on the part of the Imperial Government, but, tardy as it was, did not prevent any of the losses and damages caused by the delay arising from the systematic reluctance of the British Commissary Judge.

The period agreed upon by the two Governments for the Mixed Commissions to exercise their functions having expired without that case having been finally adjudicated, Mr. Hamilton will understand that the Imperial Government cannot, without assuming a responsibility which does not appertain to it, come of itself alone to any decision regarding the vessel treated of.

The communication, however, which Mr. Hamilton had the goodness to make to the Undersigned, imposes upon him the duty of renewing the protest for an indemnity for the losses arising from the delay in the adjudication of the patacho "*Nova Granada*," caused by Her Britannic Majesty's Commissary Judge; certain that on demand being properly brought forward, the British Government will attend to the same, as in justice it is bound to do.

He avails, &c.

(Signed) ANTONIO PAULINO LIMPO D'ABREU.

Hamilton Hamilton, Esq.

&c.

&c.

No. 117.

M. Lisboa to the Earl of Aberdeen.

York Place, le 11 Février, 1846.

(Received February 13.)

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur du Brésil, a l'honneur d'accuser la réception de la note qu'au sujet du brig Brésilien "*Relampago*," son Excellence le Très Honorable Comte d'Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département des Affaires Étrangères, a bien voulu lui adresser le 14 du mois dernier, en réponse à une réplique du Soussigné sous la date du 28 Janvier, 1845.

Par cette note, ainsi que par celle qui l'a précédée le 20 Décembre, 1844, le Soussigné se flatte d'avoir démontré la justice de la demande en indemnité des armateurs du "*Relampago*."

Ce navire, détenu par un croiseur Anglais, à sa sortie de Rio de Janeiro, n'y est rentré que pour être sur-le-champ relâché, sans condition aucune, par le Commandeur de la station de Sa Majesté Britannique. Il y a eu donc détention illégale, de laquelle ont nécessairement résulté des dommages et des pertes: la partie lésée en demande réparation aux termes des stipulations précises des Traités, et on la lui dénie parceque le "*Relampago*" n'avait pas son manifeste à bord.

Cette lacune, expliquée d'ailleurs de la manière la plus satisfaisante, ne pouvait nullement justifier la conduite du capteur; et sinon, quel est l'Article du Traité (le Soussigné l'a déjà demandé) qui ait consacré la doctrine qu'on invoque?

Le Soussigné se croit en droit de répéter sa question quand lui il ne s'appuie que sur les clauses les plus explicites qui ont été convenues entre les deux Couronnes.

Cette réclamation, le Soussigné regrette de le dire, est encore venu grossir le nombre de celles que son Gouvernement a jusqu'ici fait en vain valoir, n'ayant cependant aucun doute sur les principes de justice et d'équité allégués en leur faveur.

Le Soussigné s'est empressé de communiquer la note de Lord Aberdeen au Gouvernement de l'Empereur, mais en attendant il ne peut se dispenser de confirmer la protestation que les armateurs du "*Relampago*" ont faite à Rio de Janeiro, en protestant de son côté, comme il proteste par la présente, contre la détention illégale de ce navire, et contre le refus d'indemnité que Lord Aberdeen lui a itérativement fait de la part du Gouvernement de Sa Majesté Britannique.

Le Soussigné saisit, &c.

(Signé) MARQUES LISBOA.

Le Très Honorable Comte d'Aberdeen,
&c. &c. &c.

No. 118.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, January 7, 1846.

(Received February 27.)

My Lord,

DR. WILLIAM GUNN, Senior Medical Officer of Her Majesty's receiving-ship "*Crescent*," is under the necessity of returning to England without delay, on account of protracted indisposition.

His dilapidated and dangerous state of health has been induced, in a great degree, by the assiduous attention shown by him to the African negroes, whose unfortunate condition, when removed on board the "*Crescent*," has from time to time come under his inspection and care, and that in a climate where it is difficult to contend against the effects of a chronic ailment.

The "*Crescent*" having been placed particularly under the observation of Her Majesty's Legation, it appears to be but just, when Dr. Gunn is about to leave his post in her, under the influence of ill health, to declare to your Lordship, that the manner in which he has discharged the difficult and responsible duties of his office has been most exemplary, and that it deserves the marked approbation of the Lords Commissioners of the Admiralty.

As Dr. Gunn has had under his particular care the Africans captured on board the "*Anna*" slaver, who unfortunately are blind from a severe attack of ophthalmia, he, better than any other, will be able to satisfy your Lordship as to their present condition, and to speak to many points upon which your Lordship may desire information with a view to the future disposal of them.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

No. 119.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, December 22, 1845.

(Received March 17, 1846.)

My Lord,

MY correspondence since Her Majesty's steam-frigate "*Cyclops*" arrived here will have put Her Majesty's Government fully in possession of the various circumstances which have successively prolonged her detention up to the present time. These circumstances may be summed up in one sentence, the utter failure of my endeavours either to commence the negotiations for a new Treaty for the suppression of the Slave Trade, to which, when apprized of the passing of the Act of Parliament of August 8th, the Imperial Government readily pledged itself, or to expedite even the preparation of a draft of the proposed Convention.

Although your Lordship's despatch gave to me great latitude of action with regard to the disposal of the "*Cyclops*," it has not appeared to me necessary, under existing circumstances, to do more than detain her at Rio de Janeiro, to

await the issue of the expected negotiations, or at least till I might be able to see my way with regard to them.

The excited state of public feeling in the capital, when the said energetic Act of Parliament had transpired, was manifested only by augmented virulence and invective in the public press. It did not go beyond this war of words; and any other precautionary measures on my part, than to keep the "Cyclops" in port, any additional force from the River Plate, to my judgment, were not called for.

Senhor Limpo d'Abreu, however, having undertaken to draw up by himself a project of the Slave Trade Treaty, and promising also to forward it to the Imperial Minister at London, for confidential communication to your Lordship, the expediency, for reasons assigned in my despatch, of an early and speedy conveyance to England of so important a document, was obvious; and so soon as his Excellency's work was complete, I intimated to Captain Lapidge that the return thither of the "Cyclops," on special service, was necessary; and I requested that when he should have received on board the different mail-bags and my despatches, he would make the best of his way to the port pointed out in his instructions from the Admiralty.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

No. 120.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, January 24, 1846.

(Received March 17.)

My Lord,

MR. GRIGG, Her Majesty's sole Commissioner of the Mixed Court, has communicated to me a letter, of which the enclosed is a copy, covering one from the interpreter of the Court, stating that the Brazilian Government have exonerated the interpreter from his respective duties; and Mr. Grigg has requested from me instructions as to the course of proceeding proper to be adopted with regard to that gentleman, under the circumstances, seeing that his continuing for the present to exercise the functions of his office appears to be indispensable to the public service.

In my answer I stated to Mr. Grigg, that until Her Majesty's Government shall announce to the Court of Mixed Commission the close of its official functions, I hold it to be proper that Mr. Barboza be considered as still in the discharge of his duties, so far as is concerned the British branch of the Court of Mixed Commission.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

Enclosure 1 in No. 120.

Mr. Grigg to Mr. Hamilton.

Sir,

Rio de Janeiro, January 12, 1846.

I BEG leave to submit to your Excellency herewith a copy of a communication from Senhor Jozé Agostinho Barboza, interpreter to the Mixed Commission, by which it is seen that the Brazilian Government have exonerated him from the duties of that situation.

It appears to me indispensable for the public service, that that gentleman

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should continue to exercise the functions of his office for the present, on the part of Her Majesty's Government, and I trust that your Excellency will instruct me as to the course of proceeding to be adopted on this subject.

I have, &c.

(Signed) FREDERICK GRIGG.

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

Enclosure 2 in No. 120.

M. Barboza to Mr. Grigg.

Sir,

Rio de Janeiro, January 7, 1846.

I HEREWITH enclose for your information, copy and translation of the order I received on the 5th instant, from the Imperial Government, exonerating me from my situation of interpreter to the Mixed British and Brazilian Commission.

I have, &c.

Frederick Grigg, Esq.
&c. &c.

(Signed) J. A. BARBOZA.

Enclosure 3 in No. 120.

Senhor d'Abreu to M. Barboza.

(Translation.)

Rio de Janeiro, Foreign Office, September 31, December, 1845.

THE labours of the Mixed Brazilian and British Commission established in this capital and at Sierra Leone, in virtue of the Convention of the 28th July, 1817, having terminated on the 13th of September last, I transmit to you the annexed copy of the order by which His Imperial Majesty was pleased to exonerate you from your situation of interpreter of the Mixed British and Brazilian Commission in this capital.

God preserve you, &c.

(Signed)

A. P. LIMPO D'ABREU.

Senhor J. A. Barboza, Junior,
&c. &c.

Enclosure 4 in No. 120.

Royal Decree.

(Translation.)

Palace of Rio de Janeiro, November 13, 1845.

THE period of six months, within which the Mixed British and Brazilian Commissions established in this capital and in Sierra Leone were to conclude the adjudication of cases pending, and of those which might by chance have occurred, up to the 13th March of the present year, as was agreed upon by the two Governments of Great Britain and Brazil, having expired on the 13th of September ultimo, I am pleased to exonerate Jozé Agostinho Barboza from his situation of interpreter to the Mixed British and Brazilian Commission at Rio de Janeiro, to which he was appointed by an order of the 16th September, 1832. Antonio Paulino Limpo d'Abreu, of my Council, Minister and Secretary of State for Foreign Affairs, shall so understand it, and order it to be executed.

Twenty-fourth year of the Independence and of the Empire.

(Sign manual of the Emperor.)

(Signed)

A. P. LIMPO D'ABREU.

No. 121.

The Earl of Aberdeen to Mr. Hamilton.

Sir,

Foreign Office, April 3, 1846.

I HAVE received your despatch, marked Slave Trade, dated the 24th of January last, from which it appears that the Brazilian Government have signified to Mr. Barboza, the interpreter to the late Mixed Commission Court at Rio de Janeiro, that he is exonerated from his duties in that capacity. I received at the same time from Mr. Grigg, Her Majesty's Arbitrator, a similar communication.

I observe that Mr. Grigg, in notifying to you the fact of the cessation of Mr. Barboza's office, as made known to Mr. Barboza by the Brazilian Government, states that it appears to him indispensable for the public service that Mr. Barboza should continue to exercise the functions of his office for the present on the part of Her Majesty's Government; and that you have informed Mr. Grigg, in reply, that until Her Majesty's Government shall announce to the Mixed Commission the close of its official functions, you hold it to be proper that Mr. Barboza should be considered as still in the discharge of his duties so far as the British branch of the Mixed Commission is concerned, and that Mr. Barboza has been instructed by Mr. Grigg accordingly.

In my despatch to Her Majesty's Commissioners at Rio de Janeiro, of the 4th of June last, of which a copy was transmitted to you in my despatch, marked Slave Trade, of the 9th of August, I informed those gentlemen that Her Majesty's Government had agreed to a proposal of the Brazilian Government, that the Commission at Rio de Janeiro should sit until the 13th of September, for the sole purpose of adjudging the cases which might have occurred previously to the 13th of March, the date on which the Convention of the 18th of July, 1817, expired; and that the Commissioners were to be guided in their conduct by that intimation.

Since the 13th of September, therefore, the Commission has, in fact, had no functions to perform, and Mr. Grigg does not explain in what way it is, in his opinion, indispensable that Mr. Barboza should continue to be employed on the part of Her Majesty's Government.

I have, hitherto, abstained from more formally closing the Commission, in the hope that the proposed negotiation for a new Convention might have led to the re-appointment of the Mixed Commissions both at Rio de Janeiro and at Sierra Leone, but from the announcement contained in your despatch, marked Slave Trade, dated the 22nd of December last, that hope is now extinguished.

Under these circumstances, Her Majesty's Government have determined to recall the British branch of the Commission at Rio de Janeiro, and I have accordingly addressed a despatch to Mr. Grigg to that effect, of which I enclose a copy for your information.

The archives of the Commission will be delivered over to you by Mr. Grigg, and you will retain them in your custody until you receive further directions for their disposal.

Hamilton Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 121.

The Earl of Aberdeen to Mr. Grigg, April 2, 1846.

[See Class A, No. 100, p. 182.]

No. 122.

The Earl of Aberdeen to Mr. Hamilton.

(Extract.)

Foreign Office, April 13, 1846.

A COPY of your despatch, marked Slave Trade, of the 7th January last, reporting the return of Dr. Gunn, of Her Majesty's ship "Crescent," to England, and drawing attention to his meritorious services, was by my direction transmitted to the Admiralty.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 123.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 18, 1846.

(Received April 15.)

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 and condition of the Africans who formerly made part of the cargo of the slave prize "*Flor de Loanda*," apprenticed to various persons in and near this capital, under contract with this legation, for the year ended 31st December, 1845.

I am happy to be able to add that, with one or two exceptions, the report of the state of these Africans is satisfactory.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

Enclosure 1 in No. 123.

Rio de Janeiro, December 31, 1845.

NOMINAL LIST OF FREE AFRICANS now in the employ of the "*Misericordia*" Hospital, from on board the captured Slaver "*Flor de Loanda*," showing their Names, Nations, supposed Ages, and Occupations.

Nos.	Names.	Nations.	Ages.	Occupations.	Remarks, &c.
1	João . . .	Benguela . .	21	Boatman	Health, conduct, &c., good.
2	Samuel . . .	Cabenda . .	27	"	" "
3	Bruno . . .	"	29	"	" "
4	Gastão . . .	Benguela . .	31	Quarryman . . .	" "
5	Camillo . . .	Cabenda . .	33	"	" "
6	Joze . . .	Benguela . .	29	"	" "
7	Leandro . . .	"	33	"	" "
8	Pedro . . .	Cabenda . .	28	Boatman	" "
9	Joaquim . . .	"	21	Quarryman . . .	" "
10	Antonio . . .	Benguela . .	21	"	" "
11	Luiz . . .	"	33	"	" "
12	Cosme . . .	Cabenda . .	28	"	" "
13	Jeronimo . . .	"	33	Cook	" "
14	João . . .	"	27	Boatman	Recovering
15	Manoel . . .	"	16	In service of em- ployers	" "
16	Francisco . . .	"	17	"	" "
17	João . . .	"	18	"	Conduct very bad.
18	Leonardo . . .	Benguela . .	23	Stone-cutter . . .	Health, &c., good.
19	Braz . . .	Cabenda . .	21	Mason	" "
20	Gaspar . . .	Benguela . .	19	"	" "

NOMINAL LIST OF FREE AFRICANS—*continued.*

Nos.	Names.	Nations.	Ages.	Occupations.	Remarks, &c.
21	Matheus . . .	Benguela . . .	33	Quarryman . . .	Health, &c., good.
22	Thomas . . .	Cabenda . . .	21	Stone-cutter . . .	" "
23	Lauriano . . .	Benguela . . .	23	Mason	" "
24	Timotheo . . .	Cabenda . . .	21	Stone-cutter . . .	" "
25	Januario . . .	Benguela . . .	33	Quarryman . . .	" "
26	Antero . . .	"	21	Mason	" "
27	Adão . . .	"	21	Stone-cutter . . .	" "
28	Christovão . . .	Cabenda . . .	25	Mason	" "
29	Salvador . . .	"	25	Quarryman . . .	Sick.
30	Bernardo . . .	Benguela . . .	23	Labourer	Health, &c., good.
31	Marcos . . .	"	21	"	" "
32	Nicolão . . .	Cabenda . . .	21	Mason	" "
33	Esmeria . . .	"	25	Cook	Female child dead.
34	Esperança . . .	Benguela . . .	29	Washerwoman . . .	Son Antonio—Olavo dead.
35	Eugracia . . .	Cabenda . . .	28	"	Health, &c., good.
36	Antonia . . .	"	43	Servant in asylum .	"
37	Lina . . .	"	23	Washerwoman . . .	Son João—Generoza's child, in her charge, dead.
38	Manoel . . .	"	33	Land-tiller	Health, &c., good.
39	Nuno . . .	Benguela . . .	27	Quarryman	" "
40	Teodoro . . .	"	21	Mason	" "
41	Ambrosio . . .	"	21	"	" "
42	Alexandre . . .	"	21	Land-tiller	" "
43	Anastacio . . .	Cabenda . . .	21	"	" "
44	Jacintho . . .	Benguela . . .	19	Carter	" "
45	Eusebio . . .	"	19	"	" "
46	Paulo . . .	"	21	Land-tiller	" "
47	Martinho . . .	Cabenda . . .	17	"	" "
48	Rufino . . .	"	21	Mason	" "
49	João . . .	Benguela . . .	37	Washerman	" "
50	Januario . . .	"	27	Quarryman	" "
51	Antonio . . .	Cabenda . . .	21	"	Prisoner for murder.
52	Felipe . . .	Benguela . . .	33	Land-tiller	Health, &c., good.
53	Bernardo . . .	Angola	19	Shepherd	" "
54	Jozé . . .	Benguela . . .	16	Land-tiller	" "
55	Caetano . . .	"	19	Mason	" "
56	Francisco . . .	"	23	Stone-cutter	" "
57	Luiz . . .	Angola	19	Land-tiller	" "
58	Raimundo . . .	"	23	Blacksmith	" "
59	Francisco . . .	Benguela . . .	23	Shepherd	" "
60	Joaquim . . .	Cabenda . . .	21	Land-tiller	" "
61	Rita . . .	Rebolo	37	Gardener	" "
62	Antonia . . .	Cabenda . . .	33	"	" "
63	Thereza . . .	"	33	"	" "
64	Luiza . . .	"	27	Washerwoman . . .	Son born, 1844.
65	Catherina . . .	"	29	"	Two sons, Joaquim & Olavo.
66	Anna . . .	Benguela . . .	23	Gardener	Girl Maria.
67	Pedro . . .	Cabenda . . .	39	Hospital servant . .	Sight better.
68	Joaquim . . .	Benguela . . .	33	"	Health, &c., good.
69	Simplicio . . .	"	33	"	" "
70	Justino . . .	"	33	"	" "
71	Sabino . . .	"	33	"	" "

All the above Africans have been individually seen and spoken with by the Undersigned, excepting Antonio, who is still in prison for murder. They are all in good health, are well clothed, and appear to be well treated. Some of the male negroes, however, complain that they are not allowed Sundays and other holydays to themselves, in order to enable them to earn some money, by hiring their services on those days, as is generally the custom in this country. The administrator's attention having been called to this, said, the subject should be taken into consideration, but was of opinion, that a weekly allowance, as pocket-money, should be made to the negroes out of the monthly wages paid by the Hospital for their services.

(Countersigned) JOHN MORGAN, JUN.

(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

Enclosure 2 in No. 123.

Rio de Janeiro, December 31, 1845.

REPORT upon the State and Condition of the Africans of the Slave Prize "*Flor de Loanda*," apprenticed in and near Rio de Janeiro, for the year ended December 31, 1845.

In whose charge.	Names.	Age.	Occupation.	Remarks.
Mr. Robert Coats	Francisca	33	Out-of-door work	Married.
	Rose	27	" "	"
	Anna	18	" "	"
	Caterina	53	" "	"
	Joanna	18	" "	"
	Sabina	15	" "	"
	Jozé	7	" "	Conduct and behaviour of all satisfactory.
Mrs. Moke	Victoria	14	Needlework—washing	Conduct and behaviour of all satisfactory.
	Alexandrina	14	" "	
	Gertrude	13	" "	
	Angela	13	" "	
	Thereza	12	" "	
Rev. Mr. Champnes	Charles	19	Domestic Servant	Conduct and behaviour of both satisfactory.
	Rosa	20	" "	
Mr. Trogs	Rosa	18	Domestic Servant	Conduct very good.
Mr. Dickenson	Bob	16	Domestic Servant	Bad conduct.
	Rose	16	Washerwoman	Hard-working—drinks deep when she can.
Dr. Lee	Rita	20	Housemaid	Better behaved than formerly.
Sr. Lopez Gawa	Marianna	19	Nurse	Very good conduct.
Mr. Hamilton	Antonio	16	House Servant	Orderly.
Mr. Lukin	Eliza	19	Housemaid	Conduct of all satisfactory.
	Fanny	18	"	
	Louisa	19	"	
	Francisco	35	Labourer	
	João	37	"	
	Domingo	32	"	
	Diogo	22	House Servant	
Major Koeller	Geronimo	33	"	Report not yet received. Major Koeller is absent on duty, as Inspector of the Roads, &c.
	Carlos	17	"	
	Pedro	17	"	
	Joanna	23	"	
	Carlotta	23	"	
	Carolina	21	"	

(Signed)

JAMES HUDSON,
Secretary of Her Majesty's Legation.

No. 124.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 21, 1846.

(Received April 15.)

(Extract.)

MY despatch, Slave Trade series, of the 18th instant, reports the present state of the African negroes who were found on board the "*Flor de Loanda*" slaver, captured in the month of May, 1838, by Commander Eden, of Her Majesty's ship "*Rover*."

With reference to these negroes, I beg leave to remind your Lordship that the period of their apprenticeship expires in the month of November next; and that it is desirable definite instructions should be transmitted here how they are to be disposed of when that term shall arrive. I am quite aware that according to the original intention of Government they ought to be sent to Her Majesty's colonies Trinidad or Demerara, in case that their free consent to such removal is obtained; but I am by no means disposed to believe that this consent will be readily given by all of them; and yet when their apprenticeship shall be concluded, should they not see the advantages of a like removal, nor enter freely into the service of their present masters, nor obtain any settled home or occupation, they run great risk of being kidnapped and carried into the interior, Heaven knows where. Certificates of emancipation would avail little to prevent this.

(Signed)

HAMILTON HAMILTON.

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

No. 125.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, February 21, 1846.

(Received April 15.)

My Lord,

THE enclosed correspondence relates to the proceeds in the case of the condemned slave-vessel "*Maria Carlota*." It has not been transmitted at an earlier period, because I was desirous it should be accompanied by Senhor Limpo d'Abreu's reply to my note of November 6th, of last year; but this answer has not yet been obtained; and if I now send it in its incomplete state, it is to satisfy your Lordship that the subject it alludes to has not been neglected.

At present there appear two difficulties in the way of a final adjustment—one, the charge made by the Brazilian Government under the title of Judge's perquisites; the other the dissolution of the Court of Mixed Commission and the refusal of the Government, consequent thereon, to admit Mr. Hesketh to supply the place of Mr. Samo, after that gentleman's compulsory departure from Brazil on account of his health—even for the purpose of liquidating accounts still unsettled, and of establishing a satisfactory understanding upon questions respecting which we are yet at issue. But with regard to the non-admission of Mr. Hesketh as substitute for Mr. Samo, I beg to refer your Lordship to my other despatch of this date, Slave Trade series. On the more particular subject of this communication, I must not look for any decision by the Government until after the Emperor's return.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

Enclosure 1 in No. 125.

Her Majesty's Commissioners to Mr. Hamilton.

Sir,

Rio de Janeiro, September 20, 1845.

WE have the honour to transmit the particulars of the amount and proceeds in the case of the condemned slaver "*Maria Carlota*."

The enclosures in our letter to your Excellency of the 11th November, 1842, contain copies of accounts from the Brazilian Municipal Judge, of the sale of that vessel and cargo, and of the net proceeds arising therefrom. Those documents were at that time returned for the purpose of being revised, and that certain inadmissible charges should be struck out.

At this remote period, and with the view of facilitating the conclusion of this case, it may not be expedient to insist upon the deductions pointed out by Her Majesty's Commissary Judge, with the exception of the sum of 1143 reals, 480 dollars, described in the above-mentioned accounts as "Judge's perquisites for the capture, and for receiving the 2541 Portuguese half-doubloons." The amount of this unlawful perquisite has been retained by the Brazilian Municipal Judge, and has never been subjected to the process of attachment executed upon the residue of the property.

We have consequently included that sum for division between the two Governments.

When part of the cargo consists of coin, as in this instance, that article is shared in equal parts, each Government receiving its proportion thereof.

The enclosed statement has been drawn up with the view of exhibiting the exact portion of the property in question which belongs to Her Majesty's Government.

Hamilton Hamilton, Esq.
&c. &c.

We have, &c.
(Signed) JOHN SAMO.
FRED. GRIGG.

MEMORANDUM of the proceeds of public sale of the slave-vessel "*Maria Carlota*," and of the cargo condemned as forfeiture, to the Crowns of Brazil and Great Britain, pursuant to a sentence of the Mixed Commission in the year 1839:—

<i>"Maria Carlota."</i>		Rs.	Dols.
The hull, rigging, and appurtenances of the vessel, sold at public auction for	8	550	000
Deductions—Charges and other expenses incurred by the Municipal Judge, as per account tendered to the Mixed Commission, at the session of November 2, 1842		854	000
		<hr/>	
	7	696	000

This sum taken in execution by the Brazilian officers, under the process of "embargo."

The cargo and provisions sold at public auction for	1	832	720
Deductions—Charges and other expenses incurred by the Municipal Judge, as per account tendered to the Mixed Commission, at the session of November 2, 1842		164	452
		<hr/>	
	1	668	268

This sum taken in execution by the Brazilian officers, under the process of "embargo."

<i>Recapitulation.</i>			
Net proceeds of hull, &c.	7	696	000
Ditto cargo, &c.	1	668	400
Amount retained by the Municipal Judge	1	143	480
		<hr/>	
Deduct costs expended by Registrar of the Mixed Commission	10	570	748
		36	920
		<hr/>	
	10	470	828

For equal division; and likewise 2541 Portuguese half-doubloons (gold coin).

Enclosure 2 in No. 125.

Senhor d'Abreu to Mr. Hamilton.

(Translation.)

Rio de Janeiro, Foreign Office, October 27, 1845.

THE Undersigned, &c., has the honour to inform Mr. Hamilton Hamilton, &c., that the account of the proceeds belonging to the British Government, arising from the execution of the sentence which condemned the Portuguese bark "Maria Carlota" and her cargo, is now liquidated.

That account, deducting the expenses of carrying the same into execution, is seen in the enclosed document, drawn up by the accountants of the Treasury, and it is therein shown that the Government of Her Britannic Majesty has to receive as its share 1270 half-doubloons, which, according to the monetary standard, are equal to Rs. 12: dols. 700-000, and in notes and copper the sum of Rs. 3: dols. 568-413.

These amounts are deposited in the coffer of deposits and bonds under the charge of the Councillor, the Treasurer-General of the Treasury, from whom they may be received by the person who shall present himself, duly authorized for that purpose.

As the order to the Treasurer-General for raising the deposit, must name the person so authorized, the Undersigned requests Mr. Hamilton will be pleased to inform him who such person may be; and as soon as the order in conformity therewith has been issued, the payment of the sums herein treated of may be effected.

The Undersigned thus satisfying, in the name of the Imperial Government, the requests made under various dates on the part of Her Britannic Majesty's Government, regarding this subject, takes this opportunity, &c.

(Signed) ANTONIO PAULINO LIMPO D'ABREU.

Hamilton Hamilton, Esq.
&c. &c.

Enclosure 3 in No. 125.

(Translation.)

Accountant's Office, October 3, 1845.

ACCOUNT OF THE PROCEEDS of the capture of the bark "Maria Carlota," and her cargo, condemned by the Brazilian and English Mixed Commission in this capital, the half of which belongs to Her Britannic Majesty's Government.

	Gold.	Notes & Copper.
Amount seized.—		
Value of 2,541 half-doubloons according to the monetary standard	25,410/000	
Ditto sale of merchandise and jewels found . . . . .	. . .	1,832/720
Ditto, ditto, of hull and appurtenances . . . . .	. . .	8,550/000
	25,410/000	10,382/000
Deduct judicial expenses, with sale of hull, &c. 688/000		
Ditto with merchandise and jewels 164/452		
Judicial expenses for emoluments deducted in the Court (Municipal Judge), 3 per cent on the capital of 2,541 half-doubloons, calculated at 15 dollars, then the currency 1,143/450		
Ditto 2 per cent. deposit of the bark, taken from the price of the sale by auction 171/000		
Ditto 2 per cent. deposit of the money deducted in the receiving office, viz., for an equivalent to the 2,541 half-doubloons, at the rate of 18/600 price of the day 945/252		
Ditto of 7,867 reals in notes 157/340 1,102/592		3,264/494
Net proceeds	25,410/000	7,118/226
Division belonging to Her Britannic Majesty's Government	12,705/000	3,559/113
Ditto, half of a half doubloon, which not being divisible is calculated in paper at 18/600, rate on the day of entry in the Treasury . . . . .	. . .	9/300
Sum	12,705/000	3,568/413

The First Writer acting as first officer,

GUILHERMO JACQUES GODFROY,
A true copy.

In the absence of the Under-Secretary of State,

(Signed) JOZE DOMINQUES DE ATHAIDE MONCORVO.

Enclosure 4 in No. 125.

*Mr. Hamilton to Senhor d'Abreu.**Rio de Janeiro, November 6, 1845.*

THE Undersigned, &c., has the honour to reply to the note which Senhor Limpo d'Abreu, &c., addressed to him on the 27th ultimo, concerning the liquidation of the accounts of the Portuguese barque "*Maria Carlota*," condemned as lawful prize, for Slave Trade practices, by the Court of Brazilian and British Mixed Commission.

Transmitting copy of a memorandum on this subject prepared by the Brazilian Treasury, his Excellency calls on the Undersigned for information as to the individual into whose hands is to be paid the amount of the moiety of the proceeds due to Her Britannic Majesty.

It is necessary that the Undersigned should invite the attention of Senhor Limpo d'Abreu to the circumstance, that in the account prepared by the Treasury authorities, an item is charged not admissible by Her Majesty's Commissioners, and which was opposed by them *in limine*. The nature of this charge, and its inadmissibility will be correctly understood by his Excellency, on reference being had to the accompanying copy of a letter, which the Undersigned received a short time ago, from Her Britannic Majesty's Commissioners, and to the memorandum annexed to it. Some other charges introduced into the account as originally brought into Court, and which were equally objected to at the time by Her Majesty's Commissioners, will not, under the circumstances, be further opposed; but the correctness of the item more especially particularized in the Commissioners letter, the sum of 1,143 reas 480 dollars, for Judge's perquisites, can in nowise be admitted by Her Majesty's authorities.

His Excellency must be aware, that the disbursements of the Mixed Commissions, as well as the receipt of all property appertaining to the two Governments, has always been confided to their respective Commissioners; those functionaries being the only individuals authorized by Treaty to apportion the particular amount or share due to the high contracting parties, and to grant receipts for such share. The Undersigned is convinced that it cannot be necessary further to insist upon this with Senhor Limpo d'Abreu, and that it only remains for him to suggest to his Excellency, that the suitable orders be issued for the entire property in question to be deposited with those authorities.

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

Senhor Antonio Paulino Limpo d'Abreu,
&c.

&c.

No. 126.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, February 21, 1846.**(Received April 15.)*

(Extract.)

MY other despatch of this date, Slave Trade series, alludes incidentally to the refusal of the Brazilian Government to recognize Mr. Hesketh as substitute for Mr. Samo, when that gentleman's deteriorated health rendered his immediate removal to England indispensable, in the capacity of Commissary Judge, as notwithstanding the recent extinction of the Mixed Court, certain financial arrangements still remained to be carried out, as well as the adjustment of some important points, concerning which the two branches of the Commission had till the last moment been at variance.

The correspondence transmitted herewith will explain the dilemma into which Her Majesty's authorities here have thus been thrown, and from which the protracted silence of the Brazilian Government, on my representations on the subject, is little calculated to remove them.

The remissness on the part of the Minister of which I complain, proceeds, I

conceive, in this instance, as in many others, from the very unsettled state of the Administration for some time back; and as there appears no immediate prospect of a change, I have on my own responsibility, required Mr. Hesketh, to act once more as British Commissary Judge *ad interim*, and to co-operate with Mr. Grigg, Judge Arbitrator, in the adjustment of the minor points within their competency, so far as the same shall be practicable.

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

HAMILTON HAMILTON.

Enclosure 1 in No. 126.

Her Majesty's Commissioners to Mr. Hamilton.

Sir,

Rio de Janeiro, November 8, 1845.

I BEG leave to transmit to you a copy and translation of a despatch from Senhor João Carneiro de Campos, which he delivered to me about an hour since, and I hasten to make the following observations on the unexpected objections now brought forward by the Brazilian Commissary Judge to Mr. Consul Hesketh's resumption of the functions which my colleague, Mr. Samo, had to discharge in this Mixed Commission.

In the first place, I beg leave to refer your Excellency to the enclosed copy of a document, dated 29th ultimo, to show that not only there is still important business to be concluded by the Commission, but also that Senhor João Carneiro de Campos is far from conceiving that there is any impropriety or inconsistency in himself transacting such business. And, in the second place, that in regard to the formality of taking the usual oath, it happens that Senhor Campos, who acts, and has acted *ad interim*, was not required to take such oath on the resumption of his functions after his absence at various periods, while Mr. Consul Hesketh, only last March, took the oath on Mr. Samo's leaving for the River Plate.

However, independent of these circumstances, it is clear that the unsettled questions as to the division of sundry monies still in Court, and the official acquittance on the consequent payments, require the assistance or agency of the British as well as of the Brazilian functionaries of the Mixed Commission; and, therefore, under this view of the matter, it results, either that Mr. Consul Hesketh must act *ex officio* as Mr. Samo's successor, either with or without repeating the formality of the oath, or that the document above mentioned, signed on the 29th ultimo by the Brazilian functionary, is illegal.

I have, &c.
 (Signed) FRED. GRIGG.
Hamilton Hamilton, Esq.
 &c. &c.

Enclosure 2 in No. 126.

The Brazilian Commissary Judge to Her Majesty's Commissioner of Arbitration.

(Translation.)

Sir,

Rio Janeiro, November 8, 1845.

I ACKNOWLEDGE the receipt of the despatch, in date of the 1st instant, in which you state that you have officially addressed Mr. Consul Hesketh, in order that he may resume the functions of British Commissary Judge *ad interim*, in the Mixed Commission, in consequence of Mr. Samo being about to return to England on account of ill health; and, in answer, I have to state, not only that I do not consider myself as Commissary Judge in the said Commission, from the day on which the Imperial Government declared the same to be extinct, but, further, that as Mr. Hesketh would previously have to take the oath in the Imperial Chancery in order to enter upon the office of British Commissary Judge, I am ordered to inform you that such oath will not be admitted, inas-

much as the Imperial Government considers the Mixed Commission as entirely extinct, and in consequence cannot admit a new English Commissioner.

I remain, &c.

(Signed)

JOAO CARNEIRO DE CAMPOS.

The Commissioner of Arbitration,
&c.

&c.

Enclosure 3 in No. 126.

Receipt of the Brazilian Commissioners.

(Translation.)

Rio de Janeiro, October 29, 1845.

RECEIVED from the British Commissioners the sum of 914 mil, 758 reis, being the half borne by the British Government of the total amount of the contingent expenses incurred by the Brazilian and British Mixed Commission during the period between the 1st July, 1844, and the 13th September of the present year.

For which we have signed a receipt of the same tenor and date in the Portuguese language.

Rs. 914 : dol. 758.

(Signed)

JOAO CARNEIRO DE CAMPOS.
JOAO PEREIRA DE SOUZA.

Enclosure 4 in No. 126.

Mr. Hamilton to Senhor d'Abreu.

Rio de Janeiro, November 26, 1845.

THE Undersigned, &c., has already alluded, in conference with Senhor Limpo d'Abreu, &c., to the subject of this communication: circumstances, which it is not necessary to mention here, have prevented an earlier transmission of the letter by which it is accompanied from one of Her Majesty's Commissioners of the Mixed Court.

In laying this document before his Excellency, the Undersigned feels satisfied that the representation made by Mr. Grigg will receive from Senhor Limpo d'Abreu the consideration indispensable, and which he trusts may be effectual to remove the difficulties and impediments at present existing to a complete settlement of the financial questions relating to the "*Maria Carlota*," which are consequent on the erroneous and inconsistent views entertained by Senhor João Carneiro de Campos.

The Undersigned cannot but make allowance for the embarrassments attendant on cases under adjudication before the Court of Mixed Commission, which at its premature dissolution remained, to a certain extent, undecided; but neither can he fail to perceive and regret that these embarrassments are considerably and needlessly augmented by the line of conduct adopted by the Commissioner of His Imperial Majesty.

If it is competent for Senhor João Carneiro de Campos to receive, and to give an acknowledgement for monies paid to him as Brazilian Judge in the Court of Mixed Commission, and on account thereof, it is not less competent for Her Majesty's Consul so to act as *locum tenens* of Mr. Samo, Her Majesty's Commissary Judge, appointed such by compacts between the two Crowns, and recognized such by long established usage, and to refuse due recognition of this competency relatively to the said British functionary, in the present instance, is at once an unqualified denial of justice to Great Britain, and virtually a violation of the spirit and text of the aforesaid compacts. Any results, however, so deplorable, it must be not less the interest than it is the desire of Senhor Limpo d'Abreu, as well as of the Undersigned, carefully to obviate, and the Undersigned looks for the concert and co-operation of his Excellency to that effect.

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

Senhor Antonio Paulino Limpo d'Abreu,
&c.

&c.

Enclosure 5 in No. 126.

Mr. Hamilton to Consul Hesketh.

Sir,

Rio de Janeiro, February 20, 1846.

ON the 6th of November last I addressed to the Brazilian Minister for Foreign Affairs a requisition to recognise you in the capacity of *locum tenens* for Mr. Samo, Her Majesty's Commissary Judge in the Mixed Court, in order to a complete settlement of the financial questions relating to the slave-barque "*Maria Carlota*," as well as of other questions not definitively arranged at the dissolution of that Court.

No answer having yet been returned to this requisition, I take on myself the responsibility, in the interest of Her Majesty's service, to authorize you to resume without further delay the functions of Her Majesty's Commissary Judge, and, in co-operation with Mr. Grigg, Judge Arbitrator of the said Court, to adjust, so far as circumstances will permit it, all such undecided questions.

I have, &c.

Robert Hesketh, Esq.
&c. &c.

(Signed) HAMILTON HAMILTON.

No. 127.

The Earl of Aberdeen to Mr. Hamilton.

Sir,

Foreign Office, May 6, 1846.

I HAVE had under my consideration your despatches, marked *Slave Trade*, dated the 21st of February last, relating to certain pecuniary matters connected with the proceedings of the late Mixed Commission Court at Rio de Janeiro, which still remained to be adjusted, and also relating to the refusal of the Government of Brazil to acknowledge the appointment of Mr. Hesketh as Her Majesty's Commissary Judge *ad interim*, in the room of Mr. Samo, who had been compelled to return to England on account of his health.

These despatches give me the first intimation of the nomination of Mr. Hesketh in the place of Mr. Samo.

It would doubtless have been convenient and desirable for the adjustment of these outstanding pecuniary questions, if the Mixed Commission had been authorised to continue its functions for that purpose beyond the period originally agreed upon; but the Brazilian Government being unwilling to accede to such further extension, and having in fact refused to recognise the appointment of Mr. Hesketh, on the ground that the Commission was extinct, I do not see that any advantage could be expected to arise from a perseverance in the nomination of Mr. Hesketh.

My despatch, however, marked *Slave Trade*, of the 3rd ultimo, will have informed you of the formal recall of the British branch of the Commission, and of the reasons why this step had not been taken sooner.

With respect to the disputed pecuniary questions which remain to be settled, and which, as I understand, relate chiefly to the proceeds of the sale of the slave-vessels "*Paquete de Benguela*" and "*Asseiceira*," and to the proceeds and property belonging to the "*Maria Carlota*," these must now be necessarily arranged between the two Governments. Indeed, before the Commission terminated, it had become hopeless to look for a settlement of these questions by that Board.

It is to be regretted that Her Majesty's Commissioners did not succeed in obtaining a final settlement of these accounts; but they appear to have done all that lay in their power to accomplish that object, and the only course now open to Her Majesty's Government appears to be, to let the matter rest until the Brazilian Government apply for payment of their moiety of the proceeds of Brazilian vessels condemned at Sierra Leone, the amount of which, in many cases, has been deposited in the Registry of the High Court of Admiralty, when any specific sums which may be due to Her Majesty's Government on account of the unsettled cases at Rio de Janeiro may be made a set-off against such payment to the Government of Brazil.

I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

The Earl of Aberdeen to Mr. Hamilton.

Sir,

Foreign Office, May 6, 1846.

I TRANSMIT to you herewith a copy of a despatch from Her Majesty's Commissioners at the Cape of Good Hope, dated the 15th of January last, relative to a vessel of 256 tons, called the "*Dianna*," commanded by an Italian named Vincente Magdalena, which was captured while on her way from the Brazils to Pomba.

This vessel was seen by Captain Crawford, of Her Majesty's sloop "*Mutine*," when in latitude 30° 10' south, longitude 41° 30' east, and being chased and boarded, and found completely equipped for the Slave Trade, and entitled to no national character, was taken before the Vice-Admiralty Court at Cape Town, and condemned, there being no claim to the contrary.

I have to instruct you to bring this case under the notice of the Brazilian Government, and to call their particular attention to the circumstances relating to the clearing out of this vessel from a Brazilian port, as detailed in the despatch of Her Majesty's Commissioners.

It will be seen that in the case of this vessel, evidence is adduced of extraordinary indifference on the part of certain functionaries in Brazil in lending themselves to the Traffic in Slaves.

The papers found on board the "*Dianna*" show that she was the property of Francisco Gonçalves da Costa Guimarães, of Rio de Janeiro, and left Victoria, in the province of Espiritu Santo, on the 7th of September, 1845, furnished with a passport from the Vice-President of the province, Senhor Joaquim Marcellino da Silva Lima, for a voyage to Goa, by Zanzibar.

Every article of the slaving equipment of this vessel was entered upon the manifest, which is dated the 2nd of September, and was enclosed in the usual manner in a letter addressed to the Chief of the custom-house at Goa, by an officer who signed himself "O Administrador Interino, João Almeida Coelho."

It is thus shown that the above-named officer has, in fact, abetted the clearing of a vessel completely equipped for the Slave Trade. Indeed, the manifest and muster-roll of the "*Dianna*" afford proof of such culpable conduct on the part of the public functionaries, whose names are signed to those documents, in allowing a vessel, so equipped and illegally manned, to clear out from a Brazilian port, that I feel it to be my duty to instruct you to communicate these facts to Senhor Limpo d'Abreu, and to express the earnest hope of Her Majesty's Government, that suitable notice will be taken of the proceeding by the Government of Brazil.

Hamilton Hamilton, Esq.
 &c. &c.

I am, &c.
 (Signed) ABERDEEN.

Enclosure in No. 128.

Her Majesty's Commissioners at the Cape of Good Hope to the Earl of Aberdeen,
January 15, 1846.

[See Class A, No. 116, p. 202.]

No. 129.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, April 16, 1846.
 (Received June 9.)

My Lord,

MY despatch, Slave Trade series, dated March 29, 1845, advised you of the case of the slave-brig "*Kentucky*," notorious for the awful atrocities of which she had been the scene, not long before, during the middle passage. By the present opportunity I lay before your Lordship a second correspondence respecting her.

It is stated in the communication from Mr. Wise, the United States Minister, dated March 2nd, that the "*Kentucky*" was at that time again in this port, but under the assumed name of the "*Franklin of Salem*," fitting out apparently for another illicit expedition to the coast; and his Excellency suggested, in the absence from Rio de Janeiro of the entire United States squadron, that Her Majesty's ship "*Grecian*," then in port, should be ordered to watch her movements, and capture her, suitable occasion presenting itself. It appeared to me expedient to accept Mr. Wise's suggestion, and I wrote in that sense to Captain Montgomery. Orders, however, from Rear-Admiral Inglefield, despatched the "*Grecian*" unexpectedly to the northern ports; and since her departure the "*Kentucky*," otherwise "*Franklin of Salem*," has sailed for her destination.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure 1 in No. 129.

Mr. Wise to Mr. Hamilton.

Sir,

Rio de Janeiro, March 2, 1846.

YOUR Excellency doubtless remembers the history of the case of the brig "*Kentucky*," formerly a merchant vessel of the United States, sold at Quillemane, on the eastern coast of Africa, and employed by the Brazilian purchasers, Manoel Pinto de Fonseca & Co., in the Slave Trade. The same vessel, to which the brig "*Porpoise*" was a tender, and the same on board which the awful tragedy of the shooting, hanging, quartering, and drowning some 30 or 40 of the negro victims was acted, as testified to by a British subject named Page, who was forced to return in her to Brazil, and who was, with your Excellency's approbation, at his own request, sent to the United States as a witness in the case of Libby, Captain of the "*Porpoise*." His deposition is on file in the United States Consulate here, and, I think, a copy, detailing the shocking barbarities perpetrated on board the "*Kentucky*," was furnished to you. The mate of the "*Kentucky*" before her sale, a man named Boyle, was one of the four persons who were arrested as criminals in this harbour on board the "*Porpoise*," and whose extradition to the United States was refused by the Imperial Government. Lately he has come before the United States Consul in this port, and has detailed more fully the history of the cases of these two vessels, the "*Kentucky*" and the "*Porpoise*."

Among other things he states, under oath, that, having been mate of the former, he can identify her certainly, and avers that she is now in this harbour with the name and port plainly lettered on her stern "*Franklin of Salem, Massachusetts*," or "*Franklin of Salem*." He declares that at Quillemane, when sold and delivered, he in part obliterated, and saw in whole obliterated by others, the name and port of "*Kentucky*" of New York; that the latter name and port were painted in white over a black ground, and were obliterated with black paint. Now the name and port, put on, of course, by the Brazilian purchasers, are in white as described, probably over the old name and port, which might be seen, perhaps, by carefully taking off the now exterior painting. All this is done to elude the vigilance of the British cruisers, by giving the vessel the appearance of belonging to the merchant marine of the United States. I would not hesitate to advise her capture on the high seas, by our own cruisers, with this fraud, clearly proving an illegal intent, upon her stern; but she is now in Brazilian waters, and neither of our ships-of-war are in port to receive intimation of her departure. Apprehending that she might depart soon, and supposing that the British cruisers would not, under their instructions, hesitate to seize and bring to trial a vessel so suspicious in her character, and one, too, known to have brought one, if not two, cargoes of slaves from Africa to Brazil, since her sale by her United States owners to a notorious slave-trader, I brought the facts to the knowledge of Her Britannic Majesty's Consul, Mr. Hesketh, who recommends a conference with, or information rather to your Excellency. The "*Grecian*" brig-of-war is now here, and Captain Montgomery, I have reason to know, would be an able and efficient officer to carry

your Excellency's suggestions or orders into execution. I venture only to bring the case to your consideration, and leave the proper course to be decided by your Excellency's own best judgment. Page and Boyle's depositions can be furnished at any time required by the United States Consul.

Hamilton Hamilton, Esq.
 &c. &c.

I have, &c.
 (Signed) HENRY A. WISE.

Enclosure 2 in No. 129.

Mr. Hamilton to Commander Montgomery.

Sir,

Rio de Janeiro, March 3, 1846.

I FORWARD herewith, for your information and guidance, copy of a letter addressed to me by Mr. Wise, Minister of the United States at this Court, concerning a vessel formerly in the merchant service of the United States, and called the "*Kentucky*," now fitting in this harbour, as his Excellency believes, for the African Slave Trade.

The Admiralty instructions will explain to you the measures it may be proper to adopt in visiting this vessel and in detaining her, as the case may be, when she shall have left the territorial waters of Brazil; but it is indispensable that those measures should not be allowed to transpire previously.

You will be able, perhaps, to ascertain the probable period of her sailing through her Majesty's Consul.

I have, &c.
 (Signed) HAMILTON HAMILTON.
Alexander Leslie Montgomery, Esq. R.N.
 &c. &c.

Enclosure 3 in No. 129.

Mr. Hamilton to Mr. Wise.

Sir,

Rio de Janeiro, March 7, 1846.

I HAVE received the letter which you did me the honour to address to me on the 2nd instant, concerning the vessel formerly called "*Kentucky*," and in the merchant service of the United States; afterwards purchased by the notorious slave-merchants M. P. Fonseca and Company, and now, under the name of the "*Franklin of Salem*," again fitting out in this harbour, as your Excellency apprehends on very sufficient grounds, for the African Slave Trade.

A copy of your communication has been forwarded without delay to the officer commanding Her Majesty's brig-of-war "*Grecian*," with a recommendation that he adopt, with respect to the suspicious craft in question, whenever she shall leave the territorial waters of Brazil, whether in visiting her, or by detaining her, as the case may appear to call for, such measures as the instructions issued by the Board of Admiralty may indicate.

With a copy of Page's deposition your Excellency was good enough to provide me one at the time; that of Bogle may also be of service eventually; and I shall request Mr. Hesketh to make application for one to the United States Consul.

I am, &c.
 (Signed) HAMILTON HAMILTON.
His Excellency H. A. Wise,
 &c. &c.

No. 130.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, April 16, 1846.**(Received June 9.)*

My Lord,

IN obedience to the orders transmitted to me in your Lordship's Slave Trade despatch, December 31, 1845, I addressed to the Minister for Foreign Affairs the enclosed note, apologising for the seizure, in August 1844, of the American brigantine "*Sooy*," on suspicion of trading in slaves within the territorial waters of Brazil, by Her Majesty's brig "*Racer*;" and requesting also to be advised as to the issue of the process instituted at Bahia against the "*Sooy*."

In his answer, likewise enclosed, Senhor Limpo d'Abreu expresses his satisfaction at receiving such a communication on the part of Her Majesty's Government; and, with regard to the process of the "*Sooy*," he states, that it had not been followed up, from the difficulty experienced in finding witnesses to depose therein; but that orders had again been issued to the President of Bahia, and should be repeated, to continue the process.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure 1 in No. 130.

*Mr. Hamilton to Senhor d'Abreu.**British Legation, March 25, 1846.*

HER Majesty's Government duly received the communications of the Undersigned, &c., relative to the detention, off the Port of Bahia, in the month of August, 1844, by Her Majesty's brig-of-war "*Racer*," Commander Reed, of the brigantine "*Sooy*," under suspicion of being engaged in the contraband Traffic of Slaves; together with the official representation by Senhor Limpo d'Abreu, &c., on the behalf of his Government, that the said Government consider the capture of the "*Sooy*," as it was effected within the territorial waters of Brazil, to be an offence to the sovereignty of the Empire; that they demand reparation for it; and that they do not admit the captor's right to salvage.

After an attentive consideration of the circumstances of this case, Her Majesty's Government are of opinion, that the complaint of the Government of His Imperial Majesty is well founded, and that an apology is due to that Government for the seizure of the "*Sooy*" within the Brazilian territory, and for not delivering up the vessel when required so to do by the Brazilian officers in command at the Bahia station, as is represented in the note from the Minister for Foreign Affairs, dated the 5th of last June. This apology, made in the name of the Government of the Queen to the Brazilian Government, the Undersigned does now and hereby offer, through the medium of Senhor Limpo d'Abreu, Minister for the Foreign Affairs of the Empire.

The aforesaid note, however, of the 5th June, admits that there were strong indications of the "*Sooy*" having been employed in Slave Trade, and that a criminal process had, in consequence, been instituted by the Brazilian Government before the Courts of Justice in the district where the illegal act had been perpetrated, and the Undersigned trusts, that his Excellency will see no objection in communicating to the Undersigned, for the information of his Government, the result of this process against the "*Sooy*."

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

Senhor Antonio Paulino Limpo d'Abreu.

&c.

&c.

Enclosure 2 in No. 130.

*Senhor d'Abreu to Mr. Hamilton.**Rio de Janeiro, Department of Foreign Affairs,
March 30, 1846.*

(Translation.)

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which, under date of the 25th instant, Mr. Hamilton, &c., addressed to him, and in which, communicating that he had brought to the knowledge of his Government the correspondence which had passed between this Department and the Legation of Her Britannic Majesty at this Court, in respect to the capture of the American brigantine "Sooy" by the English brig-of-war "Racer," to the southward of the False Bar of the city of Bahia, under suspicion of being engaged in the illicit Traffic in Slaves, he declares that his Government, having given due attention to the circumstances of the case, considers the reclamation made by the Imperial Government as just, and offers the satisfaction sought for in that respect.

Mr. Hamilton communicates, besides, a desire to be informed of the result of the process commenced against the brigantine in question, before the ordinary tribunals of the country, before whom the case was brought, in order that he may communicate the same to his Government.

The Undersigned has read with satisfaction the above-mentioned note of Mr. Hamilton, and takes pleasure in informing him in reply, that the Government of His Majesty the Emperor expected to receive such a communication, since they were convinced that the Government of Her Britannic Majesty would recognise that the authorities of Brazil alone were competent to take cognizance of this affair, as the vessel in question was without doubt captured in the waters of the Empire.

As regards the second part of Mr. Hamilton's note, the Undersigned has the honour to say, that the President of the Province of Bahia lately communicated that the process commenced against the "Sooy" had not been followed up, on account of the difficulty in finding the witnesses to depose in it. But the Undersigned has recommended its continuation, and under this date intends to do so again, transmitting to the Department of Justice Mr. Hamilton's note, to which he now replies, in order that it may be brought to the knowledge of the above-mentioned President.

The Undersigned avails, &c.

(Signed) ANTONIO PAULINO LIMPO D'ABREU.

His Excellency Hamilton Hamilton,

&c.

&c.

No. 131.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, April 16, 1846.**(Received June 9.)*

My Lord,

WITH reference to your Lordship's despatch of the 4th of December last, Slave Trade Series, on the subject of the communication which was addressed to me by Mr. Wise, the United States Minister at this Court, in the month of December, 1844, on the general question of Slave Trade, I have to acquaint your Lordship that, in conformity with the instructions conveyed to me in that despatch, I forwarded a copy of it to Mr. Wise in the letter herewith enclosed, dated March 24, 1846.

To this communication Mr. Wise replied immediately, by a preliminary letter, of which an extract is enclosed, dated March 27, 1846.

As your Lordship will perceive, Mr. Wise therein expresses a regret that so much time should have elapsed before he was made acquainted with your opinions and wishes on the different questions debated in his letter of December, 1844; for in the interval papers and persons have alike disappeared, whose presence in Rio de Janeiro might have been serviceable in the contemplated inquiries.

It was not difficult for me to account for this delay, and I did so at an interview I sought with him some day or two after the date of his letter. But on the same occasion I ascertained that there would be little trouble in procuring much of the verbal information, and many of the principal documents to which his letter alludes, the ex-American Consul being still in Rio de Janeiro, and the documents and records in question deposited in the archives of the Consulate.

I am sorry to have to add, on Mr. Wise's assurance, that several other cases have recently come to that gentleman's knowledge, of American merchant-vessels sold here for employment in the contraband trade on the African coast, wherein Mr. Weetman has been concerned as broker; but into these latter transactions search also will be necessary.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

Enclosure 1 in No. 131.

Mr. Hamilton to Mr. Wise.

Sir,

Rio de Janeiro, March 24, 1846.

ON the 1st December, 1844, your Excellency addressed to me a letter, containing, in much detail, observations on the present state of the Slave Trade with the coast of Africa, as carried on from this country.

This letter I engaged at the time to lay before Her Majesty's Government, and this having been done, and that mature consideration given to it by Her Majesty's Government which its great importance demanded, I have recently been instructed by the Earl of Aberdeen to communicate to you the accompanying copy of a despatch from his Lordship, conveying to me such considerations as, in his Lordship's judgment, the purport of your letter appears to call for.

There are, however, two passages in his Lordship's despatch to which it is proper that I refer more particularly.

Your statement of the very culpable practices of certain individuals here, with regard to Slave Trade, appear to implicate therein a British subject, Mr. Weetman. The nature of the evidence that you produce to this effect is not sufficiently distinct and explicit to justify an assertion that cause exists for legal accusation against him; still, ample ground does appear for farther investigation, and such investigation I am ordered by Her Majesty's Government to pursue.

In this intent then, and confident that your Excellency will afford me every facility in your power, whether by means of the depositions made before you and the Consul of the United States, or of any other evidence verifying the facts upon oath; Lord Aberdeen directs me to request that you will have the goodness to furnish me with certified copies of such evidence; and to assure you that, should it support the charges made, no exertions will be spared by Her Majesty's Government to reach the offending party, and to enforce the penalties of the law.

And, as your Excellency will further perceive from the context of his Lordship's letter, I am also directed to assure you that, although he has felt it to be his duty to point out certain inaccuracies and misapprehensions which it was impossible to leave uncorrected, in a letter addressed to a British functionary, Her Majesty's Government do not the less appreciate the zeal and success with which you have traced and exposed the devices of the criminal traffic by which the flag of the United States has been polluted, and the motives which have actuated you in making public the result of your researches.

Relying on your Excellency's complaisance for obtaining the information above mentioned with respect to Mr. Weetman,

I have, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Henry A. Wise,
&c. &c.

Enclosure 2 in No. 131.

Mr. Wise to Mr. Hamilton.

(Extract.)

Rio de Janeiro, March 27, 1846.

I AM sure that your Excellency will concur with me in the opinion, formed after an attentive perusal of the commentaries of the Earl of Aberdeen upon my letter to you of the 1st of December, 1844, that his Lordship's despatch is one of too grave and serious importance to be responded to in haste, or without due care and preparation. My letter to you is elaborately reviewed by his Lordship more than a year and a day after its date. It was transmitted by your Excellency, I presume, by the first opportunity after its receipt in December, 1844, and his Lordship acknowledges, on the 4th of December, 1845, that early in that year he "received from you a despatch, in which you enclose, for the information of Her Majesty's Government, a copy of a letter addressed to you by Mr. Wise, the United States Minister in Brazil," &c.

This long delay will place me, I fear, somewhat at disadvantage in satisfying his Lordship's calls both for evidence of facts on some points, and for the reasons of opinions on others. During the lapse of the fifteen months from the date of my letter to this first notice of its contents by his Lordship, much of the evidence, which even six months ago might have been easily established, is now difficult to be procured, if it has not entirely escaped, owing to many vicissitudes, but particularly the absence of persons who were then present. The United States Consul, for example, at this place has been changed. The former incumbent knew, of course, much more intimately the facts of past cases, and the proof of them, than his successor, but lately installed, can be supposed to know. The former Consul, too, as I am informed, has taken with him many of the records, books, and papers belonging to the office, including a mass of depositions taken in these very Slave Trade cases.

The copies furnished to this office, too, have nearly all been forwarded to the Department of State at Washington. But there (at Washington) I trust much, if not all, of the evidence will be found, and depositions have been taken, in recent cases here, as your Excellency and Her Britannic Majesty's Consul have been partly informed; so that, though I cannot promise that my reply to his Lordship, through you, will now be as full and as satisfactory as it would have been, had I not been led to believe, by this delay, that the whole subject of my letter to you had been pretermitted by Her Majesty's Government, yet there are proofs, testimony, and evidence enough remaining, to place my past declarations, at all events, in a just and true light.

There shall be, then, a fair and full answer to all the points of his Lordship. But your Excellency must see the necessity for me, in turn, to take due time for all the consideration belonging to his Lordship's despatch, on account of its very high source, as well as of its matter and its manner.

And, though I could furnish you at once, perhaps, with proof in part, but conclusive, as to one of the passages in his Lordship's despatch, to which you thought proper to "refer more particularly," yet your Excellency will, I am sure, not except to the decision which I, for the present, announce, not to reply to a part until I am prepared to answer fully to the whole of his Lordship's despatch. I will collect the materials for doing so as promptly as possible.

Whatever turn this correspondence may take, your Excellency may surely rely on my disposition and wish to furnish you cheerfully with all the information you have asked, and with any other information it may be in my power to give, and which may be of service to you or Her Majesty's Government in the suppression of the Slave Trade.

(Signed) HENRY A. WISE.

His Excellency Hamilton Hamilton,
&c. &c.

No. 132.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, April 16, 1846.**(Received June 9.)*

My Lord,

HER Majesty's Consul having communicated to me a despatch he had received from your Lordship, referring to a correspondence that had passed between him and the house of Carruthers and Co., of this place, on the subject of their commercial transactions in respect of the American merchant-vessel "*Agnes*," I hasten to transmit herewith for your information, copy of the correspondence in question, as it exists in the archives of this Legation.

I deferred sending this correspondence home, until after the receipt of the communication from your Lordship, which Messrs. Carruthers so pertinaciously maintained had already been sent hither, either to the Legation or to the Consulate.

There was really an unwillingness on my part to submit to the consideration of Government, if it could possibly be avoided, the documentary evidence which is here given by a body of British merchants, in favour of Senhor Fonseca. There is not one individual among the subscribers who can be accounted ignorant that the considerable property held by Senhor Fonseca, is the fruit exclusively of his extensive Slave Trade speculations; and that until he engaged in them, he was only an inferior clerk in a mercantile establishment, with very limited means at his command.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure 1 in No. 132.

Consul Hesketh to Mr. Hamilton.

Sir,

Rio de Janeiro, October 13, 1845.

I BEG leave to enclose copies of two letters from Messrs. Carruthers and Co., British merchants in this place, dated 8th and 9th instant, and of my replies, relative to the transmission to you, sir, of a document, a copy of which is also enclosed.

A few days before the 8th instant, Mr. Carruthers and his partner called at the Consulate, and inquired whether I had any instructions to examine the nature of their commercial transactions in purchasing in England the cargo of a vessel called the "*Agnes*," with which she subsequently touched at this port, consigned to Senhor Manoel Pinto da Fonseca, and again sailed with that cargo.

I informed them that I had not any such instructions, and on being also questioned by them, whether any had been sent to Her Majesty's representative at this Court, my reply was, that it did not appear probable, as I had not been made acquainted therewith; and I added, that I could not presume to commence any inquiry, or to collect any evidence as to the transaction alluded to, without authority.

Notwithstanding, the letter dated 8th instant, with its enclosure, was sent to the Consulate in the afternoon of that day, and I at once returned the same, with the answer herein copied; having in the interim between that explanation and the 8th instant, ascertained from you, Sir, that my supposition was correct, as to the absence of all instructions in this respect at Her Majesty's Legation.

Messieurs Carruthers and Co., on the 9th instant, renewed their request to transmit the document and their letters, the packet being then on the eve of sailing, and the conviction being strong on my mind, that to accede to such a request was at that period inexpedient, I again declined compliance, as stated in my reply to their second letter.

It did certainly appear to me, that by transmitting to Her Majesty's Legation the correspondence and document in question, a sanction and approval thereof on my part might be inferred, which conscientiously I could not give to

it; still, on the other hand, it might be argued, that by a refusal to transmit it, I should be impeding communications between your Excellency and the commercial firm above mentioned; and I have on reconsideration, thought it due to both parties to make thus known to you these particulars, and to transmit to you the correspondence in question.

Hamilton Hamilton, Esq.
&c. &c.

I have, &c.
(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

Enclosure 2 in No. 132.

Messrs. Carruthers and Co. to Consul Hesketh.

Sir,

Rio de Janeiro, October 9, 1845.

IN answer to your letter of yesterday's date, which we have received at our office this morning, we have to reply, that we know it to be a fact that Her Majesty's Secretary of State for Foreign Affairs has written to the British Representatives here, respecting the affair named in our letter to you yesterday (Lord Aberdeen having kindly and courteously stated, on the 5th of August last, in the presence of several highly respectable merchants, that he had done so); therefore, as such communications have not reached you, they must be in the possession of Her Majesty's Minister at this Court; and, knowing as we do that all communications to Her Majesty's Representative from the commercial body here must be made to him through the Consulate, we felt ourselves bound to address you the letter which you acknowledged having received, the contents of which were to be laid before Her Majesty's Minister along with the document therein sent. It is with much surprise that we receive back the document, with an answer that you decline intruding on Her Majesty's Legation any communication relating to such transactions. Surely there is no intrusion on our part. An attempt is made to destroy our reputation, not here, for such an attempt would be above the daring of calumny itself, but at home, by pretending to insinuate that we are interested in the nefarious Traffic in Slaves. Information is required of Her Majesty's Legation here in respect; and although we are on the eve of the sailing of "*Penguin*" packet, no application has been made to us: under such circumstances, we think it our duty to come forward and express our readiness to answer any questions and meet the inquiries that Her Majesty's Representative may think proper to institute about the matter. We have, therefore, to confirm our letter of the 8th instant, and to reiterate most respectfully, our hope that its contents, and also the document which we now enclose, may be placed before Her Majesty's Minister.

When the honour and credit of our commercial establishment are attempted to be destroyed by unjust accusations, you will admit that we have every cause to be anxious to remove the evil wherever it exists: please, therefore, do not consider us troublesome in thus again addressing you.

We remain, &c.
Robert Hesketh, Esq. (Signed) CARRUTHERS AND CO.
&c. &c.

Enclosure 3 in No. 132.

Messrs. Carruthers and Co. to Consul Hesketh.

Sir,

Rio de Janeiro, October 8, 1845.

BEING informed by our partners in England, per "*Swift*" packet, that they had an interview with Lord Aberdeen on the 5th of August last, and that his Lordship, although expressing himself perfectly satisfied with the explanations given by them respecting our transactions relative to the American vessel "*Agnes*," had nevertheless said that he had addressed the British Representatives here in respect, to institute inquiries which would settle the matter; and as, up to this date, we have not received any communication on this subject, either from Her Majesty's Minister or from you, we beg to express our

readiness and anxiety to give every explanation that may be required of us, and we have to hope that we will be heard as openly and frankly as we are ready to answer. The enclosed document proves, that the party who gave us the order for the cargo the "*Agnes*" brought from Liverpool, is one of the most extensive general merchants of this market; indeed, his position is such that we cannot conceive that any British establishment here would refuse to take an order from him for British manufactures to any extent.

Any one who has the least idea of business, will at once perceive the utter impropriety of any merchant requiring of another who proposes to him a mercantile transaction, what he intends to do with the goods he buys or wishes to order.

We repeat, that we are ready to give whatever explanations may be required, and that the entries in our books can at any moment be examined, and they will prove that our interest in the above-mentioned transaction, or any other of the kind that we may have effected, ended here, on the receipt of the invoice of the goods shipped in England; and, therefore, to make us responsible for the ulterior application of the goods, is as repugnant to reason and justice as it is destructive to the general mercantile transactions in this market.

In conclusion, we beg that this letter of ours, and the enclosed document, may be transmitted by you to the British Legation, that they may reach the Foreign Office in London, along with any information that Her Majesty's Minister here may have to forward.

Robert Hesketh, Esq.
&c. &c.

We remain, &c.
(Signed) CARRUTHERS AND CO.

Enclosure 4 in No. 132.

Declaration of British Merchants at Rio de Janeiro.

Rio de Janeiro, September 15, 1845.

WE, the Undersigned, British merchants in this place, do hereby declare and certify, that Senhor Manoel Pinto da Fonseca is a large proprietor, one of the most extensive general merchants in this market, and who enjoys, and has enjoyed for many years past, unbounded credit here from his well known means to meet his responsibilities, and his correctness in doing so.

(Signed)

Hildyard, Clegg, and Co.
Watson, Spence, and Co.
Miller, Le Cocq, and Co.
Jas. Dalglish Thomson and Co.
Astley, Aljori, and Co.
Freeland, Ker, Collings, and Co.
P. P. Hogg, Adam, and Co.
Thos. M. Ewbank.
William Petty and Co.
Hoyle, Hargreaves, and Co.

Samuel Phillips and Co.
Finnie, Brothers, and Co.
Naylor, Brothers, and Co.
Andrew and Edwards.
Mackay, Miller, and Co.
Phipps, Brothers.
William Moon and Co.
William Harrison and Co.
Pearson, Browne, and Co.
Durham, Bunn, and Co.
Samuel, Brothers, and Co.

Enclosure 5 in No. 132.

Consul Hesketh to Messrs. Carruthers and Co.

Gentlemen,

Rio de Janeiro, October 9, 1845.

AFTER perusing your letter of to-day, I see no reason to alter my previous answer to your request; and I repeat, that transmitting your document to Her Majesty's Minister at your bidding alone, would be an obtrusive proceeding on my part, and I therefore return the document.

Messrs. Carruthers and Co.
&c. &c.

I am &c.
(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

Enclosure 6 in No. 132.

Consul Hesketh to Messrs. Carruthers and Co.

Gentlemen,

Rio de Janeiro, October 8, 1845.

YOUR letter of to-day's date has just reached me, and I hasten to repeat what I have before verbally declared, namely, that I have not received any authority or instruction either from Her Majesty's Secretary of State for Foreign Affairs, or from Her Majesty's Minister at this Court, to take any steps whatever, or to make any inquiries respecting the transactions you allude to with the American vessel "*Agnes*."

Under such circumstances, I must decline obtruding communications relating to such transactions on Her Majesty's Legation, and I therefore return, enclosed, the document you transmitted.

Messrs. Carruthers and Co.
&c. &c.

I am, &c.
(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

Enclosure 7 in No. 132.

Mr. Hamilton to Consul Hesketh.

Sir,

Rio de Janeiro, October 15, 1845.

I HASTEN to acknowledge your letter of the 13th instant, communicating copy of a correspondence that has passed recently between yourself and Messieurs Carruthers and Co., British merchants established in this capital, respecting certain transactions in which that house has been engaged relative to the American vessel "*Agnes*."

Very few observations on this correspondence appear to me necessary in the actual position of the affair.

In the first place, with regard to instructions from the Earl of Aberdeen, which it pleases Messieurs Carruthers to assume have been received by Her Majesty's authorities here, none such certainly, whenever they may have been sent from the Foreign Office, have yet reached either Her Majesty's Legation or Her Majesty's Consulate. Assurances to this effect, first verbally, then in writing, were given by you to Messieurs Carruthers; and at the same time they were told, that without authority you could not institute the inquiries they were urging upon you, as to the nature of their transactions in the case of the "*Agnes*." It appears to me, that in both respects Messieurs Carruthers ought, in common courtesy, to have been satisfied, for the present, with your verbal assurances on the subject.

Secondly, as concerns the document to the character and position as a merchant of Senhor da Fonseca, to which are appended the signatures of many of the British mercantile houses established in this city; respecting this document—on which Messieurs Carruthers seem to rely, as a justification of their commercial transactions with that individual—respecting this document, I will not say more than that, to my judgment it is a very injudicious document, and that so long as I am able to avoid it, I shall decline to place it officially in the hands of Her Majesty's Government.

I will only state further, that although I consider you to have been fully warranted and correct, when, in the exercise of your discretion you objected to enter upon the inquiries called for by Messieurs Carruthers, in the absence of the specific instructions to that effect from the Earl of Aberdeen, which they refer to; still, I cannot but regret that you should have hesitated at all to communicate to me immediately, in an official form, the representation addressed to you by those gentlemen.

Robert Hesketh, Esq.
&c. &c.

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

No. 133.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, April 24, 1846.**(Received June 18.)*

My Lord,

BEFORE this despatch shall arrive, your Lordship will without doubt have received direct from Her Majesty's Consul at Maranham, a communication reporting the robbery there, early in January last, of 56 Africans from on board a vessel bearing a British pendant, and commanded by Lieutenant Wasey, prize to Her Majesty's brig-of-war "Alert," on the coast of Africa; this vessel having been compelled, when on her way to Sierra Leone for adjudication, from want of water and provisions, and being in a sinking state, to make without delay the nearest port, that of Maranham.

When the report which Mr. Corbett addressed to me on this occurrence came to hand, indisposition prevented me from communicating immediately with the Government respecting it; and ere I could do so, I received from the Minister for Foreign Affairs the note herewith transmitted in copy.

So far as Senhor Limpo d'Abreu alludes to measures for the discovery and punishment of the individuals guilty of this nefarious act, his note is satisfactory; but it is altogether silent as to the restoration of the liberated Africans to Her Majesty's authorities, in case they are recovered; and in this respect it is unsatisfactory; and this, as your Lordship will perceive, was stated to his Excellency in my answer, of which also a copy is enclosed.

Her Majesty's Government have an incontestable right to look to the recovery of these Africans; and certainly the honourable feelings of the President of the province, the authority with which that high office invests him, and the aid promised by the Central Government, are fully competent to effect it; still, in all occurrences connected, remotely or proximately, with Slave Trade, such a powerful, but secret, agency is at work, to foil every honest endeavour, either of ourselves or of others, tending to its suppression, that I confess to little hope of success even in this very flagrant transaction.

When I last conferred with Senhor Limpo d'Abreu, he had not received any answer to late instructions transmitted by the Government to the President of Maranham.

I have, &c.

(Signed)

HAMILTON HAMILTON.

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

&c.

&c.

&c.

Enclosure 1 in No. 133.

Consul Corbett to Mr. Hamilton.

Sir,

Maranham, February 3, 1846.

I HAVE the honour to report, for your Excellency's information, the circumstances of a most flagrant robbery in this harbour, of 56 slaves from on board the slave prize polacca-brigantine, to Her Majesty's brig-of-war "Alert," Charles John Bosanquet, Esq., Commander, on the west coast of Africa, on the evening of the 3rd of January last.

I have to state to your Excellency, in the first place, that on the 2nd January last, I was made acquainted that a slave-vessel, under charge of a British naval officer and crew, had run aground near to the fort in this harbour in a sinking state; and in the space of a short time the naval officer, Lieutenant Wasey, arrived in the health-boat, the vessel being placed under quarantine.

I, accompanied by Lieutenant Wasey, waited on the President of the province, and stated to his Excellency the condition in which the prize-vessel was, and requested that succours might be sent down to her, which was immediately complied with by his Excellency, ordering the health officer to permit all necessary stores and assistance to be furnished under his superintendence.

On the noon of the 3rd January I received a note from Lieutenant Wasey

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acquainting me of the very inefficient state of his vessel. I thought it my duty to go down, in the health-boat, in the evening, to speak to the lieutenant and make myself acquainted with the actual position in which he was. He then agreed to accompany me to the city, having first told the crew that a guard of soldiers might be expected to come down for the protection of the vessel, but on no account if they came on board to let them go on shore again, as it was against the Quarantine Regulations; on our arrival in the city we endeavoured to charter a vessel, then lying in the harbour, which could not be effected as the owner had gone out of town. Early in the morning of the 4th the lieutenant returned to his vessel, and on my going down with the Chief Magistrate of Police, I was made acquainted with the robbery of 56 slaves by an armed force, from 30 to 40 men, in the uniform of the National Guard, representing themselves as having been sent by order of the President and the English Consul to conduct them, the crew and slaves, to a place of safety for the night, the vessel being then over her upper deck in water, and that a boy of about seven years of age had escaped from the rapaciousness of the infractors, which with one who died on the passage, make up the original 58 when detained by the "Alert."

For more circumstantial details of this disgraceful outrage, I beg to refer your Excellency to the following documents, viz. :—

1. Instructions for Lieutenant Wasey to proceed for adjudication to Sierra Leone.
2. * Lieutenant Wasey's request for provisions, and my reply.
3. * Lieutenant Wasey's request for protection on arrival, and my reply.
4. * Lieutenant Wasey's note stating the inefficiency of his vessel.
- 5 Consul Corbett's despatch to the President requesting succours, with the reply of his Excellency.
6. Despatch from the Chefe de Policia to accompany him to the slave prize.
7. * Lieutenant Wasey to call a survey.
8. * Copy of survey on slave prize.
9. * Lieutenant Wasey placing the prize under charge of the Consulate, and requesting a passage home for the crew, together with copies of orders to be received on board the "*Express*," as well as the black boy, called "Alert."
10. * The President's despatch allowing the sails and appurtenances to be deposited in the Marine Arsenal.
11. Lieutenant Wasey's statement of the capture of the slaves, and my reply.
12. * President's two notes for a personal interview.
13. * My reply to one of the above notes.
14. President's two despatches of 7th and 31st January, and my reply.
15. Extract from the Quarantine Regulations.
16. * Maranham newspaper, with answers pro and con.

Also Lieutenant Wasey's despatch to Admiral Inglefield, for your perusal, under flying seal, which do me the honour to forward.

[N.B. Of the said documents those with an asterisk prefixed are not transmitted herewith.]

A "devassa" is taken out, and the President appears to be really anxious to discover the delinquents, the following persons are committed, viz. :—

The Austrian Vice-Consul, M. Domingos de Porte, for permitting some of the slaves to be harboured in his house.

Four slaves belonging to the same.

The pilot of the slave prize.

The health officer suspended, and the President informs me he has written for his dismissal. And,

The launch of M. Domingos de Porte detained by the authorities.

An inventory of the sails and appurtenances of the slave prize has been taken, and they are, with the vessel, deposited in the Marine Arsenal, as, the President not having any powers to order the vessel to be adjudicated, his Excellency waits the decision of the Brazilian Government, and I, of course, wait with anxiety to know from your Excellency what steps I am to take in this affair, or must I wait the decision from the Foreign Office?

I have, &c.

Hamilton Hamilton, Esq.

(Signed)

R. F. CORBETT,

&c.

&c.

Consul.

Enclosure 2 in No. 133.

1.—*Instructions for Lieutenant Wasey, by Commander Charles John Bosanquet, of Her Majesty's Sloop "Alert," &c.*

YOU are hereby required and directed to proceed with the polacca-brigantine, without colours and papers, detained by Her Majesty's sloop "Alert" this day, for being engaged in the Slave Trade, and having on board 58 slaves, viz., 51 males and 7 females, and you will proceed with all safe dispatch to Sierra Leone, and there place her in the Admiralty Court for adjudication, consulting with Mr. Dugan, the agent for the "Alert," as to your proceedings.

You will take the greatest care of the health of your crew, and rejoin me with as little delay as possible.

The Krooman Black, Will, discharged from the "Alert," you will see paid at Sierra Leone by the Commissariat, per accompanying pay-list, there being no public money on board the "Alert."

Given under my hand, &c., at sea, 1st November, 1845.

(Signed) C. J. BOSANQUET, *Commander.*

Acting Lieutenant E. F. N. K. Wasey,
&c.

Enclosure 3 in No. 133.

5.—*Consul Corbett to the President of the Province.*

British Consulate, Maranham, January 3, 1846.

Illustrious and most excellent Sir,

I HAVE the honour to acquaint your Excellency that Lieutenant Wasey, R.N., has brought into this port a polacca-brigantine, without colours and papers, detained by Her Majesty's sloop-of-war "Alert," Charles Bosanquet, Esq., commander, for being engaged in the Slave Trade, and having on board when captured 58 slaves, viz., 51 males and 7 females, with orders to proceed with all safe dispatch to Sierra Leone, and there place the said polacca in the Admiralty Court for adjudication.

I have also to acquaint your Excellency that the aforesaid polacca-brigantine was detained on the 1st November last, off Cape Lopez, in latitude 30' south, and about 8° west, and in consequence of the inefficient state of the prize, and the strong currents and contrary winds, was unable to reach her destination, and after being at sea many days, the vessel making much water, and in want of sails, provisions, &c., was obliged to bear up for the nearest port on the coast of Brazil, for the purpose of repairing the vessel and providing provisions and water, to enable her to proceed to her destination, according to the instructions issued to Lieutenant Wasey.

I have now the honour to request that your Excellency will be pleased to issue instructions to the respective authorities for permission to repair the prize, and purchase whatever necessaries may be required to enable her to proceed to her ultimate destination.

I seize, &c.

(Signed) R. FALCONER CORBETT,

His Excellency the President of the Province.

Consul.

Enclosure 4 in No. 133.

5.—*President Magalhaes to Consul Corbett.*

(Translation.)
Sir,

Maranhm, January 5, 1846.

I ACKNOWLEDGE receipt of your despatch of 3rd instant, which was only delivered to me on that day at 3 o'clock P.M., in which you communicate that Lieutenant Wasey, R.N., had entered this port in distress in a polacca-schooner, without any colours or papers, which had been detained on the 1st

November last at sea, off Cape Lopez, in latitude 30° south and about 8° east, by Her Majesty's sloop "Alert," Commander C. Bosanquet, in consequence of being found employed in the Traffic of Slaves, having 58 slaves on board when captured; that the said vessel had been ordered to proceed to Sierra Leone to be carried into the Vice-Admiralty Court there, but could not continue her voyage in consequence of her bad condition, of the strong currents and contrary winds she met with, and because also she was in want of sails and provisions; that a leak had obliged her to put into the nearest port on the coast of Brazil for repairs, and also to enable her to obtain the necessary provisions, in order to continue her voyage, in conformity to the instructions given to the said Lieutenant Wasey; and you solicit, consequently, of this Government permission to repair the polacca, and to purchase what is necessary for her proceeding to the place of her destination.

And now, Sir, in answer I have to state, which I could not do on the day I received your despatch, and in conformity with what I have already communicated to you verbally, and with the orders given to the health-office on the 2nd instant in your presence; that you may supply the vessel with the necessary provisions, and that there can be no objection also to her being repaired, for which purpose the necessary orders have already been given.

(Signed) JOAO JOZE DE MOURA MAGALHAES.

Mr. R. Falconer Corbett,
&c. &c.

Enclosure 5 in No. 133.

6.—*The Chief of Police to Consul Corbett.*

(Translation.)

Sir,

Maranham, January 3, 1846.

IT being necessary to proceed to certain police investigations, according to the regulations of the Empire, on board the sumaca which entered this port yesterday with a cargo of slaves, under the command, as I am informed, of an officer of the British navy, I communicate this to you for your information and in order that you may be present at such investigation, should you think fit, when I count upon receiving from you all the co-operation it may be in your power to afford.

(Signed) MANOEL CERQUEIRA PINTO.

Mr. R. F. Corbett,
&c. &c.

Enclosure 6 in No. 133.

11.—*Lieutenant Wasey to Consul Corbett.*

Sir,

Slave Prize, January 4, 1846.

(Received January 8.)

ON my going on board the prize this morning, I found that the slaves, 56 in number, had been taken out of this vessel by a body of men 50 to 60 in numbers, with arms and in the uniform of the National Guard, who represented themselves as having been sent by order of the President and the English Consul to conduct the men and slaves to quarters for the night, the ship being then over her upper deck in water. The pilot on being asked if all was correct, said they were the National Guard; the men remained on board in consequence of my being absent, but allowed the slaves to go.

I have to request that you will inform the Brazilian Government of this disgraceful proceeding and try and recover the slaves. I have this morning traced them by footmarks to a white house about two miles from the vessel.

I have, &c.

(Signed) E. F. N. K. WASEY, *Acting Lieutenant.*

R. Falconer Corbett, Esq.
&c. &c.

Enclosure 7 in No. 133.

11.—*Consul Corbett to Lieutenant Wasey.*

Sir,

British Consulate, Maranham, January 8, 1846.

I HAVE the honour to acknowledge the receipt of your despatch of the 4th January, acquainting me that 56 slaves had been taken out of the slave prize polacca-brigantine to Her Majesty's brig "Alert," by a body of men, 50 to 60 in number, with arms, and in the uniform of the National Guard, who represented themselves as having been sent, by orders of the President and the English Consul, to conduct the men and slaves to quarters for the night, the ship being then over the upper decks in water.

Having, on the 3rd instant, about mid-day, received from you a note, requesting me to take measures to remove your crew and slaves into another craft, and as the health officer would not permit you to come up in the day-time, I thought it best to have a personal communication with you alongside before dusk.

On the day of your arrival, it was mentioned to you, that it was possible you might charter a vessel laying in the harbour, and as you were anxious to come to some understanding with the owner, you made up your mind to accompany me to the city in the health-boat (having permission from the quarantine officers), to make some arrangement for the transshipment of your men and slaves; but on your arrival in town, we were informed that the owner was not in the city: I then hired a large launch, and ordered her down to your relief, with jerked beef and farinha, early in the morning of the 4th instant. Before our leaving the vessel, it was mentioned that a guard of soldiers might be expected to come down for the protection of the vessel.

I received, late on the evening of the 3rd instant, a communication from the Chief Magistrate of Police, to accompany him and others to your vessel in the morning, for the purpose of ascertaining the reason of your coming to this port. On our arrival, you acquainted me of the slaves having been taken out, and the Chief Magistrate proceeded to make interrogations of the whole of the circumstances, which examinations did not conclude until sunset. I then, next day, waited on his Excellency the President, who informed me that he had issued orders for the Police corps and other authorities to go in search of the slaves.

I am now in correspondence with the President, Chief Magistrate of Police, and the Municipal Judge of the first class, and as the investigations respecting the extraordinary occurrence have not been brought to a conclusion, I shall, by the next conveyance to England, transmit a detail of my proceedings, and copies of all the correspondence, with translations.

The black boy, about seven years of age, which I have called "Alert," having escaped from the hands of the perpetrators of this foul deed, I have taken upon myself to send to Liverpool with you, so as to prevent him being kidnaped and made a slave.

(Signed) R. FALCONER CORBETT, *Consul.**Lieutenant E. F. N. K. Wasey,*

&c.

&c.

Enclosure 8 in No. 133.

14.—*President Magalhaes to Consul Corbett.*

(Translation.)

Sir,

Maranham, January 7, 1846.

ALTHOUGH neither from your despatch of 3rd instant, nor from the verbal conferences we have had, it has been possible to ascertain the nationality of the sumaca prize, which put into this port on the 2nd instant; yet, notwithstanding, I consider it my duty to urge you to make me an official declaration in this respect, and furthermore, to require from you circumstantial information respecting the number of persons who composed the crew of the said sumaca when she was taken, what was their destination, and to what nation they belonged.

(Signed) J. J. MOURA MAGALHAES.

Mr. R. F. Corbett,

&c.

&c.

Enclosure 9 in No. 140.

14.—*President Magalhaes to Consul Corbett.*

(Translation.)

Sir,

Maranhã, January 31, 1846.

AS the steamer "*San Salvador*" is about to arrive from Pará, and I am desirous, without fail, to remit to his Excellency the Minister of Foreign Affairs an answer from you in writing to my note of 7th instant; for this reason I again beg to solicit the same.

(Signed)

J. J. MOURA MAGALHAES.

Mr. R. F. Corbett,

&c.

&c.

Enclosure 10 in No. 133.

14.—*Consul Corbett to President Magalhaes.*

Illustrious and most excellent Sir,

Maranhã, January 31, 1846.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 7th January, and 31st January, requesting me to state to your Excellency the nationality of the slave prize polacca-brigantine to Her Majesty's brig "*Alert*," which entered this port in distress on the 2nd instant.

In reply, I have the honour to refer your Excellency to my despatch of the 3rd instant, wherein I stated that the slave-prize entered this port without any colours or papers, none having been found on board of her when detained by the brig-of-war.

I have further to state to your Excellency, that at the time of capture, on the 1st November last, off Cape Lopez, there were on board 15 mariners, 11 of whom were sent on board Her Majesty's sloop "*Alert*," and the remaining 4 (including the master) were kept in the prize for the purpose of bringing them before the Admiralty Court at Sierra Leone: the destination of the prize was unknown to Lieutenant Wasey.

Your Excellency will pardon me when I express a hope, that the infractors of the robbery of the slaves will not be suffered to escape, confident as I am that this alone can be done by connivance of some of the inferior authorities, which, I am well convinced, will not be permitted by your Excellency.

I renew, &c.

(Signed)

R. F. CORBETT, *Consul.*

His Excellency João Jozé de Moura Magalhaes,

&c.

&c.

Enclosure 11 in No. 133.

15.—*Extract from the Decree No. 268, of January 29, 1833, containing the Regulations of the Inspection of Health in the Ports of the Empire.*

ARTICLE XVII. The forts of the port, the guard-boats of the custom-house, and the vessels of war charged with the police of the ports, shall prevent all communication with any vessel entered before she receives the visit from the health-office; and especially with those that may be under observation or quarantine.

Article XIX. The boats of the guard-vessels of the custom-house are charged to keep watch during the night round the vessels under quarantine in the ports where such may be.

Article XXIV. Vessels coming direct from, or having touched at ports where any kind of contagion prevails, shall be subject to a quarantine of six days, which, in case of necessity, may be prolonged: vessels also arriving after a long cruize, &c., shall be subject to the same quarantine.

Enclosure 12 in No. 133.

Senhor d'Abreu to Mr. Hamilton.

(Translation.)

Foreign Office, Rio de Janeiro, February 25, 1846.

THE Undersigned, &c., has the honour to address himself on this occasion to Mr. Hamilton, &c., to inform him of a disagreeable occurrence, of which the Imperial Government has been advised by the President of the Province of Maranhã, in a despatch dated 15th January last.

It appears from the despatch to which the Undersigned refers, that, on the 2nd of that month, there entered the port of Maranhã a polacca-schooner, which had been detained off Cape Lopez on the 1st November, 1845, by Her Britannic Majesty's sloop "Alert," for being employed in the Traffic of Slaves, and having on board, when captured, 58 Africans.

This polacca ought to have proceeded to Sierra Leone to be there tried: but forced by the currents and the weather, and in want of provisions and sails, she was obliged to bear up, as she eventually did, for the Port of Maranhã on the 2nd January last.

It further appears from the above-mentioned despatch, that on the day subsequent to the arrival of the polacca at the Port of Maranhã, certain individuals, disguised as military men, went on board of her between the hours of 9 and 10 at night, deceived the crew by making use of the name of the Provincial Government, as well as of that of Her Britannic Majesty's Consul, and by these means carried off with them 56 Africans, leaving only one boy, who, with one who died during the voyage, makes up the number of 58 Africans found on board of the polacca when she was detained and captured.

This robbery was committed during the absence of the Commander of the prize, Lieutenant Wasey, who, notwithstanding the polacca having been placed in quarantine, had gone on shore, and was still there when the crime was perpetrated.

The Undersigned, in giving Mr. Hamilton information of this fact, cannot but express the deep regret which this news caused to the Imperial Government.

The same Government have seen with satisfaction from the despatch of the President of Maranhã, dated 15th January, and by another of the 28th of the same month, that this public functionary has with zeal and perseverance taken all the necessary measures to discover the criminals, and to gather the material proofs of the crime for which they are to be prosecuted before the tribunals of the country and punished, as the Consul of Her Britannic Majesty acknowledges in the despatch which he addressed to the President on the 31st of last month. But, notwithstanding this, the Government of His Majesty the Emperor has resolved to recommend to the above-mentioned President to continue with all energy and efficacy in the prosecution of his endeavours; and they consider it a duty to contribute on their part to obtain the desired result.

The Undersigned, &c.

(Signed)

A. PAULINO LIMPO D'ABREU.

Hamilton Hamilton, Esq.

&c.

&c.

Enclosure 13 in No. 133.

Mr. Hamilton to Senhor d'Abreu.

British Legation, March 1, 1846.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note, dated February 25th, from Senhor A. P. Limpo d'Abreu, &c., reporting a very disgraceful transaction in the Port of Maranhã, one, happily, not of frequent occurrence, but yet not without precedent in Brazil, wherein all moral law, the municipal law of the empire, and the obligations due to a friendly nation have been flagrantly violated by subjects of His Imperial Majesty, aided and abetted, it would appear, by some of the local authorities in fraudulently removing from a vessel bearing a British pendant, and carrying away certain liberated Africans.

The Undersigned has for some days been in possession of a despatch from Her Majesty's Consul at Maranham on the same subject, but indisposition prevented immediate attention to it. He now hastens to lay before his Excellency a copy of it, together with the documents annexed.

The facts, as related by Mr. Corbett, do not vary from the statement made by Senhor Limpo d'Abreu, but they are given in greater detail, while a few additional particulars may be gleaned from the enclosures.

With regard to the measures adopted by the President of the province, for the detection and punishment of the perpetrators and abettors of this criminal act, they appear, so far as they are yet known to the Undersigned, to be such as the circumstances called for. As concerns, however, the recapture of the negroes, the Undersigned could wish to be informed also that the steps necessary for this purpose have been as promptly taken, and that they will be steadily persevered in.

In a letter, dated January 4th, to Mr. Corbett (See Enclosure No. 11), Lieutenant Wasey reporting the removal of the liberated Africans from on board the vessel under his command, states, that he had that morning traced them by footmarks to a white house about two miles distant from the vessel.

Again, in the "Revista" journal of January 24th, it is reported, that 30 of the negroes were disembarked at Peri near to Rosanio; that on the road 10 of them were taken away by another lawless individual, but were recovered by the conductor of the party.

These circumstances, taken in connection with the fact that a portion of the negroes were harboured in the house of the Austrian Vice-Consul afford data which, considering the description of country in the vicinity of Maranham, and the extreme scantiness of the population, may serve, if acted upon with zeal and promptitude, to ascertain their probable destination and facilitate their recovery. This recovery Her Majesty's Government have a right to look to; and the honourable feelings by which the President of the province is actuated, and the authority with which he is invested by his office, are, with the further aid of the Central Government, fully competent to effect it.

As regards Lieutenant Wasey's violation of the quarantine regulations by landing prematurely, it should be remembered that the vessel under his charge was in a sinking state; that for the safety of the individuals on board it was indispensable he should freight another without the least delay; and, moreover, that when he went on shore, he did so with the privity and consent of the health officer. There may have been error on the part of Lieutenant Wasey in acting thus, but there appears sufficient excuse for him.

What excuse, however, can be pleaded for the guard-vessel and the custom-house, whose boats, according to Article XIX of the Health Regulations, are charged to keep watch during the night round vessels under quarantine! Had this duty been suitably performed at Maranham, the very shameful occurrence now under discussion could hardly have come to pass.

The Undersigned, awaiting with anxiety the further information on this matter, with which Senhor Limpo d'Abreu may be enabled to furnish him, and requesting that the enclosures of Mr. Consul Corbett's letter may be returned to this Legation, has the honour to reiterate to his Excellency, &c.

(Signed) HAMILTON HAMILTON.

His Excellency Senhor Antonio Paulino Limpo d'Abreu,
&c.

&c.

No. 134.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, April 24, 1846.

(Received June 18.)

My Lord,

THE accompanying correspondence relates to an aggression stated to have been committed in the harbour of Paraty, on the coast of Brazil, a twelvemonth ago, by a British brig-of-war, supposed to be the "Frolic," Commander Hamilton, at present on service in the Pacific.

Admiral Inglefield, the Commander-in-Chief, replying to the communica-

tion made by me to Commodore Purvis on the subject, stated that he had written to the senior officer in the Pacific, to call on Commander Hamilton for an explanation touching the charges brought against the "Frolic," and that this explanation should be duly made known to me.

The transmission of this correspondence has been deferred so long, from a desire on my part to forward at the same time some documentary evidence to rebut the charges brought forward; but none has yet been received from Commander Hamilton, and further delay seems inexpedient.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

Enclosure 1 in No. 134.

Senhor França to Mr. Hamilton.

(Translation.)

Palace, Rio de Janeiro, May 11, 1845.

THE Undersigned, &c., has to address himself to Mr. Hamilton, &c., and to transmit to him in copy the despatches of the Vice-President of the Province of Rio de Janeiro, dated the 29th March last, and from the Delegate of Paraty, to the Chief of Police of the same province, exposing the conduct of the crew of an English brig-of-war, in visiting vessels that were lying at anchor in the port of that city.

This conduct violates so manifestly the rights of the country, that the Undersigned is persuaded that there will not be the least hesitation to give to the Imperial Government complete satisfaction proportionate to such a reprehensible attempt.

The Undersigned, &c.

(Signed) ERNESTO FERREIRA FRANÇA.

Hamilton Hamilton, Esq.
&c. &c.

Enclosure 2 in No. 134.

Senhor d'Oliveira to Senhor França.

(Translation.)

*Palace of the Government of Rio de Janeiro,
March 29, 1845.*

Illustrious and most excellent Sir,

I LAY before your Excellency, for your information, the enclosed copy of a despatch from the delegate of Paraty, to the Chief of Police of this province, relating the conduct of the crew of an English brig-of-war, in visiting national vessels which were at anchor in the port of that city, that your Excellency may be pleased to take those steps which appear proper upon this subject.

(Signed) CÂNDIDO BAPTISTA D'OLIVEIRA.

Senhor Ernesto Ferreira França,
&c. &c.

Enclosure 3 in No. 134.

The Delegate of Paraty to the Chief of Police.

(Translation.)

Illustrious Sir,

Paraty, March 17, 1845.

ON the 15th instant, at about one o'clock at noon, a boat, with English colours, manned by 16 men, and commanded by a naval officer, accompanied by another boat, manned by six persons, all armed with muskets, carbines, and swords, entered the bar of this city, and without the least respect to the authorities, boarded the national smack "*Flor do Mar*," which was lying at anchor about 60 fathoms, more or less, from the shore, and there the commander of the boat ordered one of the sailors of the smack to lower down the

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ladder, as he wanted to come on board; and being obeyed, they boarded her with the greatest arrogance, and searched her hold; and after leaving her they boarded the national brig-schooner "*Marianna*," lying at anchor in the same place, and did the same there, but finding nothing, they retired. These boats belong to an English brig-of-war which is cruizing off the coast of this province.

Such a proceeding caused great agitation amongst the pacific inhabitants of this municipality, who grouped together on the shore, were witnesses to the arbitrary and despotic acts committed by these Englishmen. As similar acts may be repeated, and as I am desirous of doing what is right, and of performing the duties of the post entrusted to me, I beg you will be pleased to enlighten me as to what I am to do under such circumstances.

(Signed) GASPAR ANTONIO DA CA. LEAL.

The Chief of Police of this Province.

Enclosure 4 in No. 134.

Mr. Hamilton to Senhor Franca.

Rio de Janeiro, May 18, 1845.

THE Undersigned, &c., had the honour to receive, late yesterday evening, the note dated the 11th instant, in which his Excellency Senhor Franca, &c., transmits a communication from the Vice-President of the Province of Rio de Janeiro, reporting that on the 15th March the crew of a British brig-of-war had visited vessels that were lying at anchor in the harbour of Port Paraty; and at the same time, calls on the Undersigned for satisfaction commensurate to so reprehensible a proceeding.

The Undersigned is fearful that, looking to the period which has elapsed subsequently, and to the brig's name not being given, some difficulty, or at least some delay may occur in searching into the circumstances to which the Vice-President's communication alludes; the Undersigned, however, will lose no time in transmitting the same to the British naval officer in command here, and in apprizing Senhor Franca of the result.

The Undersigned, &c.

(Signed)

HAMILTON HAMILTON.

His Excellency Senhor Ernesto Ferreira Franca,
 &c.

&c.

Enclosure 5 in No. 134.

Senhor Franca to Mr. Hamilton.

(Translation.)

Palace, Rio de Janeiro, May 20, 1845.

IN addition to the note addressed by the Undersigned, &c., to Mr. Hamilton, &c., upon the disagreeable occurrence of an English brig-of-war having visited vessels which were lying at anchor in the Port of Paraty, the Undersigned has the honour to transmit to Mr. Hamilton, in copy, the information received from the Minister of War, with the enclosed extract touching the irregular proceeding of that ship-of-war.

The Undersigned is persuaded that Mr. Hamilton, on sight of such documents, will not refuse to give the satisfaction already called for, in the note referred to, and profits of the occasion, &c.

(Signed)

ERNESTO FERREIRA FRANÇA.

Hamilton Hamilton, Esq.

&c.

&c.

Enclosure 6 in No. 134.

The Minister of War to Senhor Franca.

(Translation.)

Illustrious and most excellent Sir,

Palace, April 9, 1845.

IN order that your Excellency may decide what is most convenient, I forward the information received from the Commander of the Batteries of Paraty,

which has been transmitted to me by the Lieutenant-General Commander of the forces, relating the fact that two English boats had visited two Brazilian vessels lying at anchor in the port of that city, and demanding instructions as to his future procedure in similar cases.

(Signed) JERONIMO FRANCISCO COELHO.

Senhor E. F. França,
&c. &c.

Extract from a despatch of the Commander of the Batteries of the Port of Paraty.

March 16, 1845.

YESTERDAY, 15th instant, at about 2 o'clock at noon, two English boats, armed, with colours flying, entered this port, and after visiting two national vessels, they retired.

Enclosure 7 in No. 134.

Mr. Hamilton to Senhor d'Abreu.

Rio de Janeiro, June 4, 1845.

IN addition to his note, dated May 18, replying to the note from the Department of Foreign Affairs, respecting certain occurrences at Paraty wherein a British brig-of-war is said to have been engaged, the Undersigned, &c., has the honour to state, for the information of his Excellency Senhor Antonio Paulino Limpo d'Abreu, &c., that the said note, together with another from the same Department, and on the same subject, was, without delay, forwarded to Commodore Purvis, and by him transmitted to the Commander-in-Chief, at present absent in the River Plate, for examination and inquiry, in conformity to the desire of the Brazilian Government; and that when the result shall be made known to the Undersigned, he will immediately communicate with his Excellency on the subject.

The Undersigned, &c.

(Signed) HAMILTON HAMILTON.

Senhor Antonio Paulino Limpo d'Abreu,
&c. &c.

No. 135.

The Earl of Aberdeen to Mr. Hamilton.

Sir,

Foreign Office, June 30, 1846.

I HAVE received your despatch marked Slave Trade, dated the 24th of April last, relating to 56 liberated Africans, who, early in the month of January, were fraudulently removed at Maranham, from on board a vessel bearing a British pendant, and commanded by Lieutenant Wasey, prize to Her Majesty's brig "Alert," on the coast of Africa; the vessel having been compelled by force of circumstances, when on her way to Sierra Leone for adjudication, to make for Maranham as the nearest port.

Her Majesty's Government approve of the note which you addressed to the Brazilian Minister for Foreign Affairs upon this audacious proceeding,—a proceeding which, there is every reason to suppose, could not have been effected unless aided and abetted by some of the local authorities at Maranham; and if by the time this despatch reaches you, no satisfactory answer should have been received by you from Senhor d'Abreu, with respect to the recovery of these Africans, you will renew your representations in the same sense as in your first note, and you will urge the Brazilian Government to leave no measures untried to rescue these unfortunate beings from the hands of their abductors, and to punish the guilty authors of so atrocious an act.

I cannot allow myself to entertain a doubt of the readiness and desire of the Brazilian Government to replace these Africans under the protection of Her Majesty's Government, so soon as they, or any of them, shall have been recovered from their unrighteous possessors. I think it right to mention, that I

have received no report upon this subject from Her Majesty's Consul at Maranham. The fact of the abduction of these negroes was incidentally communicated to this Office a short time since by the Admiralty, on the occasion of the arrival of Lieutenant Wasey in England, with the negro boy who had escaped.

It is scarcely necessary to add, that this boy has been properly provided for.
I am, &c.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 136.

The Earl of Aberdeen to Mr. Hamilton.

(Extract.)

Foreign Office, June 30, 1846.

I HAVE received your despatch, Slave Trade, of the 21st of February last, in which you request instructions how the services of the negroes of the "*Flor de Loanda*," at present apprenticed in Rio de Janeiro and its neighbourhood, are to be disposed of at the termination of their apprenticeship in November next.

In answer to this inquiry, I have to instruct you to take care, when the time arrives, that each of the persons in question shall be informed, that any of them who are disposed to become free servants or labourers in one of Her Majesty's colonies, will be conveyed thither free of expense, when they would be treated and protected as British subjects. They should, at the same time, be given distinctly to understand, that those who do not accept this invitation, are not afterwards to look to Her Majesty's Government, either as to their employment or protection in a foreign country; and in making to them this communication, it may be well to point out to such of them as do not appear to see the advantage of a removal to a British colony, the risks which they will run, as adverted to in your despatch, by remaining in Brazil, unless they enter freely into the service of their present masters, or obtain at once some settled home or occupation.

Such of these negroes as shall accept the offer of going to a British colony, will be delivered over to the Emigration Agent, to be forwarded by him to their destination, in accordance with the rules laid down in the memorandum enclosed to you in my despatch, marked Slave Trade, of the 31st of December, 1844.

Hamilton Hamilton, Esq.
&c. &c.

(Signed) ABERDEEN.

No. 137.

Viscount Palmerston to Mr. Hamilton.

Sir,

Foreign Office, August 6, 1846.

I HAVE to refer you to your despatch to the Earl of Aberdeen, General series, dated the 17th of June, 1845, and to your despatch of this series, dated the 24th of April, 1846, on the subject of certain charges brought against the commander and crew of Her Majesty's sloop "*Frolic*," by Brazilian authorities, of violation of Brazilian territory, and of acts of aggression committed against subjects of that empire.

A copy of that despatch, and of its enclosures, was transmitted to the Lords Commissioners of the Admiralty, and their Lordships were desired to call upon Commander Hamilton, of Her Majesty's sloop "*Frolic*," for a report in explanation of the proceedings of which the Brazilian Government complained.

The report of that officer having now being received, I proceed to give you a summary of its contents.

With respect to the charge of having violated the territory of Santa Anna Islands, Captain Hamilton refers to his original refutation of that charge, which refutation, as it appears from your despatch, General series, not Slave Trade,

dated the 26th of May, 1845, was communicated by you at the time to the Brazilian Government.

As the allegations subsequently received from the Brazilian Government, upon this part of their complaint, do not differ very materially from their first representations, except that several contradictions as to dates are observable therein, they do not call for any special remark, and Her Majesty's Government therefore consider this branch of the charge against Commander Hamilton as having been already satisfactorily disproved, and disposed of by your former answer to the Brazilian Minister.

Commander Hamilton next observes, that in his former report he totally denied having at any time disembarked people on the Island of Santa Anna, or on any part of the coast, except on one occasion for the purpose of burying a quarter-master who died on board the "Frolic," and on one other occasion for the purpose of scrubbing and bleaching some hammocks on the sandy beach. He expresses great surprise that the Brazilian authorities should venture to accuse him of having built sheds, which he states he saw with his spy-glass on first anchoring off the island; and should assert that he turned a cocoa-nut tree into a telegraph, which assertion he represents to be utterly without foundation, and he declares that the tree in question was actually pointed out to him by the people connected with the slave fazendas, as being a tree used by them to make signals, to give warning to approaching slavers, but that it was then useless to them, on account of Commander Hamilton being aware of the purpose for which it was employed.

With respect to the complaint of his having detained fishing-boats, Commander Hamilton states that having received orders from Commodore Purvis to cruize on the coast of Brazil for the suppression of the Slave Trade, he proceeded off the Port of Macahé and the Bay and Islands of Santa Anna, which he remarks have lately become notorious for the Traffic in Slaves, and where Her Majesty's sloop "Frolic" has captured, destroyed, and driven away no less than eight full slavers. That he there received information from the shore, upon which he could rely, that two full slavers were shortly expected at Macahé, and he was informed of the time at which they should arrive, the appearance of the vessels, their owners' names, and all particulars relating to them.

That soon afterwards he received information from the same source, that as the people of Macahé saw that he had information of these two slavers, and was on the look out for them; three feluccas were about to come out of that port to cruize outside, for the purpose of giving notice of his being on the look out to these slavers on their approach, and in order to assist them in landing their slaves.

Punctually at the time of which Commander Hamilton was forewarned, the feluccas did come out of the port, and took up their cruising ground so as to keep the "Frolic" in sight, watching his movements day and night, and continuing to do so. Captain Hamilton at length sent a boat alongside one of them, for the purpose of satisfying himself further about them, and his boat returned with the information that they had not only no fish on board, but not even any fishing tackle of any description.

Commander Hamilton further reports, that at daylight on the following morning, the wind being light, a brigantine, answering in all respects to the information which he had received, was seen with her head towards the shore, making away from the "Frolic," under all possible sail, being in tow of the above-mentioned feluccas; that the pinnace and jolly-boat of the "Frolic" were despatched in chase, and on their approach the feluccas, assisted by two other launches, towed the slaver towards the beach of Macahé, and landed the slaves at that place, to the number, as far as he could judge, of between 400 and 500, it being evident to all on board the "Frolic," that but for warning given, and assistance rendered by these feluccas, the whole of these slaves must have been liberated by Her Majesty's sloop. That upwards of 100 soldiers or militia, thoroughly armed, were ready on the beach to guard the landing of these slaves and to protect the vessel, and to conduct the slaves to a place of security. That there besides were present also on the spot, a vast concourse of the people of Macahé, amongst whom was the Delegate of Police of Macahé; that these three feluccas (called fishing-boats) made their escape seaward for the time, but were shortly afterwards captured by the boats of Her Majesty's ship "Frolic."

Commander Hamilton considered it his bounden duty, as these feluccas

were actually engaged in the Slave Trade, to hand them over to the Brazilian authorities, and he detained them with that intention.

On the following day, however, some of the people of Macahé came on board Her Majesty's sloop, and implored him to release the crews of the feluccas, stating that most of them had wives and families, and asserting that the culprits fully acknowledged their guilt, and promised most solemnly, if released, to relinquish the Slave Trade.

Commander Hamilton observes, that he did not pay much attention to these protestations or requests, but upon reflecting on the futility of expecting that the Brazilian Government, whose public servants connive at and assist in the Traffic in Slaves, would bring its own subjects to justice for such offences, he was induced to let them go.

He adds, that he never allowed any one to land on the coast, even for an hour's exercise, having received intelligence that if he did so an attempt would have been made to murder any part of his crew so landing, just as such an attempt was made upon Captain Willis, his predecessor in the command of the "Frolic," and the officers and men under his command.

Commander Hamilton, in conclusion, expresses his hope that this statement, in answer to the allegation of his having detained innocent fishermen, engaged in their lawful occupations, and in answer to the complaints made by the authorities of Macahé of his having blockaded their port, will prove not only a satisfactory refutation of these charges, but will tend to throw some light on the systematic manner in which the Brazilian authorities assist the slave-dealers in escaping detection; and he states that even stronger instances than those referred to, have come under his notice, in which the Slave Trade has been actually carried on by the assistance of the forts in the harbour of Rio de Janeiro.

In communicating to you the foregoing explanations on the part of Commander Hamilton, I have to observe to you, that it appears to Her Majesty's Government that the only part of this officer's conduct which seems liable to be questioned, was his having released the crews of the feluccas, instead of handing them over to the Brazilian Government to be punished for the offence of having taken an active part in the Slave Trade, in violation of the law of Brazil.

Her Majesty's Government cannot refrain from taking this opportunity of expressing their deep regret that the Brazilian Government should lend so willing an ear to the unfounded complaints made by Brazilian slave-traders against British officers who perform with zeal and fidelity their professional duty in the suppression of the Slave Trade; and that the Brazilian Government should not exert its legitimate power and authority to compel Brazilian officers, and Brazilian subjects to obey the laws, and to respect the Treaty engagements of Brazil against these infamous practices of Slave Trade.

You will present a copy of this despatch officially to the Brazilian Minister.

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

No. 138.

Viscount Palmerston to Mr. Hamilton.

Sir,

Foreign Office, August 13, 1846.

WITH reference to the Earl of Aberdeen's despatch, marked Slave Trade, dated the 9th of August, 1845, and to subsequent correspondence on the subject of the Brazil Slave Trade Act, which was passed in the last Session of Parliament, and upon the proposed negotiation of a new Treaty with Brazil, which might suspend the operation of that Act, I have to desire that you will take no further steps in this matter until you receive further instructions from Her Majesty's Government.

It will be my duty to prepare a draft of an improved Treaty between Great Britain and Brazil for the suppression of the Slave Trade, which I will send to you to be proposed to the Brazilian Government, and it will only be upon such Treaty being signed and ratified, and upon the Treaty and Brazilian ratification

being received in this country, that any steps can be taken by Her Majesty's Government to suspend the operation of the Act of the 8th and 9th Victoria, cap. 122.

Hamilton Hamilton, Esq.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 139.

Viscount Palmerston to Mr. Hamilton.

Sir,

Foreign Office, August 13, 1846.

THE Earl of Aberdeen, in a despatch, marked Slave Trade, dated the 9th of August, 1845, transmitted to you under flying seal an instruction of the same date, which his Lordship addressed to Her Majesty's Commissioners at Rio de Janeiro, directing them to ascertain and report to him the condition of the negroes who had been emancipated in Brazil by the Mixed Commission Court, and to take such other steps with respect to these individuals as the result of their inquiries might call for; and in the despatch to yourself you were enjoined to give your best assistance to Her Majesty's Commissioners in carrying their instructions into effect.

The receipt of these despatches was duly acknowledged, but I do not find that my report has been received from you or from the Commissioners in execution of the instructions given to them; and I have, therefore, to desire that you will inform me forthwith what steps were taken thereupon and what has been the result thereof.

Hamilton Hamilton, Esq.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 140.

Mr. Hamilton to the Earl of Aberdeen.

My Lord

Rio de Janeiro, June 30, 1846.
 (Received September 1.)

I HAVE the honour to enclose herewith copies of a correspondence which has recently passed between myself and the Brazilian Minister for Foreign Affairs upon the subject of the termination of the functions of the British Commissioner of Arbitration in the British and Brazilian Court of Mixed Commission in this capital, and of the future disposal of the archives, furniture, and other objects recently in use by the Members of that Commission, some belonging to the two Governments, and others to that of Brazil.

Your Lordship will perceive that I have agreed to the proposal of his Excellency the Minister for Foreign Affairs so far as regards the deposit of the archives of the late Court of Mixed Commission in the Department of State for Foreign Affairs, and to the sale by auction of the effects which were formerly in use by the Members of the Commission.

The note of Baron Cayrù embraces the further topics of the sum in deposit in the Brazilian Treasury on account of the two Governments, being the proceeds of the two slavers, prizes, the "*Paquete de Benquela*" and the "*Asseiceira*;" and his Excellency also states, that he hopes in a short time to be able to inform me what is the opinion of the Imperial Government in the case of the proceeds of the Portuguese slaver "*Maria Carlota*."

I confined my reply, on these latter points, to the expression that I should be prepared to receive the promised explanations respecting the proceeds of the above-mentioned slave-vessels from the Imperial Government.

I have, &c.

For MR. HAMILTON HAMILTON,
 (Signed) JAMES HUDSON.

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

Enclosure 1 in No. 140.

Baron Cayrù to Mr. Hamilton.

(Translation.)

Rio de Janeiro, Foreign Office, June 2, 1846.

THE Undersigned, &c., was informed, by a despatch from the Secretary of the extinct Brazilian and English Mixed Commission in this capital, under date of the 28th ultimo, that the British Commissioner of Arbitration had received, on the 25th of last month, a despatch from his Government, putting an end to his functions in that Commission; and in the said despatch the Imperial Government was solicited to issue the necessary instructions regarding the destination to be given to the archives, furniture, and other objects, some belonging to the two Governments, and others to that of Brazil, the whole being in the room where the Sessions of the above-mentioned Commission were held.

The Imperial Government had already given the necessary orders to its Commissary Judge relating to this subject, but they were not carried into effect, because it was represented on the part of Her Britannic Majesty's Government, in a note of the 6th of September following, that the measures to be taken ought to proceed from a previous arrangement between the two Governments; to which the Undersigned's predecessor replied, in a note of the 10th of that month, explaining the terms in which they were conceived, and appointing a day for a conference upon this subject with Mr. Hamilton, as the representative of Her Britannic Majesty's Government.

In consequence of a request made by the British Commissary Judges, no steps were taken regarding the object of the conference, the said Commissioners continuing to have access to the office of the Commission, until they should be exonerated from their functions.

By the notice received from the ex-Secretary of that Commission, some resolution must be come to; and the Undersigned addresses himself to Mr. Hamilton, &c., to inform him that the necessary instructions are given, in order that the archives and other objects belonging to the Imperial Government be deposited in this Department of State.

As no measures can be taken by this Government alone, without the concurrence of the British Legation upon those objects bought for account of the two Governments, it only remains to the Undersigned to propose they should be sold at public auction, and its produce divided between both; and the Undersigned trusts Mr. Hamilton will give him an answer, in order to the necessary instructions in this matter.

It remains to the Undersigned, to inform Mr. Hamilton that the sum of Rs. 2047: dol. 960 has been deposited at the public Treasury, which was in the possession of the ex-Secretary of the Mixed Commission, being the proceeds of the prizes "*Paquete de Benguela*" and brig "*Asseiceira*," respecting which there is a question yet pending between the Governments of Her Britannic Majesty and of Brazil; and the Undersigned will take it into due consideration, so soon as the documents which he has ordered can be collected, in order to his answering, in a proper manner, Mr. Hamilton's note of last year, which treats more specially upon this subject.

In a short time the Undersigned will also solve the doubt which yet exists in respect to the amount which belongs to Her Britannic Majesty's Government of the proceeds of the Portuguese bark "*Maria Carlota*" and her cargo, which were also carried to the Public Depository, by the Judge Executor of the sentence passed in this case by the Mixed Commission.

The Undersigned &c.

Hamilton Hamilton, Esq.

&c.

&c.

(Signed)

BARAO DE CAYRU.

Enclosure 2 in No. 140.

*Mr. Hamilton to the Baron Cayrù.**Rio de Janeiro, June 11, 1846.*

MR. HAMILTON, &c. has the honour to acknowledge the receipt of the note which the Baron de Cayrù, &c., addressed to him on the 2nd instant, acquainting him that the Secretary of the late British and Brazilian Court of Mixed Commission in this capital, had received information from the British Commissioner of Arbitration in Rio de Janeiro, that Her Britannic Majesty's Government had brought his functions to a close in that office; and that the Imperial Government was solicited by the ex-Secretary of the late Commission to issue the necessary instructions regarding the future disposal of the archives, furniture, and other objects, some belonging to the two Governments, and others to that of Brazil.

And the Baron de Cayrù informs Mr. Hamilton, that the necessary orders have been given for the deposit of the archives of the late Court of Mixed Commission in the Department of State for Foreign Affairs, and his Excellency proposes that those objects which were bought for the use of the late Court, and on account of the two Governments, should be sold at public auction. With regard to the deposit of the archives of the late Court of Mixed Commission in the Department over which the Baron de Cayrù presides, Mr. Hamilton can have no objection; and it is therefore understood that they shall be so deposited, an inventory of them being transmitted to Mr. Hamilton for the use of Her Majesty's Legation at this Court, in accordance with the verbal agreement of his Excellency to that effect.

With respect to the second point, namely, the sale by auction of the articles of furniture which were bought for the use of the late Court of Mixed Commission in this capital, Mr. Hamilton entirely agrees with Baron Cayrù, that they should be so disposed of, and the proceeds carried to the account of the two Governments.

Mr. Hamilton will be prepared to receive from the Baron de Cayrù the communication which his Excellency promises to make upon the further topics treated of (in the above-mentioned note of the 2nd instant), respecting the sum in deposit in the public Treasury, on account of the two Governments, which was in possession of the Secretary of the late Court of Mixed Commission, being the proceeds of the prizes "*Paquete de Benguela*" and "*Asseiceira*;" and Mr. Hamilton will be glad, also, to understand what is the doubt which the Baron de Cayrù appears to feel in the case of the slaver "*Maria Carlota*," upon which subject M. Hamilton had the honour to address the late Secretary of State for Foreign Affairs so long ago as last December.

Baron de Cayrù,
 &c. &c.

No. 141.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, June 30, 1846.**(Received September 1.)*

My Lord,

WITH reference to your Lordship's despatch of the 31st of last December, instructing me to inquire into the truth of a report that an Englishman at Bahia, named Youds, is implicated in Slave Trade transactions, I have the honour to enclose herewith the copy of a letter and of its enclosure which I have received from Her Majesty's Consul at Bahia, upon this matter.

I have, &c.

For MR. HAMILTON HAMILTON,
 (Signed) JAMES HUDSON.

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

Enclosure 1 in No. 141.

Mr. Consul Porter to Mr. Hamilton.

Sir,

Bahia, May 15, 1846.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of 16th March, 1846, transmitting letters and other documents found on board the "*Sooy*," suspected of being engaged in Slave Traffic; and requesting that I would endeavour to ascertain, for the information of Her Majesty's Government, what grounds exist, justifying the suspicions against Mr. J. Youds of being concerned in the trade.

The letters referred to which I have the honour to return herewith to your Excellency, are with few exceptions addressed to individuals of little note in this city, partly Portuguese and free blacks, mostly engaged in the Slave Trade.

Enclosure No. 1 is a statement of the result of my inquiries regarding Mr. Youds, which agrees with the one forwarded by Mr. Vice-Consul Whately, in April 1844, to Mr. Consul Hesketh, a copy of which I have the honour to enclose.

Hamilton Hamilton, Esq.

(Signed)

E. PORTER, *Consul.*

&c.

&c.

Enclosure 2 in No. 141.

Statement regarding Mr. Youds.

J. YOUNDS is about twenty years of age, born in the city of Bahia, and a son of the late Mr. John Youds, a British subject, who kept a ship-chandler's store here for many years, and died in 1833. His mother is a Belgian subject named Gantois, sister of the principal partner of Messrs. Gantois and Pailhet, ship-chandler's, who are known to be extensively engaged in Slave Traffic, and own several vessels continually running between this place and the coast of Africa.

J. Youds is a clerk in the above-named establishment, and doubtless under the control of his uncle, Mr. C. E. Gantois; he does not possess any property, and being born here, probably considers himself more a Brazilian than a British subject, his name not having been registered at this Consulate.

(Signed)

EDWARD PORTER, *Consul.*

No. 142.

Viscount Palmerston to Mr. Hamilton.

Sir,

Foreign Office, September 11, 1846.

I HAVE received your despatch marked Slave Trade, of the 30th of June last, and its enclosures; consisting first, of a copy and translation of a note addressed to you on the 2nd of June last, by the Brazilian Minister for Foreign Affairs on the subject of the custody of the archives of the defunct Mixed Commission, the sale of the furniture and effects in the use of that Commission; and the still undivided proceeds of the condemned slave-vessels "*Maria Carlota*," "*Paquete de Benguela*," and "*Asseiceira*." And secondly, of a copy of the reply returned by you under date of the 11th of June to that communication.

I have the satisfaction of informing you that Her Majesty's Government entirely approve of that reply.

I am, &c.

(Signed)

PALMERSTON.

Hamilton Hamilton, Esq.

&c.

&c.

No. 143.

M. Lisboa to Viscount Palmerston.

York Place, le 24 Septembre, 1846.

(Received September 25.)

My Lord,

LE Gouvernement de Sa Majesté l'Empereur a nommé Vice-Consul de Brésil à Sierra Leone, Monsieur Joaquim Pinto de Menezes Campos, sujet de Sa Majesté Impériale, qui s'y trouve établi depuis longtemps, et y remplissait les fonctions d'Interprète de notre Commission Mixte, à l'expiration de celle-ci.

En portant cette nomination à la connaissance de votre Excellence, je la prie de vouloir bien expédier les ordres nécessaires pour que M. Campos soit reconnu par qui de droit en sa susdite qualité officielle de Vice-Consul du Brésil, et en puisse légalement exercer les fonctions.

Je saisis, &c.

(Signé)

MARQUES LISBOA.

Le Très Hon. Lord Vicomte Palmerston, G.C.B.

&c.

&c.

&c.

No. 144.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 31, 1846.

(Received October 1.)

My Lord,

I HAVE the honour to enclose herewith the copy of a note which, in obedience to the instructions contained in your Lordship's Slave Trade despatch of the 6th of May, I have addressed to the Brazilian Minister for Foreign Affairs, acquainting his Excellency with the capture of the barque "*Dianna*," fully equipped for Slave Trade, and fitted out with the open and avowed connivance of the Brazilian authorities of the Province of Espiritu Santo.

I have, &c.

For MR. HAMILTON HAMILTON,
(Signed) JAMES HUDSON.

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

&c.

&c.

&c.

Enclosure in No. 144.

Mr. Hamilton to the Baron de Cayrù.

Rio de Janeiro, July 8, 1846.

MR. HAMILTON HAMILTON, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has the honour to acquaint Baron Cayrù, Minister and Secretary of State for Foreign Affairs, that he is instructed by his Government to bring to the knowledge of his Excellency, that on the 10th of November last Her Majesty's sloop "*Mutine*," being in latitude 30° 10' south, and in longitude 41° 30' east, her commander, Captain Crawford, saw and chased a vessel which, after endeavouring during four hours to escape, was brought to and boarded, when she proved to be a barque called the "*Dianna*," of 256 tons, commanded by an Italian named Vincente Magdalena, on her way from Brazil to Pomba.

The officer who boarded the "*Dianna*" found, on examination, that every preparation had been made for the reception of a cargo of slaves, and her papers showed that she was the property of Francisco Gonçalvez da Costa Guimaraes, of Rio de Janeiro, and had left Victoria, in the Province of Espiritu Santo, on the 7th of September, furnished with a passport from the Vice-President of that province, Senhor Joaquim Marcellino da Silva Lima, for a voyage to Goa by Zanzibar.

Every article of the slaving equipment was entered upon the manifest of the "*Dianna*," which is dated on the 2nd of September, 1845, and is enclosed in the usual manner in a letter, addressed to the Chief of the custom-house at Goa, by an officer who signs himself "O Administrador interino, João Almeida Coelho," thus proving that that officer has abetted the clearing of a vessel completely equipped for the Slave Trade.

The list of the crew of the "*Dianna*" is authenticated by an officer of customs, who signs himself "O Escrivão Francisco Manoel do Nascimento," and it contains the names of 24 persons, of whom only 3 are Brazilians, 20 are Portuguese, 1 is Roman, and 1 is Sardinian. Manoel da Costa, who is entered as master, being, in fact, a common seaman, and Magdalena, the actual master, being entered as pilot only.

The log of the "*Dianna*" which, though signed by Da Costa, was kept by Magdalena in the Italian language, shows that the "*Dianna*" left Victoria, in Brazil, as above stated, on the 7th of September, and sailed direct for Pomba. The log ends on the 8th or 9th November, when the vessel was about 30 miles from the land, at which time the crew commenced those preparations for receiving a cargo of slaves, which were found by the captors in the course of completion on the 10th of that month.

As it is thus shown that certain of the authorities of the Empire of Brazil have, in fact, abetted the clearing of a vessel completely equipped for the Slave Trade, and as the manifest and muster-roll of the "*Dianna*" afford proof of such culpable conduct on the part of the public functionaries, whose names are signed to those documents, in allowing a vessel so equipped and illegally manned to clear out from a Brazilian port, Mr. Hamilton Hamilton, &c., is instructed by his Government, in communicating these facts to his Excellency the Baron de Cayrù, &c., to express their earnest hope that suitable notice will be taken of the proceeding by the Government of His Imperial Majesty.

Mr. Hamilton avails, &c.

The Baron de Cayrù.
&c. &c.

(Signed)

HAMILTON HAMILTON.

No. 145.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, July 31, 1846.

(Received October 1.)

My Lord,

HER Majesty's Consul at Pernambuco addressed me, on the 6th ultimo, upon the subject of a steam-vessel called the "*Santa Cruz*," owned and built in the United States of North America, and consigned to a mercantile firm in this capital.

As it appeared from the communication of Mr. Consul Cowper that your Lordship requires further information respecting the "*Santa Cruz*," which vessel I knew to be lying in the harbour of Rio de Janeiro, I requested Mr. Consul Hesketh to inquire into the cause of her detention, and I have the honour to enclose herewith the copy of a letter which that gentleman has addressed to me upon the subject.

I have, &c.

For Mr. HAMILTON HAMILTON,
(Signed) JAMES HUDSON.

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

&c.

&c.

&c.

Enclosure in No. 145.

Consul Hesketh to Mr. Hamilton.

Sir,

Rio de Janeiro, July 20, 1846.

IN reply to your Excellency's despatch of the 3rd instant requiring information as to the ownership and employment of the United States steam-vessel "*Santa Cruz*," Samuel H. Dearing, master, ketch rigged, and with a screw

instead of paddle-wheels, I have the honour to state that the above-mentioned vessel arrived at this port on the 3rd of May last from New York, with lumber, &c., having touched at Pernambuco. By the entry at the American Consulate, her owners are William D. Thompson, Sidney Masen, both of New York, and Henry Gardner, of Salem. The master has left the vessel and returned to the United States.

The "*Santa Cruz*" is consigned to Messrs. Coleman, Hutton, and Co., of this city, and they declare that the vessel was sent out in consequence of an order, but not accepted, as her rate of steaming is not equal to that stipulated for in the order. The vessel is now lying in this harbour for sale, and no master has been appointed to her.

I have, &c.
 (Signed) R. HESKETH,
 Her Majesty's Consul.

His Excellency Hamilton Hamilton, &c. &c.

No. 146.

Mr. Hamilton to the Earl of Aberdeen.

Rio de Janeiro, August 4, 1846.
 (Received October 1.)

My Lord,

WITH reference to my despatch of the Slave Trade series of the 20th of February last respecting the difficulties in the way of a final settlement between Her Majesty's Government and that of Brazil, of the proceeds of the sale of the condemned Portuguese slaver-barque "*Maria Carlota*," I have now the honour to enclose copies of a correspondence upon this subject which has recently taken place between myself and Baron de Cayrù, from which your Lordship will perceive that the Imperial Government have adopted that mode of dividing these proceeds between the two Governments which I proposed to the late Minister for Foreign Affairs, Senhor Limpo d'Abreu, on the 6th November, 1845.

On the 2nd instant I ordered the Secretary of this Legation to receive the proceeds of the "*Maria Carlota*," from the Brazilian Treasury, and I have this day converted the payment then made into bills payable to your Lordship in London at 60 days.

These bills and an account of the transaction are herewith enclosed.

I have, &c.
 For MR. HAMILTON HAMILTON.
 (Signed) JAMES HUDSON.

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

Enclosure 1 in No. 146.

The Baron de Cayrù to Mr. Hamilton.

(Translation.)

Rio de Janeiro, Foreign Office, July 11, 1846.

IN consideration of the representation made by Mr. Hamilton Hamilton, &c., in his note of the 6th November last, against the deduction made by the accountants of the Treasury of the sum of 1 conto, 143 mil, 450 reis, for the execution of the sentence of the Brazilian and English Mixed Commission in this capital, which condemned the Portuguese bark "*Maria Carlota*," being the Judge's perquisites for taking charge of 2541 half-doubloons found on board the said bark, the Imperial Government resolved to order the account of what belongs to Her Britannic Majesty's Government, to be revised by that department, and the Undersigned, &c., has now the honour to lay the same before Mr. Hamilton to inform him that each Government has to receive, the liquidation being effected, in gold 12 contos, 700 milreis, and in notes and copper the sum of 4 contos, 121 mil, 678 reis; and thus the Undersigned believes that all the difficulties which have hitherto retarded the definitive conclusion of this business, are removed.

These sums are at the disposal of Her Britannic Majesty's Government, for the account of whomsoever Mr. Hamilton may order to receive them in conformity to what was solicited in the note of the 27th of October last from this Department of State.

The Undersigned, &c.

His Excellency Hamilton Hamilton,
&c.

(Signed)

BARAO DE CAYRU.

Enclosure 2 in No. 146.

(Translation.)

Section of the Accountant's Office, June 23, 1846.

ACCOUNT OF THE PROCEEDS of the capture of the bark "*Maria Carlota*," and her cargo, condemned by the English and Brazilian Mixed Commission in this capital, the half of which belongs to Her Britannic Majesty's Government.

	Gold.	Notes & Copper.
Amount seized:—		
Value of 2541 half doubloons, according to the monetry standard	25,410/000	
Ditto sale of merchandize and jewels found . . . . .	.	1,832/720
Ditto, ditto, of hull and appurtenances . . . . .	.	8,550/000
	25,410/000	10,382/720
Deduct judicial expenses with sale of hull, &c. 683/000		
Ditto Merchandize, jewels, &c. 164/452		
For 2 per cent. deposit of the bark taken from the price of the sale by auction 171/000		
For 2 per cent. deposit of the money deducted in the receiving office, viz., for an equivalent for the 2541 half-doubloons, at the rate of 18/600 price of the day 945/242		
Ditto of 7867 reals, in notes 157/340 1102/592		
For expenses made in the Mixed Commission according to the order from the Minister of Foreign Affairs of the 6th inst. 36/920		2,157/964
Net proceeds	25,410/000	8,224/756
Division belonging to Her Britannic Majesty's Government	12,705/000	4,112/378
Ditto, half of a half-doubloon, which not being divisible is calculated in paper at 18/600 rate on the day of entry in the Treasury . . . . .	.	9/300
Sum	12,705/000	4,121/678

(Signed)

JOAQUIM HIPPOLITO D'ALMEIDA,
Acting First Officer.

Enclosure 3 No. 146.

Mr. Hamilton to the Baron de Cayrú.

Rio de Janeiro, July 21, 1846.

MR. HAMILTON HAMILTON, &c., acknowledges the receipt of the note which the Baron de Cayrú, &c., addressed to him on the 11th instant, in which his Excellency acquiesces in that mode of dividing between the Governments of Great Britain and Brazil, the proceeds arising from the sale of the Portuguese slave-barque "*Maria Carlota*," which Mr. Hamilton Hamilton proposed to Senhor Limpo d'Abreu in his note of the 6th of November last.

Mr. Hamilton Hamilton has instructed the Secretary of Her Majesty's Legation at this Court, Mr. Hudson, to receive the share due to Her Majesty's Government on account of this division of the proceeds of the "*Maria Carlota*," and that gentleman will attend whenever the Baron de Cayrú will appoint the time and place to receive the sum named by his Excellency; that is to say, in gold 12 contos 705 milreis, and in notes and copper 4 contos 121 mil 678 reis.

Mr. Hamilton Hamilton avails, &c.
The Baron de Cayrú,
&c. &c.

No. 147.

Viscount Palmerston to Mr. Hamilton.

Sir,

Foreign Office, October 3, 1846.

YOUR despatches marked Slave Trade of October 12, 1844, and of the 30th of June last, on the subject of the alleged implication of a person named Youds, born at Bahia, of a British father, in Slave Trade, were by my direction submitted to the proper Law Adviser of the Crown, for his opinion whether Youds is amenable to British law, on account of his being implicated in Slave Trade in Brazil; and I have now to state to you, for your information and guidance, that Youds is not amenable to British law, on account of having committed in Brazil acts declared by the statute 6 and 7 Victoria, cap. 98, to be illegal for British subjects; wheresoever residing or being.

The Constitutional Law of the Brazilian Empire, by which all persons born in Brazil, except the children of persons residing there in the service of foreign Governments, are deemed to be Brazilian subjects, is in precise conformity with the law of England, which, with the exception above mentioned, deems all persons born within the Queen's dominions to be subjects of Her Majesty. It is, therefore impossible to contend that Youds who was born in Brazil, and who appears never to have quitted that country, and never to have claimed in any way the rights and privileges of a British subject, can be justly considered as amenable to the criminal law of this country.

You will communicate the substance of this despatch to Her Majesty's Consuls at Rio de Janeiro and Bahia.

Hamilton Hamilton, Esq.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 148.

Viscount Palmerston to M. Lisboa.

M. le Commandeur,

Foreign Office, October 7, 1846.

I HAVE the honour to acknowledge the receipt of the note which you addressed to me on the 24th ultimo, stating that M. Joaquim Pinto de Menezes Campos, late acting translator to the Mixed Courts of Commission at Sierra Leone, had been nominated Brazilian Vice-Consul at that place; and requesting the issue of the orders necessary for his recognition, and to enable him to perform the functions of his office.

I regret to have to inform you that I am unable to recommend Her Majesty to signify her approval of the nomination of M. Campos.

I have the honour to transmit herewith to you copies of papers, from which you will perceive, that prior to the employment of M. Campos as acting translator to the Mixed Courts, he was engaged in Slave Trade, and that even while employed as acting translator he was in connection with, and acted as agent of, slave-traders.

It is unquestionably in ignorance of these facts that the Brazilian Government have nominated M. Campos to the responsible office of Vice-Consul at Sierra Leone.

I have only to add, that I shall have great pleasure in recommending Her Majesty to approve of the nomination of any person of respectability, who is not connected with slave-trading pursuits, to the office of His Imperial Majesty's Vice-Consul at Sierra Leone.

The Commander Marques Lisboa,
 &c. &c.

I have, &c.
 (Signed) PALMERSTON.

Enclosure 1 in No. 148.

Judgment in the case of the "Guiana."

August 12, 1840.

THE English brig "*Guiana*," whereof George Nickells, junior, is Master was registered at Liverpool, the 15th day of January, 1839, and is owned by James Logan and John Moore in equal proportions, merchants of that place. The vessel having proceeded to Bahia, was there chartered by the master to Manoel Francisco Lopez, of that city, on the 2nd day of January, 1840, for a voyage to Lagos, on the coast of Africa.

The vessel was loaded with merchandize, shipped, as it appears by her manifest, by six different parties at Bahia, and the nature and description of the goods found on board of her are described, in the Commission of Survey held by order of the Court, to be such as are usually employed in the Slave Trade.

The "*Guiana*," having completed her cargo, proceeded direct to the coast of Africa, where she was captured on the 26th day of March last, in latitude 4° 27' north, longitude 5° 26' west, by Lieutenant Godolphin James Burstua, commanding Her Majesty's schooner "*Viper*."

The capture took place, as appears by the affidavit of Humphrey John Julian, Mate of the "*Viper*," by reason that the said brig, being a British vessel, was aiding and abetting the Slave Trade, contrary to the Act of Parliament passed on the 24th day of June, 1824, and entitled "An Act to amend and consolidate the laws relating to the abolition of the Slave Trade." The affidavit then proceeds to state, that the said brig "*Guiana*" was let to freight, or on hire, by the said George Nickells, the master thereof, to one Manoel Francisco Lopez, a merchant at Bahia in Brazil, for the purpose of conveying goods, wares, and merchandize, to divers persons on the coast of Africa, as appears by a charter-party found on board the said brig at the time of her seizure.

The said goods, wares, and merchandize, were to have been delivered at noted places on this coast for carrying on the Slave Trade. The Court, considering further proof necessary, directed a libel to be drawn up by the Proctor for the prosecution, which was done, and filed in the Registry of this Court on the 17th June, and the allegations contained therein were assigned to be proved on the 26th day of that month.

In support of the charges alleged against the brig "*Guiana*," certain letters, found on board of her at the time of seizure were translated and filed in evidence, and other papers and letters have been invoked from the Court of Mixed Commissioners for the same object.

I shall advert to those in the order in which they came before this Court, and it is by these contents that the fate of this vessel must be decided.

No. 1 in the first set of translations, is a letter dated Bahia, 1st February, 1840, addressed to Joaquim Menezes Campos, supercargo of the brig "*Guiana*," and signed by Manoel Francisco Lopez at that place, of which the following is an extract:—

"Enclosed you will find a bill of lading and invoice of a quantity of tobacco, spirits, and other description of merchandize, which I have put on board the English brig "*Guiana*" at this place, and consigned to you at Onim. The cargo is insured by a Company at Liverpool for 60,000 dollars."

The letter then proceeds to direct Campos to "confine himself to legal trade," and that he "was to purchase three canoes, and hire canoe-men at Elmina, for the purpose of unloading the cargo at Lagos with all possible speed, and despatch her back to Bahia.

On referring to the bill of lading, and the original invoice mentioned in this letter, and to the vessel's manifest, to which the bill of lading is attached, I find that the goods shipped by Lopez are consigned to Campos, or to Domingo Jozé Martinez, of whom I shall have occasion to speak hereafter.

The bill of lading in question is not signed by the master, for what reason does not appear, unless it be the objection inserted in it about a deficiency of fourteen rolls of tobacco. I cannot, however, but view this circumstance with suspicion.

In the 2nd set of translations of papers found on board the detained vessel are the following:—

No. 1 is a list of articles purchased at Elmina.

No. 2 is a paper containing instructions for the treatment of diseases peculiar to slaves when confined on board of vessels. The following is an extract from this document,

“I feel persuaded that the disease called scurvy is almost invariably brought on from a want of good food and fresh water, from the close, foul air which is breathed, and which produces sickness, particularly when there are any number on board vessels, or confined in prisons.”

The master states, in answer to the 7th interrogatory put to him by order of the Court, that he “never saw the paper writing No. 41, now produced, to his knowledge before, and does not know for what purpose it was intended.”

No. 3 is a translation of a letter numbered 40, dated Bahia, 26th January, 1840, addressed to Domingo Jozé Martinez by Jozé Joaquim Gomes Guinès, informing him of the sales of his eighteen bales, which the former had sent by the “*Juliane*,” showing a balance in favour of Martinez of 4,416,440 reis.

The account sales of these eighteen bales, consigned by the said Domingo Jozé Martinez to his correspondent Jozé Joaquim Gomes Guinès at Bahia, proves them to have been slaves, for although they are called bales in the correspondence, yet the account sales descends into particulars, and plainly describes them as so many men, women, and children, the parties to whom they were sold, the charges for medicine administered to them when at the factory, and the provisions and clothes with which they had been supplied.

In this letter, No. 40, there is a clear and undeniable proof that Jozé Joaquim Gomes Guinès, who is a shipper of goods on board the “*Guiana*,” consigned to his slave-factor or agent at Onim, Domingo Jozé Martinez, and to whom a large proportion of the cargo on board the “*Guiana*” is consigned, are persons carrying on the Slave Trade, and who doubtless imagined they would effectually cloak their unworthy designs by shipping their goods on board an English vessel, to protect them from seizure by British cruisers.

No. 4 is a letter to Manoel Joaquim Bacelon, of Onim, to the care of Senhor Campos, Bahia, 18th January, 1840, viz. :—“We beg to acquaint you that we do hereby agree to allow you six dollars commission on every bale that you send on our account, either to Senhor Martinez, or to this place, and we allow you 100 dollars per month for all your other expenses. We have already given you that part of the letter which we have written to Senhor Martin, advising him to send you an assortment of goods, as well as some spirits and other articles, which we have not sent from hence.”

The letter then proceeds to direct that “all bales on hand may be sent by the schooner, and send them to this place, and put on board all he can.”

(Signed) GANTON AND MARTIN.
JAMES PANTHER.

No. 5 of no importance.

No. 6 a letter addressed to Manoel Joaquim d’Almeida, if absent, to Carlos Rosa Negin, and in his absence to Joaquim Pinto Menezes Campos, Ajuda, Bahia, 12th February, 1840, stating, that “he had sent by the English brig ‘*Guiana*’ an invoice of goods amounting to 881,580 Rs.”

“The goods were put on board by Manoel Francisco Lopez, to be delivered by Campos.”

(Signed) ESLADE VIZ D’CARVALHO.

The foregoing are extracts of letters and papers found on board the brig “*Guiana*,” and I shall now proceed to give similar extracts from papers invoked by the captor’s proctor from the Courts of Mixed Commission, and which are as follows :—

CLASS A.

The claim of Jozé de Souza Campos for the brigantine “*Sociedade Felix*.”

This vessel had on board various merchandize, consisting of 1000 rolls of tobacco, and one cauldron, shipped by the notorious slave-dealer Manoel Francisco Lopez, also on behalf of Martinez de Coutts Vianna, supercargo of the said brigantine. This vessel was condemned for being equipped, 13th December, 1839.

CLASS B.

A.

Campos made an affidavit in support of his claim, in which he swears that "Lopez shipped the cauldron, and enclosed it in a box." This Manoel Francisco Lopez is the individual who shipped the goods on board the "*Guiana*," and consigned them to the slave-dealer Domingo Jozé Martinez at Onim, of whom I have had occasion to speak, and whose pursuits I have described.

No. 24. A.

A letter of Lopez to Vallacca at Onim, informing him that Queen Donna Maria had made a Treaty with the English Government, declaring Slave Trade piracy.

B. No. 22.

Letter addressed to Jose Pinto Menzes Campos at Onim, or, in his absence, to Jozé Cotta, at his factory at Onim, Bahia, 10th February, 1840:

"Senhor Pinto Menzes Campos is requested to receive from Senhor Cotta at Onim the sum of 1,680 dollars, and to send the money to him, or, in the event of there being a vessel engaged in a legal trade, and that will receive on freight a cargo of asses, of which you are already aware that I wish you to purchase me the value of half this amount, and to send them to me, or to Jozé Pena Carlhoda Cunha, or to Raimundo da Pez.

"You must also obtain for me not less than four pair seats, which must be high, tall, pretty, good looking, even though they should cost 70 dollars, for which I shall feel under the greatest obligation.

"(Signed) LEWIS PACHECO DA SA."

"N.B. In procuring a vessel, be sure to procure one returning to this place with bales, whereby you may with confidence send me the remainder."

This letter at once stamps the character and pursuits of the illustrious Senhor Pinto Menzes Campos, supercargo of the English brig "*Guiana*," whereof one George Nickells late was, or pretended to be, master.

B.

Enclosure No. 2 to No. 22.

Senhor Jozé Cotta,

Bahia, February 10, 1840.

I HAVE to request the favour of your sending me, by any one that may bring people, as I would wish you to purchase this kind of goods, and to remit them to me at this place, and to be delivered either to me, or, in my absence, to Jozé Pena Carlho da Cunha, or Raimundo da Pez, and, with what remains out of the 1,680 dollars, I must ask you to make a good selection, and procure for me at least four pair of seats, high, tall, good looking, and young, though they should even cost 70 dollars.

(Signed) LEWIS PACHECO DA SA.

B. No. 42.

Bahia, February 1, 1840.

Letter addressed to Manoel da Pascas Fenardo, at Onim, enclosing to him a bill of lading of 13 pipes and 10 half pipes, put on board the English brig "*Guiana*," and belonging to the parties as follows:—

6 to Gonacho Alfonso Vianna, mate of the schooner "*Maria*."

6 half pipes and 3 pipes on account of Joaquim Lopez Pereira.

4 pipes and 4 half pipes to Domingo Jozé de Carta Sieres.

Separate bills of lading for each of the parties have not been made out, in consequence of the captain not being willing to sign so many of their documents.

(Signed) JOZE DA COSTA, JUN., AND CO.

This Jozé da Costa, Junior, and Co., are shippers of goods on board the "*Guiana*," consigned to different parties at Onim. They were the owners of the polacca "*Santo Antonio Victorioso*," condemned in the British and

Brazilian Courts of Mixed Commission in this colony for being equipped for the Slave Trade, in May last; and Joaquim Lopez Pereira was the master thereof, and to whom a consignment of spirits is on board the "*Guiana*."

There is a second instance of the master of the "*Guiana*" refusing to sign bills "for so many of these things."

To the third interrogatory put to him on this point, he says that "he signed all the bills of lading for the delivery of the goods on board. Never refused to sign any that agreed with the mate's 'account.'"

This statement is directly at variance with the letters of Manoel Francisco Lopez, the principal shipper, and of Jozé da Costa, Junior, and Co., who state to their consignees at Onim, that the master refused to sign their bills of lading, not liking to sign so many of these things. A reference to these documents before the Court proves this fact, for they are not signed; I cannot therefore but view the master's evidence with the greatest distrust; the circumstance of his having refused to sign these bills of lading for so large a proportion of the cargo on board the "*Guiana*," has created in my mind a suspicion most unfavourable to all his proceedings; and his evasive answer to a plain and simple interrogatory is, to use the words of a well-known eminent civilian, "a modesty that is not without its meaning."

B. No. 45.

A letter to Joaquim Jozé de Brito Luna, Onim, dated Bahia, January 17, 1840, stating that, "as the coast was in an unsettled state, they were not encouraged to send another cargo, owing to a part of the first, which was remitted by Vienna, having been altogether lost; and with regard to the second, the profits were even less, as we only received 32 S. on account of that cargo.

"You have expressed a desire to put on board of Captain Vianna all that you have received on account of the business, as well as some fees on account of the cargoes, which, it appears, belong to my brother and Gregorio. In answer I have to acquaint you, that you must at once ship them for this port in any vessel you can obtain; failing in this, you may forward them to Havana, to be there delivered to Legruno, in the name of the different parties to whom they may belong, taking care to remit to me at this place the account sales.

"Enclosed you will receive a bill of lading of six pipes of spirits, which I have put on board the English brig "*Guiana*" on your account and risk. I must beg of you to use your utmost exertions in forwarding my object in the receipt of the S., which, you are aware, have been some time due to us, as well on account of the first, as on account of the last voyage, and therefore hope to receive them as early as possible after the receipt of this letter, together with those which may be embarked, as mentioned in an earlier part of this."

Every person at all conversant in the mode of conducting correspondence relative to the Slave Trade, knows that Ss. and Bales mean Slaves.

JOZE HENRIQUE FERRAK.

The extracts of letters which I have quoted, and which have been filed in support of the captor's libel against the brig "*Guiana*," clearly stamp the characters of the shippers and consignees of the cargo to be persons concerned and actively engaged in the Slave Trade. The Master of the "*Guiana*" makes an advantageous charter of his vessel to Manoel Francisco Lopez, of Bahia, a well known slave-dealer; he receives on board a cargo of merchandize well assorted, for the Slave Trade, and that trade only; it is shipped by slave-dealers, and consigned to slave-dealers residing at their factories at Onim or Lagos on this coast, a place, above all others, notorious for its Traffic in Slaves, and for that trade only: he received a letter of instructions from Edwards and Co., of Bahia, who appear to have been the consignees of the brig on the outward voyage from Liverpool, but who have thrust him forward as the person chartering the vessel to Lopez, for what object this Court is not informed.

He is the person who made the charter-party, the man making the contract, and directing the actual course of the vessel.

From him, therefore, might have been expected some testimony as to the engagements of his vessel, had he been actuated by pure and disinterested

motives; but no explanation has been offered, no claim has been filed either for the vessel or cargo, and the master having refused to be examined on special interrogations put to him by order of this Court, until compelled by attachment issued against his person, has left an impression injurious to his credit and conduct in the whole of this transaction, an impression but too clearly established by the letters and papers to which I have had occasion to advert in the course of this inquiry. He is, therefore, a reluctant witness, and one from whom no satisfactory information could be obtained.

I am satisfied on the facts of this case, that it was the plan of this voyage by those interested in its results, to avail themselves of a highly advantageous freight to the slave-marts at Lagos on the coast of Africa, for the purpose of conveying merchandize under the supposed protection of the British flag. No claim has been made, and no explanation having been offered, the present evidence, which I have already quoted, must be taken as conclusive in proving indubitably the vessel's employment in carrying goods to be employed in the Slave Trade, and that being so employed, freighted, and hired, she is justly subject to confiscation. The case of the English brig "*George and James*," adjudicated and condemned in this Court in October, 1825, is very similar to that of the "*Guiana*." The "*George and James*" came to the coast of Africa, and having proceeded to Whydah, Dolland, her master, there sold the vessel to Mr. Ramsay, who was his first mate. Ramsay took her to the Brazils, shipped a cargo, and proceeded back again to Whydah, where a considerable portion of such cargo was distributed to vessels which were on that part of the coast trading for slaves.

This vessel was taken by Her Majesty's ship "*Athol*" at or off Whydah, brought to Sierra Leone, tried under the Consolidated Slave Trade Abolition Act (5 Geo. IV, cap. 113, sec. 4) in the Court of Vice-Admiralty, and condemned under the 4th section of the said Act, by which it is enacted, "That if any persons shall fit out, man, navigate, equip, despatch, use, employ, let, or take to freight, or no hire, any ship, vessel, or boat in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful, such ship, vessel, or boat, together with all her boats, guns, tackle, apparel, and furniture; and together likewise with all property, goods, or effects found on board belonging to the owner or owners, part owner, or part owners of any such ship, vessel, or boat, shall become forfeited, and may and shall be seized and prosecuted as herein-after is mentioned and provided."

This vessel's charter became the subject of a correspondence between Her Majesty's Vice-Consul at Bahia, and the Right Honourable George Canning, then Her Majesty's Secretary of State for Foreign Affairs.

Mr. Canning referred the matter to the King's Advocate-General, who reported that, by the Act of the 5th Geo. IV, for the suppression of the Slave Trade, cap. 113, sect. 7, it is enacted, "That if any person shall knowingly and wilfully ship, tranship, lade, receive, or put on board, or contract for the shipping, transshipping, lading, receiving, or putting on board of any ship, vessel, or boat, any money, goods, or effects to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; then, and in every such case, the persons so offending, and their procurors, counsellors, aiders, and abettors shall forfeit and pay for every such offence double the value of all the money, goods, and effects so shipped, transhipped, laden, received, or put on board, or contracted so to be as aforesaid:" and he further gives his opinion, that the employment of British shipping, described in the Vice-Consul's letter, comes within the terms of this prohibition.

With this authority before me, the legal difficulty which presented itself in their case is in a great measure removed.

I shall, therefore, condemn the "*Guiana*," under the 4th section of this Act, with all her boats, guns, tackle, apparel, and furniture; and together, likewise, with all property, goods, or effects found on board belonging to the owner or owners, part owner or owners, as forfeited to our Sovereign Lady the Queen. And as it regards the cargo, I pronounce for the penalties imposed by the 7th section of the said Act, which are double the value of all the money, goods, and effects shipped, transhipped, laden, received, or put on board of the "*Guiana*," to be recovered from the respective shippers or consignees of the goods. And.

moreover, I order and direct the cargo on board the said brig "Guiana" to be held in deposit until such penalties are recovered, or eventually to be sold, as the justice of the case may require.

A true copy,
(Signed) H. W. MACDONALD,
Acting Colonial Secretary.

Enclosure 2 in No. 148.

Her Majesty's Commissioners at Sierra Leone to the Earl of Aberdeen.

My Lord,

Sierra Leone, June 14, 1845.

WITH reference to our despatch, marked Brazil, of the 6th instant, reporting the case of the "*Conceição Feliz*," we have now the honour to inform your Lordship, that that vessel having been exposed to sale by public auction on that date, was purchased by her former master, João Pereira Mendes, for the sum of 100 pounds.

We should hardly have thought it necessary to bring this circumstance so directly under your Lordship's notice, but, that, immediately after the auction the acting translator reported that he had interfered at the sale, having bid for the vessel on behalf of this "Mendes," and at his request, without being aware at the time that he was her original captain, an assertion which might possibly be correct as the acting translator was not required to translate any papers in the case.

The Commissary Judge at once, upon this representation, directed the acting Registrar to summon the auctioneer; and the Commissary Judge having then inquired into the matter, expressed his strong disapprobation of the part the acting translator had taken.

The Commissioners have since instructed the Registrar to convey formally to the acting translator their censure on his conduct.

A copy of the Minute of Enquiry, as well as of the instruction given by the Commissioners, and of the acting translator's acknowledgment of the Registrar's letter on the subject accompany this despatch

The low price at which the "*Conceição Feliz*" was sold, might be calculated to excite surprise; but it is proper to remark that she was under forty-eight tons British measurement, and is said neither to have been in good condition, nor well found; besides which the great number of condemned prize-vessels which have lately been sold has materially affected a market where the amount of capital disposable in that way is but limited.

At the same time it cannot but be lamented that the punishment for engaging so openly in the Slave Trade should this and in other similar cases be so inadequate to the offence; and that the "*Conceição Feliz*" should, without the possibility of prevention, be returned into the hands of the same owners for re-employment in the same odious traffic.

We have, &c.
(Signed) M. L. MELVILLE.
JAMES HOOK.

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

Enclosure 3 in No. 148.

Minutes of Enquiry.

British Commissioners' Office, Sierra Leone, June 6, 1845, 3 $\frac{1}{4}$ P.M.

Present:

M. L. MELVILLE, Esquire, *Her Majesty's Commissary Judge*;
T. C. WESTON, Esquire, *Acting Registrar*;
MR. B. R. JACOBS, *Commissioner of Appraisalment and Sale*; and
MR. J. P. M. CAMPOS, *the Acting Translator.*

Her Majesty's Commissary Judge inquired of Mr. Jacobs who was the purchaser of the "*Conceição Feliz*" just sold by him? Mr. Jacobs answered, "João Perreira Mendes."

Her Majesty's Commissary Judge then asked who had bid for the "*Conceição Felix?*" Mr. Jacobs stated that Mr. Campos had bid.

Her Majesty's Commissary Judge then inquired, who did Mr. Jacobs consider the responsible person, and to whom did he look for the payment? did he consider Mr. Campos responsible? Mr. Jacobs replied "certainly not;" that he looked to Mr. Mendes for the payment.

Her Majesty's Commissary Judge demanded if Mr. Jacobs knew Mr. Mendes. Mr. Jacobs replied, he did not.

Her Majesty's Commissary Judge then asked how Mr. Jacobs knocked down a lot to a party of whom he knew nothing? Mr. Jacobs said, he often did so, and in the present instance would not give up the vessel until he received the full payment.

Mr. Jacobs explained afterwards, that Mr. Campos had given him a paper with Mr. Mendes' name, authorizing him (Mr. J.) to bid to the extent of 120*l.* (one hundred and twenty pounds) and that Mr. Campos subsequently bid for the vessel till knocked down.

Her Majesty's Commissary Judge expressed his strong disapprobation at the part Mr. Campos had taken in the business.

Mr. Campos stated, that he merely bid for Mr. Mendes, as he could not understand English, and that he had not the slightest idea of doing any thing wrong, or he would not have acted thus.

(Signed) T. C. WESTON, *Acting Registrar.*

Enclosure 4 in No. 148.

Memorandum for the Acting Registrar.

June 7, 1845.

THE Commissioners have had under their consideration the acting registrar's minute of yesterday's date, as also the circumstance of the acting translator's interference at the sale of the "*Conceição Felix,*" having been immediately reported by himself with the declaration that he was wholly unconscious (until subsequently informed that the vessel was bought by her former master,) of having done anything improper; and that being totally unacquainted with Mendes, the purchaser, had only bid for him at his request, made in the auction-room, on the statement that he did not understand English, and that Mr. Dawson, who was to have bid, was not there. And the Commissioners, whatever credit they may attach to the allegations of the acting translator, are of opinion that he at the least, upon his own showing, exhibited a total absence of proper discretion in mixing himself up in the transactions of an utter stranger—a stranger whose presence at such an auction, and as a bidder, ought to have excited suspicion of his true character in a party so experienced as the acting translator. And the Commissioners, highly disapproving of the part which the acting translator has taken in the matter, desire the acting registrar to convey to him the intimation that a repetition of similar conduct will be followed by his immediate suspension.

(Signed) M. L. MELVILLE.
J. HOOK.

Enclosure 5 in No. 148.

The Acting Translator to the Acting Registrar.

Sir,

Sierra Leone, June 9, 1845.

I BEG leave to acknowledge the receipt of your letter, dated on the 7th instant, by which I see how much displeased their Honours the British and Foreign Commissioners are, by my interference at the sale of the "*Conceição Felix.*" I am extremely sorry that I acted so imprudently, but I will be more careful for the future, and I hope you will be good enough to inform their Honours of my sorrow and regret about this matter.

I have, &c.

Thomas C. Weston, Esq.
&c.

(Signed)

Jm. P. M. GAMPOS.

No. 149.

M. Lisboa to Viscount Palmerston.

York Place, le Octobre 8, 1846.

(Received October 9.)

My Lord,

J'AI l'honneur d'accuser la réception de la lettre que votre Excellence a bien voulu m'adresser sous la date du 7 de ce mois; au sujet de la nomination de Monsieur Joaquim Pinto de Menezes Campos, en qualité de Vice-Consul du Brésil à Sierra Leone.

Votre lettre, my Lord, et les pièces qui y étaient annexées, seront dûment transmises au Gouvernement de Sa Majesté Impériale.

En regrettant que votre Excellence ait cru de son devoir de s'opposer à l'expédition des ordres que j'ai sollicités en faveur de M. Campos, je désire dès à présent lui expliquer comment l'initiative de cette nomination m'appartient exclusivement.

Le Gouvernement de Sa Majesté Britannique n'ignore pas que le seul Commissaire Brésilien qui se trouvât at Sierra Leone, fut par force majeure obligé de s'en absenter, et de se rendre à Londres au mois de Mai 1845. L'arrivée inattendue de M. Santos m'engageant à intervenir pour qu'une autorité quelconque Brésilienne défendît à Sierra Leone les intérêts nationaux, et croyant que M. Campos était un candidat des plus compétens (son emploi d'interprète de la Commission Mixte Brésilienne et Anglaise lui supposant naturellement des titres à la confiance de nos deux Gouvernemens), j'ai spontanément recommandé sa nomination au Consul-Général dont elle ressortissait, et l'ai ensuite appuyée auprès de mon Gouvernement.

Je n'ai sans doute pas besoin de vous assurer, my Lord, que ne connaissant autrement M. Campos que par sa qualité officielle d'interprète de notre Commission Mixte à Sierra Leone, j'ai agi dans toute cette affaire dans la plus complète ignorance des faits sur lesquels votre Excellence base la décision qu'elle vient de me notifier.

J'ai l'honneur d'être, &c.

(Signé)

MARQUES LISBOA.

Le Très Honorable Lord Vicomte Palmerston, G.C.B.

&c.

&c.

&c.

No. 150.

Mr. Hudson to Viscount Palmerston.

Rio de Janeiro, September 11, 1846.

(Received November 3.)

My Lord,

WITH reference to the despatch of the Earl of Aberdeen to Mr. Hamilton, of the Slave Trade series, of the 30th of June of this year, upon the subject of the fraudulent removal, in the month of January last, of 56 Africans from on board a polacca-schooner, prize to Her Majesty's sloop "Alert," which, under the command of a British officer, put into the port of Maranham in distress, and instructing Mr. Hamilton, in case no satisfactory answer should have been received from the Brazilian Government to the note which he addressed, on the 1st of March last, to Senhor Limpo d'Abreu upon this matter, to renew his representations in the same sense as in his first letter. I have the honour to enclose herewith the copy of a note which I have addressed to Baron de Cayrù, in the spirit of these instructions of the Earl of Aberdeen.

The Austrian Minister at this Court, Count de Rechberg, upon learning that the Consul of Austria had been implicated in this business of the robbery of these Africans at Maranham, immediately dismissed that officer from the Imperial Service.

I have, &c.

(Signed)

JAMES HUDSON.

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

&c.

&c.

&c.

Enclosure in No. 150.

Mr. Hudson to the Baron de Cayrù.

Monsieur le Baron,

Rio de Janeiro, August 28, 1846.

IT will be in the recollection of your Excellency that, on the 1st of last March, Mr. Hamilton Hamilton informed Senhor Limpo d'Abreu, that on the 2nd of January there entered the port of Maranhão a polacco-schooner which had been detained off Cape Lopez, on the 1st of November, 1845, by Her Majesty's sloop-of-war "Alert," for being employed in the Traffic of Slaves, and having on board 57 liberated Africans, who, with one exception, during the absence of the commanding officer ashore, were fraudulently removed from on board that vessel by certain individuals disguised in military uniform, aided and abetted, it appeared, by some of the local authorities of Maranhão.

Her Majesty's Minister at this Court further expressed a desire to be informed that the necessary steps for the recovery of these Africans had been promptly taken.

No reply to this note of Mr. Hamilton having hitherto been received at this Legation, from the Department of State over which your Excellency presides, I am instructed by my Government to renew the representations which that Minister made to Senhor Limpo d'Abreu, on the 1st of March, respecting this flagrant violation, not only of all moral law, but also of the Imperial Municipal Law, and to urge your Excellency to leave no measures untried to rescue these unfortunate Africans from the hands of their abductors, and to punish the guilty authors of this act of violence.

The Government of Her Majesty do not entertain a doubt of the readiness and desire of the Imperial Government to replace these Africans under the protection of Her Majesty's authorities.

The Baron de Cayrù.
 &c. &c.

Accept, &c.
 (Signed) JAMES HUDSON.

No. 151.

*Mr. Hudson to Viscount Palmerston.**Rio de Janeiro, September 11, 1846.**(Received November 3.)*

My Lord,

MR. WISE, the Minister of the United States at this Court, addressed to Mr. Hamilton, on the 31st of July last, a letter in reply to a despatch which the Earl of Aberdeen wrote to Mr. Hamilton, on the 4th of December, 1845, containing a refutation of certain charges of slave-trading which Mr. Wise, in a communication dated 1st of December, 1844, brought against some of Her Majesty's subjects residing at this capital.

The great length of Mr. Wise's letter, of the 31st of July last, rendered it impossible to finish a copy of it before the departure of Mr. Hamilton from this Court, on the 12th of August; but this has now been done, the copy is deposited in the archives of this Commission, and I send to Mr. Hamilton by the present occasion the original letter.

I have been induced thus to act because, after an attentive perusal of Mr. Wise's letter, I found that he referred to the personal recollection and knowledge which Mr. Hamilton has acquired during a long residence in Brazil for the truth or confirmation of some of the most important points in his letter, and also because I presume that Mr. Hamilton will not fail to communicate with your Lordship upon the subject.

As, however, the 45th paragraph of Mr. Wise's letter relates particularly to certain acts of Her Majesty's Consul for this province, I immediately brought it under the notice of Mr. Consul Hesketh, and I enclose herewith a copy of the letter which I addressed to him, and also of his reply.

The same paragraph also states positively that a British subject, Mr. Weetman, of the firm of Hobkirk, Weetman, and Co., ship-brokers of this place, is in the habit of chartering vessels for the coast of Africa, and acts in this capacity occasionally, under the orders of one Manoel Pinto da Fonseca, who is reputed to deal largely in slaves, and who resides in Rio de Janeiro.

I enclose herewith the copy of a charter-party deposited in the United States Consulate in this city, drawn between one Libby, Captain of the United States brig "*Porpoise*," and Manoel Pinto da Fonseca, and which document is declared by the United States Consul for this city to be in the handwriting of Weetman.

The "*Porpoise*," thus chartered, was afterwards seized for Slave Trade practices.

The question therefore appeared to be, to determine the value of the evidence afforded by this charter-party, of a guilty knowledge on the part of Weetman of the slave-trading transactions of Fonseca, as carried on in vessels chartered by himself, and taking for granted the truth of the assertion of the United States Consul that the charter party of the "*Porpoise*" is in the handwriting of Weetman.

I found upon inquiry that Mr. Weetman and his partner have taken the opinion of no less distinguished a legal authority than that of Her Majesty's Attorney-General, who, they affirm, has given it as his opinion that the share which these brokers have had, and still continue to take, in the negotiation of charter-parties of vessels for the coast of Africa is perfectly lawful.

Until, therefore, I am instructed by your Lordship as to the legality of the negotiation by Her Majesty's subjects of the charter-parties of vessels destined for the coast of Africa, I shall abstain from all interference with those who draw them.

I have, &c.

(Signed)

JAMES HUDSON.

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

&c.

&c.

&c.

Enclosure 1 in No. 151.

Mr. Hudson to Consul Hesketh.

Sir,

Rio de Janeiro, August 25, 1846.

I TRANSMIT to you herewith an extract from a letter which Mr. Wise, the Minister of the United States at this Court, addressed, on the 31st ultimo, to Mr. Hamilton Hamilton, upon the subject of the Slave Trade, as carried on between this capital and the coast of Africa.

A copy of this letter is lying at this legation for your perusal whenever you shall have time to do so. But as the enclosed extract relates to matters more immediately concerning yourself, I lose no time in forwarding it to you.

I shall be glad to be furnished by you with an explanation of certain circumstances which you will find detailed in the accompanying enclosure, and with which Mr. Wise has thought proper to connect your name.

I have, &c.

(Signed)

JAMES HUDSON.

Robert Hesketh, Esq.

&c.

&c.

Enclosure 2 in No. 151.

Paragraph 45 of Mr. Wise's Letter of July 31, 1846, to Mr. Hamilton.

SOON after it came out in the first investigations, prior to the date of my letter to your Excellency, that Mr. Weetman (whether for himself or the firm of Hobkirk, Weetman, and Co., I am not yet informed) was the negociator of the charter-parties and sales of American vessels for the coast, an American gentleman informed me, at the instance, I understood him, of Weetman himself, that he desired to be called on by your Excellency for explanations. That he would inform your Excellency, if called on, that he had negotiated these charters under the advice and counsel of Mr. Hesketh, the British Consul, himself, at Rio

CLASS B.

de Janeiro. That he knew the British laws himself on the subject, but had chosen to have for his own justification the opinion of the British Consul. He was even desirous to have your Excellency informed of the part he had taken in the business. This communication to me, made by a very respectable and responsible gentleman, I imparted to your Excellency's personal friend, George W. Slacum, Esq., late Consul of the United States, who, I have every reason to know, informed both your Excellency and Mr. Hesketh. There was no pretence of denying the fact of negotiating the charters, and perhaps sales of American vessels for the coast; it was a boast on the contrary, that Mr. Weetman had done whatever he had done on the authority, or with the full knowledge at least, of the British Consul. It was communicated to me to be told to your Excellency, and sounded like a defiance of investigation, and a fearlessness of the result, whatever it might be. The case of the seizure of the brig "*Porpoise*" in this harbour, by the United States authorities, occurred soon thereafter. Great excitement was produced thereby in this city, and in the midst of it, whilst attending to that case in the United States Consul's office, Mr. Slacum, whom I had informed, and Mr. John S. Wright, my informant, came together to me in person for a written and correct statement of the communication made to me by the latter. I immediately, in their presence, gave them a written statement, a copy of which is hereto appended, and which they took immediately on the 24th January, 1845 to Mr. Hesketh. He has lately furnished me with the original from which this copy was made. Mr. Hesketh and Weetman were brought face to face on the subject.

The former peremptorily denied what Mr. Weetman was alleged to have said, but the latter never pretended to deny, and confessed that he had negotiated the charters of the vessels. Thus the matter stood when Mr. Hesketh addressed a circular to British subjects here, which is hereto appended. Now, all these facts were fully known to your Excellency, and to Mr. Hesketh, when I addressed to you my letter of the 1st December, 1844. In view of them, and particularly of Weetman's personal confessions to Mr. Hesketh, claiming even that he had his advice for his justification, I have not deemed it necessary to recur to the voluminous depositions which were taken about the time of my letter to your Excellency in December, 1844, to prove the fact of Weetman's negotiation of the charters of American vessels for the coast. The copies of those depositions belonging to this Office have long ago been sent to Washington. Mr. Weetman not only negotiated the charters of the "*Monte Video*," the "*Agnes*," the "*Sea Eagle*," the "*Ganneclift*," the "*Porpoise*," the "*Kentucky*," &c., but since the issuing of Mr. Hesketh's circular, warning British subjects against all participation, directly or indirectly, in the guilt of the Slave Trade (induced in part, I believe, by the affair of himself and Weetman), he has in the face of that circular negotiated of late the charters of the "*Pons*," the "*Enterprise*," and a number of other American vessels, depositions in relation to which, recently taken, I furnish herewith. The charter in the case of the "*Porpoise*" was sent to this place lately by a United States Court attached to a Commission to take depositions, and it can clearly be proved to be in the handwriting of Weetman. In a word, this connection as broker, with Fonseca, the notorious slave-trader, and the charter, and I believe the sale of American vessels employed in the Slave Trade, is notorious, regular, systematic in the way of a business transaction, openly law defying, and continued in spite of the warning of the British authorities, which they know full well, and can establish beyond all reasonable doubt. They themselves know whether Weetman knows Fonseca, and the uses he makes of these charters and sales of American vessels. With them, then, I leave him, with his guilt or innocence, assuring his Lordship at the same time, that I will cheerfully afford them all the facilities in my power for the faithful discharge of their duties, in obedience to their instructions "to push their inquiries to their utmost."

In the hope of arresting and preventing these nefarious sales and charters of American vessels, I shall rely on the assurance that "no exertion will be spared by Her Majesty's Government to reach the offending party," if found guilty, "and to enforce the penalties of the law."

Enclosure 3 in No. 151.

Consul Hesketh to Mr. Hudson.

Sir,

Rio de Janeiro, August 27, 1846.

I HAVE the honour to acknowledge the receipt of your despatch, dated 25th instant, transmitting an extract from a letter addressed on the 31st ultimo to Mr. Hamilton by the Minister of the United States at this Court, and I beg to add my acknowledgments for allowing me the perusal of that letter.

In compliance with your wish to be furnished with an explanation of certain circumstances connected with my name to which that extract refers, I have to remark, that the observations therein made concentrate on two facts, namely, that Mr. Weetman, a British merchant of this place, acted as a broker or agent in chartering American vessels for voyages between this port and Africa; and that, after I was aware of such transactions, the same person continued, either for himself or for his firm, "Hobkirk, Weetman, and Co.," the same brokerage or agency.

The chartering of an American vessel from this port to the coast of Africa reasonably awakens suspicion, but the degree of complicity on the part of the broker employed in such a case can only be ascertained and rendered practically available by a full investigation of the broker's share of the transaction, an examination, be it understood, for which a British Consul needs special authority.

On the other hand, though Mr. Weetman continued to pursue a line of business so suspicious, Mr. Wise appears aware that this British merchant did so in the face of a public caution from this Consulate, and under the clear proof afforded by my correspondence last January with Hobkirk, Weetman, and Co., to be found in the Legation, that I never had counselled, or could approve of the description of agency in which Mr. Weetman was engaged.

I have, &c.

James Hudson, Esq.
&c. &c.

(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

Enclosure 4 in No. 151.

Contract of Charter.

(Translation.)

Rio de Janeiro, June 14, 1843.

IT is this day mutually agreed between Cyrus Libby, Captain of the American brig "*Porpoise*" of the burthen of 160 tons, or thereabouts, at present at anchor in this port, and Senhor Manoel Pinto da Fonseca, merchant of this city, as follows, namely:—

1. The Captain charters the above-named brig-schooner to the said Manoel Pinto da Fonseca for the space of one year certain, one or two months more or less, or until any voyage which may have commenced before the year's end shall be completed, he, the Captain, obliging himself to preserve his vessel in a fit and sea-worthy condition, caulked, &c., fit for any voyage.

2. The charterer can send the vessel to any port he may think fit, the voyage being a lawful one, and load any lawful goods or merchandize he may think proper, it remaining at the Captain's option to open and examine any packages which he may suspect, and reject those which may contain prohibited goods, (not exceeding what the vessel can reasonably stow and carry dry and well conditioned under hatches, reserving only necessary room for stores and provisions). The charterer can likewise put on board such passengers, being free persons, as can be accommodated, he furnishing them with every thing necessary for their aliment.

3. The charterer agrees to pay to the Captain, or to his agents here, for this charter, as freight, the sum of 900 milreis per month, payable monthly, for all the time that the vessel shall be employed under this charter.

4. All the port charges, whatever they may be, shall be defrayed by the charterer, as well as all expenses of loading, discharging, stowing the vessel, and of ballast, if required. The Captain, however, engages to afford all assistance in his power with his boats and crews, with the understanding that the crew are not to land to work.

5. This charter commences on the 1st of July next, and for mutual fulfilment both contracting parties sign this document.

6. Whichever of the contracting parties which shall fail to fulfil, in all or part of what is above specified, shall pay to the other party the sum of 3000 milreis fine.

(Signed) CYRUS LIBBY.
M. PINTO DA FONSECA.

Consulate of the United States, Rio de Janeiro.

I, THE Undersigned, Consul of the United States at this city, hereby certify the foregoing to be a correct copy of an original document attached to a Commission issued by the Circuit Court of the United States, for the first Circuit holden at Portland, within the district of Maine, and in the matter of the United States *versus* Cyrus Libby.

Given under my hand and seal of office on this 2nd day of June, 1846.

(Signed) GORHAM PARKS,
United States Consul.

No. 152.

Mr. Hamilton to Viscount Palmerston.

London, November 4, 1846.

My Lord,

(Received November 5.)

BY the South American mail which arrived yesterday, I received from Mr. Hudson, Her Majesty's Chargé d'Affaires in Brazil, a letter, covering the reply of Mr. Wise, the United States' Minister at that Court, to the communication relating to Slave Trade matters, which, under instructions from the Earl of Aberdeen, I made to Mr. Wise on the 26th of March last.

I lose no time in laying this correspondence with the documents annexed to it, before your Lordship.

I have, &c.
(Signed) HAMILTON HAMILTON.

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

&c. &c. &c.

Enclosure 1 in No. 152.

Mr. Hudson to Mr. Hamilton.

My dear Sir,

Rio de Janeiro, August 31, 1846.

HAVING deposited in the archives of this Legation a copy of Mr. Wise's letter of the 31st ultimo, replying to Lord Aberdeen's despatch to yourself, of the 4th of December, 1845, I now transmit to you the original, and I also enclose herewith, an analysis of this letter of Mr. Wise, in which I have numbered the paragraphs, for the greater convenience of reference.

You will perceive from this analysis, that Mr. Wise appeals to your personal knowledge of many of the facts which he now adduces in this communication; and indeed, so entirely is the letter addressed to yourself, that its tenor prevents my taking any other course than that of transmitting it at once to you, leaving it to your better judgment to bring it, or not, before Her Majesty's Government.

I have lost no time in transmitting to Mr. Hesketh a copy of so much of Mr. Wise's letter as relates particularly to matters in which he has been concerned; and I have also placed in his hands, for his attentive perusal, a copy of the letter itself, in order that he may take note of such parts of it as seem to him worthy of consideration; for his long residence in this country enables him to determine with great precision that which is, and that which is not, practicable in the suggestions offered by Mr. Wise.

Believe me, &c.
(Signed) JAMES HUDSON.

Hamilton Hamilton, Esq.
&c. &c.

P.S.—I enclose a copy of Hesketh's remarks upon the 45th paragraph of Mr. Wise's letter, to which section I would particularly call your attention; and I write to the Foreign Office by this occasion, upon the subject of the charter parties negotiated by Weetman for Fonseca, and I also report having transmitted Mr. Wise's letter to yourself. (Signed) J. H.

Enclosure 2 in No. 152.

Mr. Wise to Mr. Hamilton.

*Legation of the United States,
Rio de Janeiro, July 31, 1846.*

Sir,

1. THE copy of the despatch of the Earl of Aberdeen, communicated to me on the 26th of March last, dated the 4th of December, 1845, acknowledges that early in that year he received from your Excellency, for the information of Her Majesty's Government, a copy of my letter addressed to you, dated the 1st of December, 1844.

2. I refer thus particularly to dates, for the purpose of remarking that, for many and obvious reasons, it was desirable that his Lordship's review should have followed sooner, if possible, in point of time, after the receipt of my letter by Her Majesty's Government.

3. Acknowledging the receipt of a copy of my letter, his Lordship enumerates three causes which made it impossible for Her Majesty's Government to pass it in silence:—

4. First—The great importanee which, in the estimation of Her Majesty's Government, attaches to the subject of that communication.

5. Second—The charges, which although in a tone of friendliness, it brings against the British nation at large, not excepting Her Majesty's naval officers, and other servants.

6. Third—And above all, the public attention drawn to it, by a message addressed by the President of the United States to Congress, on the 20th of February, 1845.

7. I am happy to remark, upon the first of these alleged causes, that the principal object at least of my letter to your Excellency has been obtained. Its aim was to arouse and attract the attention of both Governments to certain aspects of the Slave Trade, which had not been sufficiently, if at all, exposed to either; to make manifest certain of its evils and its auxiliaries in the very bosom and the very home of Great Britain herself, which were immediately tangible to her remedial power, and thereby to convince Her Majesty's Government, that more importance even should be attached to the subject than had, great as it undoubtedly was, heretofore been ascribed to it. Her Majesty's Government had been in the habit of treating the Slave Trade at this day, as a subject more nearly, if not entirely, touching its foreign relations; as an evil belonging rather to other nations and to other Powers, which it was its abstract duty of humanity merely to suppress, and not as one which practically concerned so much its own domestic policy, and the good government of British subjects and British interests themselves. It was deemed, therefore, that the more Her Majesty's Government became convinced that its own subjects were implicated, and its own national interests and honour were involved in the guilt of the Slave Trade, the more importance still would be attached to its suppression. It would no longer be a foreign, but a home question; and the domestic treatment of it by Her Majesty's Government, might essentially aid its foreign policy and international action in respect to it. I am gratified at having attracted the attention of both Governments to this point of view of the subject, and time will show whether the good result intended, will be produced. The immediate end I aimed at is attained; the importance of suppressing the Slave Trade is magnified.

8. Upon the second cause enumerated by his Lordship, he will pardon me, I am sure, for declaring that he is in error when he says that my letter to your Excellency brings any charges whatever "against the British nation at large, not excepting Her Majesty's naval officers, and other servants." Certain facts it did adduce, to show that "British brokers are the immediate agents of the slave-dealers in Brazil, in negotiating the sales and the charters of American

vessels;" and "that British goods chiefly are sent and consigned to make funds for the Slave Trade on the coast of Africa;" and "that British capital and credit are used here to guarantee the payments." It informed your Excellency further, that "it is said" that in consequence of the long credits of British manufacturers and merchants, extended to the Portuguese and Brazilian merchants who ship goods to the coast; and in consequence of the fact that the chief security which the British merchants have for payment, is the successful sales of these goods in Africa; the English cruizers will not now capture or destroy them, because the blow is found to fall upon the trade and commerce of their own countrymen. It informed your Excellency further, that "it is asserted here positively, as I had informed you on another occasion, that the British cruizers do not take the proper and active steps to prevent the shipping of slaves in Africa, and that the motive alleged was, that they seem to desire the slaves to be shipped, to be once put on board, in order to obtain the bounty of so many pounds sterling per capita for their capture, and to send them as apprentices to Demerara and other possessions of Great Britain." It informed your Excellency, that it was "alleged, moreover, that the obvious effect, if not design, of the British efforts on the African coast, was not so much to suppress the African Slave Trade, as to monopolize the African commerce, and particularly to exclude the trade there of the United States."

9. Information, in a friendly tone, that an imputation, whether true or false, is made by others, is not the "bringing of a charge" yourself; and whatever facts I did undertake to assert and to sanction, upon evidence deemed by me sufficient, whether amounting to "charges" or not, I am still prepared to establish. But upon none of these facts did my letter bring any charges whatever "against the British nation at large, not excepting Her Majesty's naval officers and other servants." And I am glad that his Lordship even acknowledges "the friendliness of the tone" of my letter. Where it spoke upon evidence it so asserted, and where it gave information of accusation, it spoke on the ipse dixit of others. And where it authoritatively asserted facts upon which charges could be made at all, they related to certain British subjects only, and not to the British nation at large, or to Her Majesty's naval officers and other servants. And when it spoke of the charges brought by others, whether against the British Government, or nation at large, or against Her Majesty's naval officers and other servants, it pretended not implicitly even to sanction these charges, but to name merely objections to the national policy of Great Britain, which, whether well or ill-founded, could be and should be easily removed by Her Majesty's Government itself. So far from sanctioning any or all of these charges stated to be made by others, the letter itself rather repels them by the expressed assumption, that one at least of the most prominent of them might be but "an act of the African slave-dealers, in order to divide their opponents." These allegations, whether deemed charges or not, were adduced in any other than in a recriminating spirit. Of this your Excellency doubtless was well assured; but more of these charges, and the spirit in which they were made specifically, hereafter. My letter to your Excellency was certainly not meant as "a bill of indictment," but I do not demur to being held to all the strictness of replying to his Lordship's special plea to it.

10. Upon the third cause enumerated by his Lordship, I must observe, that he received a copy of my letter early in the year 1845; that the message of the President of the United States communicating it to Congress, was dated the 20th February, 1845; that on the 19th of March following Mr. Aldam propounded certain questions, and Sir Robert Peel answered them in the House of Commons; and certain strictures appeared in the London papers, especially under the signature of "A British Merchant," upon the answer of Sir Robert Peel; all well calculated to create erroneous impressions in respect of the message itself, and the source of information on which it was based, which were left free to circulate, and to grow and strengthen into conviction, whilst I was kept waiting until the 26th of March, 1846, for a legitimate occasion to correct them. Knowing that truth follows but slowly at best in the footsteps of error, my intention at first was, after receiving the debate in the House of Commons, to make it the occasion of addressing your Excellency again, and I commenced a letter with that view, but certain causes prevented me from doing so, and I am rather pleased that I awaited the direct opportunity now afforded me by his Lordship, of answering not only his despatch, but the debate in the House of

Commons, and of correcting all error as far as I can, on both sides, and of justifying the President's message, and the information on which it was based, forwarded by me to the Federal Executive. This is what I purpose, with patience, to do, in the same tone of candour and of friendliness with which my correspondence with your Excellency was first commenced.

11. Perhaps the main cause of the delay of his Lordship's despatch was that "Her Majesty's Government deemed it necessary," as he says, "before instructing you to make any communication to Mr. Wise, to take the most efficacious measures which the case admitted, for investigating the circumstances adduced by him, and for ascertaining, so far as might be possible, from the slender data which he has furnished, what share of culpability in the transactions described by him may attach to British subjects, or to persons within the reach of British law. This," he says, "Her Majesty's Government have done," and he then proceeds "to make such observations as Mr. Wise's letter appears to him "to call for."

12. Upon this I have to repeat, that I regret very much that the communication to me should have been delayed so long by an investigation in England, founded upon data deemed to have been slender, of circumstances adduced by me in Rio de Janeiro. The case necessarily admitted of no very efficacious measures in that mode of investigating the circumstances, as is clearly proved by the letter of the British merchant or manufacturer quoted by his Lordship, if he means to adduce that as one of the results of the investigation, or if it is evidence of the kind of "efficacious measures" taken.

13. My letter professed to give information only, and not to furnish the proof of any one fact which it stated or described. This is particularly to be noted, because different parts of the same letter, all resting upon the same authority, my own narration, no other, seem to have weighed very differently in the scale of evidence with his Lordship; full credence is given by him to certain parts, whilst others are "damned by doubts," and others still are not only wholly disbelieved, but are discountenanced and denied; which are given full faith to, which are doubted, and which are positively denied, is seen as his Lordship proceeds. Where facts were pretended to be stated positively by me, whether in respect to an American vessel, owner or captain, or in respect to British brokers, credit and goods, the data furnished in each case was precisely the same, equally slender, or equally strong. The object of my letter was to give information for the purpose of causing investigation, and to aid in the execution of our own laws, which the United States were so often called on by Great Britain to execute, and not with the view of convicting culprits. How the information came to be given will be spoken of presently.

14. For the present I pass over the next observation premised by his Lordship. He professes to "confine himself to noticing those points which affect the character of any individuals or classes of Her Majesty's subjects, and upon some of which Mr. Wise's personal observation, or the information which has been furnished to him, appears to have led him into error." No one would be more happy than I would be, to have any errors of mine on this subject corrected; no one could desire more sincerely than I do, to be put right in case I may have been wrong, or not to be put wrong where I may have been right. I am even anxious to satisfy Her Majesty's Government how particular I, as Minister of the United States, have been, in ascertaining correct information, and in using it for the promotion of the humane policy both of Great Britain and the United States, in suppressing the African Slave Trade. When bad men combine for evil purposes, good men must unite to suppress the evil and promote the good. To prevent the co-operation of the good is the policy of the bad; and to cause misunderstanding and misconstruction between the agents of Governments whose policy is to suppress the Slave Trade, is an old art of slave-traders, too often successfully practised. To prevent or correct any and all such misunderstanding or misconstruction between Great Britain and the United States and their respective officers and agents, has been and will continue to be one of the main objects of my best exertions. It is indeed one of the most essential means of success in the struggle with the Slave Trade.

15. His Lordship next proceeds to cite in substance, but not in precise terms, my declaration,—“That whilst the vessels and the flag of the United States are employed for transportation, British brokers are the immediate agents of the slave-dealers in Brazil, in negotiating the sales and the charters of these

vessels, and British goods chiefly are sent and consigned to make funds for the Slave Trade on the coast of Africa, and British capital and credit are used here to guarantee the payments." This proposition, thus stated, but not precisely as his Lordship states it, is one of those contained in my letter to your Excellency, which I made upon my own authority, to which I did give my sanction; which I re-assert with more emphasis, if necessary, than ever; which I am well prepared to maintain; and for the truth of which, both in letter and in spirit, I appeal to the knowledge, information, belief, and experience of Her Britannic Majesty's Envoy, &c., at the Court of Brazil, and Her Britannic Majesty's Consul at the port of Rio de Janeiro.

16. Departing from the points to which his Lordship proposed to confine himself, he recurs, in the next place, to my "general history of the cases, in investigating which" I "found the proof of these facts, verified, as I state them to be, upon oath." He does not follow me through my account of all the details of these transactions, but he does my statement the justice to say,— "So far as relates to the proceedings of the vessels and their crews, nothing can be clearer or apparently better established, than the charges which he makes out against them." He then recapitulates several particulars of the voyages of the three vessels, the "*Agnes*," the "*Monte Video*," and the "*Sea Eagle*;" and concludes his observations upon them by saying,— "In short, it is manifest from the facts which Mr. Wise has collected, and from the details which he is enabled to furnish, that American merchants, American shipowners, and American vessels, with their masters and crews, are regularly employed in carrying on the Slave Trade, and in furthering the conveyance of slaves from the coast of Africa to Brazil." Nothing can be clearer or apparently better established than American guilt; in short, it is manifest from the facts, that every person and everything American are, as charged, not only "regularly employed" in furthering the conveyance of slaves from the coast of Africa to Brazil, but they are "regularly employed" (which is neither directly charged nor proved) "in carrying on the Slave Trade" itself. Now where did his Lordship obtain such conclusive proof of all this against American persons and things, masters, owners, crews, vessels, and flags? "From the facts which Mr. Wise has collected, and from the details which he is enabled to furnish." Were his facts proved? Were his details vouched by any data? By his own assertions alone. The strength of his Lordship's credence, thus far, is fully justified; but it is remarkable in contrast with his incredulity which immediately follows in respect to British persons and things. Turning from American participation in the guilt and profits of the Slave Trade, he examines the only two points in the above transactions, in which it is stated that any British agents are implicated; "the proceedings of Mr. Weetman, the charterer of the '*Agnes*' at Rio de Janeiro, and the shipment of the '*Agnes*' cargo at Liverpool." And as to these, his Lordship says, "the information supplied by Mr. Wise is perhaps not unnaturally less precise than that which relates to the proceedings of the vessels and their crews."

17. Truly enough, it is not to be expected that I should have been as fully informed, or as painstaking in collecting facts respecting British as American proceedings. It was not my duty or my province to be concerned so much in the one as in the other. Whilst investigating the one the other arose incidentally, and in necessary union and connexion, but not so as to pertain to the issue of guilt or innocence in the American cases. All relating to the latter of essential importance, was noted and recorded; much of importance, and everything of minor matter relating to the British cases, was omitted in writing the depositions. But still much was recorded, and so far as noted, the information was no less precise in relation to British than to American cases. The statement was precise, that Mr. Weetman had negotiated the sales and charters in the cases of all three of these vessels, and that the goods were shipped in Liverpool for the coast. These facts are established. Where, then, was the want of precision? Perhaps his Lordship meant that the information was not quite so "full," and not that as far as it went it was not so precise, because it turns out that the most essential facts stated are sustained by Her Majesty's Government's own investigation.

18. His Lordship first takes up the shipment of the "*Agnes*" cargo from Liverpool. He states that "Her Majesty's Government had ascertained who the parties are by whom it was shipped, and the circumstances under which

this was done; and" he adds, "I cannot state these more clearly than by quoting their own words." He then sets forth their own words, and concludes by saying, "Mr. Wise will probably admit that this simple statement, voluntarily made by the parties who shipped the goods on board the '*Agnes*,' goes far to prove that they had neither any interest in or even any knowledge of the slave-trading part of the transaction which was to follow." In making it to me, the simplicity, the benevolence, the charity of this submission, prove that his Lordship is really sincere. Now, would your Excellency say "that Mr. Wise will probably admit all that his Lordship thus supposes?" It proves only what I have often, since my labours here, had reason to lament, and sometimes in conjunction with yourself, that the high functionaries of both Governments are not only so far removed in space from the scenes of this horrid trade, but are elevated so far above its evil imaginations at home, that it seems almost impossible to make them conceive of its practices and devices. They cannot realize the whole truth of the subject as we do, located in Rio de Janeiro. But that they should so widely misconceive the truth is strange. His Lordship will doubtless be perfectly astonished when he reads my response, that so far from my admitting that this simple statement, voluntarily made by the parties who shipped the goods on board the "*Agnes*," goes far to prove that they had neither interest in, nor even any knowledge of, the slave-trading part of the transaction which was to follow." I insist that it goes very far to prove the very reverse. Let us examine this simple statement, thus "voluntarily" made; and, for the sake of illustration to his Lordship, let us see how it would affect your belief and mine. Let us premise, however, that knowing nothing of the parties in England, not knowing who or what they are, and not wishing to prejudge or to prejudice their cases, and disclaiming altogether the judgment that they are innocent or guilty, I will imagine the case to be a supposed, an abstract one merely, not real, and tell his Lordship what I, sitting in Rio de Janeiro, think of it.

19. 1st. The parties admit that they have partners in Rio, who wrote to tell them that they (the partners in Rio) had undertaken to execute a large order.

20. 2nd. That it consisted more or less of the articles enumerated, &c., that is, of "cottons, baizes, cloths, muskets, gunpowder, hardware, &c."

21. 3rd. For one of the wealthiest of their customers.

22. 4th. This order was to be executed on commission.

23. 5th. The various articles were shipped by the schooner "*Agnes*."

24. 6th. Which vessel had been chartered in Rio by the person who gave them the order.

25. 7th. It was stipulated that the "*Agnes*" should proceed with the cargo from Liverpool to the coast of Africa by the way of Monte Video, calling at Rio for orders. And a false reason was assigned for going by Monte Video, as there was no Brazilian duty of 20 per cent. levied on goods sent to Africa.

26. 8th. After landing her cargo in Africa, she was to return thence to Rio with a lawful cargo, and then the charter-party was to terminate. Such is the case. The balance of the statement consists of argument in defence.

27. Now, besides these facts thus admitted it is known,—

28. 1st. That every article of cargo shipped in Liverpool enumerated, is such as is used in the Slave Trade.

29. 2nd. That they were shipped by a vessel which actually returned from Africa to Brazil with a cargo of slaves, after cruising for several months with her cargo of English goods to supply various factories and posts of the Slave Trade. Though the vessel was a long time on the coast before she took slaves, yet she was as effectually aiding the Slave Trade.

30. 3rd. That one of the wealthiest of the customers of this English house, who ordered the goods, and who chartered the vessel, was none other than the illustrious Senhor Manoel Pinto da Fonseca, Knight or Commander of the Order of the Rose in the Empire of Brazil, as notorious a slave-trader as any to be found in Brazil, whose name, at the head of the list, with that of Bernardino da Sá and many others, your Excellency has been known long ago to have communicated officially to the Brazilian Government, and whose name figures in almost every case of slave-trading by American vessels for the last five years, which cases have from time to time caused even national excitement between Brazil and the United States. The facts admitted and the facts notorious,

then, justify us in inquiring of these parties, whose statement is truly too simple, —whose art, simple, truth-like as it seems to his Lordship, does not conceal its art from me.

31. 1st. Who are their Rio partners, and how long have they been residing in Rio?

32. 2nd. Are they British subjects?

33. 3rd. Did they know Manoel Pinto da Fonseca, one of the wealthiest of their customers?

34. 4th. Did they not know his calling, and the means of carrying on the Slave Trade, and the goods required for it?

35. 5th. Had the partners in Liverpool no advices in respect to all these inquiries? Sir, I leave your Excellency to elicit answers to these questions, and many more which might be put; and I call upon you to state to his Lordship your opinion on this more than *prima facie* evidence, which proves beyond doubt to my mind,—

36. 1st. That though the Liverpool parties may not have had any knowledge of, (which, whoever they be, I doubt,) yet they certainly had an interest in, the cargo of a slave-trading voyage.

37. 2nd. They had, by their own statement, information enough to make out a “caveat vendor.” And—

38. 3rd. Their partners in Rio, in every presumptive aspect of the case, not only had an interest in the slave-trading part of the transaction, so far at ordering the Slave Trade goods for their wealthy customer on a commission, but the *scienter*, moral, if not legal, of guilt is established upon them beyond a doubt in my mind.

39. Now, who are these parties? Whoever they be, I challenge the comparison, that either the American owner or the American captain of this very vessel, the “*Agnes*,” can give an excuse just as simple, voluntarily made, as fair, and truth-like, and reasonable, apparently; and that the American crew and consignees can give still better excuses for their conduct than either of them. And so far as the American Government is concerned, it has caused the captains and mates, and parts of the crews of the “*Agnes*” and “*Monte Video*” both, to be arrested, and a number of them have been tried and convicted. Here we have the defence. Let us see what the owner of the “*Agnes*” could say.

40. In the first place he could plead his general character for respectability, as high as that probably of the parties in Liverpool. He is said to be a Quaker, a person belonging to what is called a “free state of the Union,” and of a class whose principles and practice are opposed to slavery in every form, and who are almost universally in favour especially of African emancipation. He declares that he is a vessel-owner and a shipper; that the policy of his country is to encourage ship-building, navigation, and commerce, and the sale of vessels, as a considerable part of trade. That, being the owner of the “*Agnes*,” a vessel employed in the trade to Brazil from the United States, he gave, of course, instructions to her captain to procure for her the best possible lawful charter, and to sell the vessel, if he could get for her a fair price. That his captain made his voyage to Rio, there entered into the charter-party (as described by the Liverpool parties), and on his return to Philadelphia, seeing nothing unlawful or suspicious in the voyage, and knowing nothing of the character of the parties in Rio with whom and through whom the charter was made, he permitted the vessel to pursue her voyage. True he was informed that there was a contract aside from the charter-party, that the vessel was at the option of the charterer to be sold, and delivered to him at a stipulated price, on the coast of Africa; but such a contract, to sell at one place deliverable at another, was lawful and usual; and the price in this case was not beyond the market value of vessels deliverable on the coast of Africa. Then he, too, fearlessly asks, “Was he to foresee that any such nefarious project was contemplated?” All his interest ceased as soon as the ship was delivered; neither directly nor indirectly had he the slightest interest in the result of the adventure;” and he confirmed the charter and sale of the vessel “under the full conviction that she would return to Rio with a lawful cargo, in short, that it was a regular trading voyage.” All this seems very fair. Let us next examine the captain. Captain Gray, of the “*Agnes*,” in fact, was arrested, upon information sent to the United States by me, and his excuse is therefore no supposititious one, but was really made, as I am told, upon his examination. His excuse, in substance, was: “I was captain

of the 'Agnes;' took letters to the consignees at Rio to charter the vessel on the most advantageous terms, and I had instructions to sell her, if I could, for a good price. I of course left the negotiations for the charter and sale in the hands of the consignees, and they, as usual, employed a broker who contracted with the charterer. The charter-party is fair and legal on its face; it was for a lawful voyage; I know nothing to the contrary; and the bargain to sell and deliver the vessel on the coast, in case the charterer chose to take her at the price agreed, was legal and *bonâ fide*. I did not, owing to the danger of sickness on the coast, go in the vessel, and another captain was shipped on board of her in Rio. He died on the coast, and then I went there in the 'Sea Eagle,' to look after the interest of owners. The vessel was sold and delivered according to contract and law, and previous to that moment no part of her voyage was in any respect unlawful. I was not responsible for the act of the Brazilian purchasers; and was I to foresee that any such nefarious project was contemplated?" &c., &c. There were positive witnesses of this man's guilt, but, owing to their absence from the United States, he was discharged. Since the witnesses have gone home he has arrived here captain of another vessel.

41. Now let us see what the consignees say:—"We are doing a lawful and large commission business in Rio de Janeiro. We have nothing to do, and would not, on any terms, have anything to do, directly or indirectly, with the Slave Trade or its profits. A shipowner instructed us to procure an advantageous charter for his vessel. This was in the line of our lawful business, and we could not decline the order. It was not for us to inquire of the charterer how he was going to employ the vessel; and our only care was to have a lawful charter negotiated on the most favourable terms for the owner. The usual course we pursued in the case of the 'Agnes,' to refer the captain to a responsible broker with whom we dealt, and who did the business in this as in all cases of consignments to us, on a commission of $2\frac{1}{2}$ per cent. We left the business with him, and feel in nowise responsible further than to see, as we did, that all money due under the charter-party or sale was credited and remitted to the owners." And it is due to the consignees in the case of the "Agnes," to say, that immediately upon the developments of the cases of the "Agnes," "Monte Video," and "Sea Eagle," they addressed me on the 30th November, 1844, a letter of inquiry in respect to the law and their duty in future cases, and I returned them advice which I believe they have followed since in good faith. The house of Maxwell, Wright, and Co., composed of English and American partners, is one of the largest houses in Rio de Janeiro, and none stands in higher credit with the bankers of England. No men are more respectable here than all the partners are; and since my letter to them of December 9, 1844, they have wholly declined to negotiate the charters or sales of vessels for the coast of Africa. They have manifested the most *bonâ fide* intents throughout, so far as I have had an opportunity of judging their motives by their acts.

42. Well, what are the excuses of the captains who actually navigate the vessels, and of their crews, to the coast? They say, "We are paid by the month ordinary wages for voyages most dangerous to our health; we know nothing of the doings or intents of owners, masters, consignees, brokers, or purchasers, or charterers. We simply sail the vessel to such and such ports, and deliver the cargo and the vessel, as the case may be, a charter or sale, or both, according to instructions, and then we return to port as best provided for us. We know nothing and are informed of nothing unlawful, and saw nothing suspicious until after we had delivered up the vessel, hauled down the colours, erased the name from the stern, and thereby destroyed all her American character. We were ignorant and innocent throughout, and how were we to foresee?" &c., &c. Some of these, indeed, from maltreatment are caused to come forward and testify most indignantly, that they were duped into an illegal voyage, and to expose its secret iniquities. In this way chiefly does the truth come out.

43. The English broker, the English merchant, partner in Rio, each has his excuse, all tending to the innocent query, "How were we to foresee?" &c., &c. And thus, if the simple story of the parties in Liverpool is to be credited, each and every person connected with the nefarious project has an excuse precisely similar and equally good, and all alike are excusable. Thus—does not his Lordship at once see—no one is guilty where so many are concerned? To Don Manoel Pinto da Fonseca, and he would tell his Lordship

flatly, "Oh! my Lord, the cargo from Africa to Brazil was lawful!" I put these contrasts of excuses and defences, to show not that they all are good, but that any excuse of any one party inculpated is just as good as that which he expects me to admit "goes far to prove the innocence of his parties in Liverpool." The fact is, that there has been culpability if not guilt on the part of all. There has been deep-dyed guilt on the part of some of them. But the American ship-owner was certainly no more culpable than the British partner in Liverpool who furnished the goods, and who had a partner whose customer is Fonseca in Rio. The English and American consignees here were not more culpable than the Rio partners of the Liverpool parties. And Captain Gray himself was not more guilty than the English broker. The poor navigating captain and crew were as little guilty of a scienter as any or all of the parties. In fact, the fair presumption would be, that the most guilty of all were the Rio partners of the Liverpool parties, and the English broker in Rio, because these were in the most immediate juxta position to Manoel Pinto da Fonseca, the Brazilian prime mover and chief gainer in the nefarious transaction. Yet his Lordship is conclusively convinced of the guilt of all and everybody engaged in it, except these two. As to these there is a foundation laid only for further inquiry. This proves only how hard it is to judge at a distance, and to judge our own people as we judge our neighbours. I am making no defence for either or any of the parties, but showing only that those Americans whom his Lordship admits are clearly proved to be guilty, stand upon just as good, if not better, grounds than the English brokers and merchants as to whose guilt his Lordship declares the "data to be slender," and the proof to be doubtful.

44. His Lordship next remarks on the case of Weetman, and says, "Mr. Wise, not having stated the nature of the evidence in his possession against Weetman, it is impossible, with a due regard to justice, to say that there is sufficient ground," &c. Now as to the case of this man I must premise that I cannot forget myself and my position so far as to become in any sense the approver, the prosecutor, or informer, or witness against him; I am neither his accuser nor his judge. It is not my province to bring him to trial, and if the proper British authorities arraign him, it must be for an English court, I presume, to decide whether "he has committed a violation of the British laws." But, appealed to as I am for the justification of my own statements to my own Government, I am compelled to show, as an example of the evidence upon which I relied, not only as to these but other facts, the foundation upon which I based the information that a British broker does negotiate the charter-parties (and, I believe, the sales) of American vessels employed for the uses of the Slave Trade. His Lordship will please bear in mind, that my letter of the 1st December, 1844, was addressed to your Excellency here in Rio de Janeiro, not to a person in North America or in Europe. I was addressing a person who was already fully informed, and who I supposed would fully inform his Government. But as his Lordship's despatch leads me to infer that Her Majesty's Government must have been uninformed and totally ignorant of facts known, within my knowledge, to its authorities here; and as I am requested by Her Majesty's Government to produce the evidence, I must appeal to your Excellency's recollection to confirm a statement as far as the facts of the case of Weetman is concerned.

45. Soon after it came out in the first investigations prior to the date of my letter to your Excellency, that Mr. Weetman (whether for himself or for the firm of Hobkirk and Weetman, I am not yet informed) was the negotiator of the charter-parties and sales of American vessels for the coast, an American gentleman informed me, at the instance, I understood him, of Weetman himself, that he desired to be called on by your Excellency for explanations. That he would inform your Excellency, if called on, that he had negotiated these charters under the advice and counsel of Mr. Hesketh, the British Consul, himself at Rio de Janeiro. That he knew the British laws himself on the subject, but had chosen to have, for his own justification, the opinion of the British Consul. He was even desirous to have your Excellency informed of the part he had taken in the business. This communication to me, made by a very respectable and responsible gentleman, I imparted to your Excellency's personal friend, George W. Slacum, Esq., late Consul of the United States, who, I have every reason to know, informed both your Excellency and Mr. Hesketh. There was no pretence of denying the fact of negotiating the charters, and perhaps sales, of American

vessels for the coast; it was a boast, on the contrary, that Mr. Weetman had done whatever he had done, on the authority, or with the full knowledge at least, of the British Consul. It was communicated to me, to be told to your Excellency, and sounded like a defiance of investigation, and a fearlessness of the result, whatever it might be. The case of the seizure of the brig "*Porpoise*," in this harbour, by the United States authorities, occurred soon thereafter. Great excitement was produced thereby in this city; and in the midst of it, whilst attending to that case in the United States Consul's office, Mr. Slacum, whom I had informed, and Mr. John S. Wright, my informant, came together to me in person for a written and corrected statement of the communication made to me by the latter. I immediately, in their presence, gave them a written statement, a copy of which is hereto appended, and which they took immediately, on the 24th of January, 1845, to Mr. Hesketh. He has lately furnished me with the original from which this copy was made. Mr. Hesketh and Mr. Weetman were brought face to face on the subject. The former peremptorily denied what Mr. Weetman was alleged to have said; but the latter never pretended to deny, and confessed that he had negotiated the charters of the vessels. Thus the matter stood, when Mr. Hesketh addressed a circular to British subjects here, which is hereto appended. Now all these facts were fully known to your Excellency and to Mr. Hesketh, when I addressed to you my letter of the 1st December, 1844. In view of them, and particularly of Weetman's personal confessions to Mr. Hesketh, claiming even that he had his advice for his justification, I have not deemed it necessary to recur to the voluminous depositions which were taken about the time of my letter to your Excellency, in December 1844, to prove the fact of Weetman's negotiation of the charters of American vessels for the coast. The copies of those depositions, belonging to this office, have long also been sent to Washington. Mr. Weetman not only negotiated the charters of the "*Monte Video*," the "*Agnes*," the "*Sea Eagle*," the "*Gannecliff*," the "*Porpoise*," the "*Kentucky*," &c., but since the issuing of Mr. Hesketh's circular, warning British subjects against all participation, directly or indirectly, in the guilt of the Slave Trade (induced in part, I believe, by the affair of himself and Weetman), he has, in the face of that circular, negotiated of late the charters of the "*Pons*," the "*Enterprise*," and a number of other American vessels, depositions in relation to which, recently taken, I furnish herewith. The charter, in the case of the "*Porpoise*," was sent to this place lately, by a United States court, attached to a commission to take depositions, and it can clearly be proved to be in the handwriting of Weetman. In a word, his connexion, as broker, with Fonseca, the notorious slave-trader and the charter, and, I believe, the sale of American vessels employed in the Slave Trade, is notorious, regular, systematic in the way of a business transaction, openly law-defying, and continued in spite of the warning of the British authorities, which they know full well, and can easily establish beyond all reasonable doubt. They themselves know whether Weetman knows Fonseca, and the uses he makes of these charters and sales of American vessels. With them, then, I leave him and his guilt or innocence, assuring his Lordship at the same time, that I will cheerfully afford them all the facilities in my power for the faithful discharge of their duties, in obedience to their instructions to "push their inquiries to the utmost." In the hope of arresting and preventing these nefarious sales and charters of American vessels, I shall rely on the assurance that "no exertion will be spared by Her Majesty's Government to reach the offending party," if found guilty, "and to enforce the penalties of the law."

46. His Lordship then turns from the details respecting the vessels, to the other, or general, information, which I said "it was proper you should hear." And I regret to observe, that in the first clause of his Lordship's next paragraph, he egregiously misquotes my language, and changes the whole meaning of what I said. He says, "He states that as the goods fit for the coast are purchased from British merchants, and as the chief security which the merchants have for payment is the successful sale of the goods in Africa, the consequence is said to be, that the British cruizers will not capture or destroy the vessels which carry these goods, as the blow is found, &c." Now, what I said was this:—

47. "The goods and credit of British manufacturers and merchants are liberally and indulgently extended to the Portuguese and Brazilian merchants in Brazil, on long time. The Portuguese and Brazilian merchants ship them in these vessels, chartered by the slave-traders for the coast; and in many cases a single

vessel will take out the shipments of some ten or twenty various persons. They are not always loaded by the slave-traders themselves. Those persons who purchase of the British merchants 'the goods fit for the coast,' are mostly small dealers; and the chief security which the British merchants have for payment, is the successful sales of these goods in Africa. If they are captured or destroyed, the British merchants suffer. The consequence, it is said, is, that the British cruisers will not now capture or destroy them, because the blow, &c." Not one word is said about capturing "the vessels which carry these goods;" but it speaks solely of the capture and destruction of "these goods" themselves "in Africa." You Excellency doubtless understood full well what I meant. In the first place, that the British manufacturers make the "panos da costa"—the "goods fit for the coast" of Africa; *eo nomine*, for the uses and purposes of the Slave Trade. Secondly, that their merchants, factors, and agents here, sell them to Portuguese and Brazilian slave-traders, with all the scienter of guilt possible. They know at the time, even much better than British and American Ministers and Consuls know, the uses and purposes of these goods; that they are made and sold to become the purchase products of slaves; certainly that their kind is used, and that they will be used, in all human probability, to purchase slaves. Thirdly, that their credits are long in proportion to the delays and uncertainties of the Slave Trade, and their profits are commensurate with its risks. That the goods sold for the coast are sold, in a word, in direct reference to the Slave Trade, and all its incidents are taken into account. Fourthly, that these goods are often sold to many small dealers, who, in the perfectly gambling spirit of the trade, invest their all in the adventure, which, if they lose, their creditors here must suffer. And here let me correct an error, seemingly implied by this paragraph of my letter which I have cited. It seems to say what I did not intend; that the purchasers of the goods, and the shippers, are not slave-dealers. I meant only to convey the idea that the "slave-dealers who charter the vessels" are not the sole shippers of these goods, not that all, or nearly all, of the shippers are not also slave-dealers. They nearly all are. Each expects a return in slaves for the amount of his parcel shipped. The papers which your Excellency furnished to me, as found on board the brig "*Sooy*," will well illustrate the manner in which the returns for these goods are made to the individual shippers. In them his Lordship will find returns of slaves, with their respective marks, made in account even with female purchasers among others.—Aye, if my memory serves me, African women for Brazilian mistresses, marked with the brand of slavery over their very wombs! In Rio de Janeiro, one large business in the trade is said to be conducted by Bernardino da Sá, and another by Manoel Pinto da Fonseca. The latter is said to be the head of a company which comprises some fifty persons. Many of them are leading men in society. He usually charters the vessels; and his agents on the coast are the consignees, who purchase the slave cargoes. Most of the members of the company are shippers.

48. Fifthly, these slave-traders and Slave Trade companies have what are called "factories," all along the coasts, eastern and western, of Africa. The agents, as the notorious Cunha, for example, the factor of Fonseca at Cabenda, reside in those factories; have extensive establishments and numerous employés, and receive the goods and purchase the slaves.

49. Sixthly, in these factories in Africa, these goods are accumulated; to them they are shipped. There, at every eligible point of the slave coasts, stored with goods, are they perched, like vultures for their prey.

50. Now, why are these store-houses of the purchase-products of slavery not destroyed? why are the goods in them not seized.

51. A British cruiser enters the harbour of Cabenda, and finds the factory of Cunha in full operation. Several vessels are unloading: their cargoes consist of farinha, aguardente, bales and boxes of dry goods, "fit for the coast," muskets, powder, rice, flour, black beans, cheese, cigars. If on board any one of these vessels is found an article of suspicious nature, the vessel is seized for adjudication. The "goods for the coast" are allowed to be landed. If an American vessel, she is visited to see whether she is American. All, as to the vessels and their trading, is or is not found right, and the cruiser captures or not, as the case may be. But there stands the factory—the factory, with its houses, its stores, its goods for the coast, its water-pipes, its canoes, barges, and launches, its numerous employés, its fixtures for accommodating crews of

of slaves, its whole paraphernalia of the odious traffic, with everything about it, not only suspicious, but certain in its slave-trade character. It is never disturbed. The cruizer sails. The moment she is off, the 500 or 1000 captives who have all the time of her stay been kept by the factory, but a few hours run in the interior, until her departure, are hurried to the strand and are shipped; purchased by the very licit goods, the landing of which she has witnessed! They are paid for by the aguadente, the cotton clothes and the muskets, &c., which she has seen stored in the factory. Why is this? Sir, Cabenda is in what is called the "Burnt District,"—burnt district once, but burnt district no more. Need I tell you, yes, to tell the Earl of Aberdeen, that the reason alleged here boldly, unequivocally, and with an air of confidence and insolence even, which, whether it be true or false, defies contradiction, is that when the burnt district was burnt, the British "burnt their own goods"—the loss fell on British merchants and manufactures; and as the saying is, "a burnt child dreads the fire!" Such is the boasted answer to the question why the store-house of slavery and its goods are not destroyed? I can only ask again why is the factory not again burnt? And I appeal to you, Sir, to say whether the destruction of one factory on the coast is not of much more effect in suppressing the Slave Trade, than the capture of many vessels? The vessels would have no rendezvous; the slaves none, the slave-dealers none, if the factories were all destroyed; and there would be no medium in which to pay for slaves, if the goods fit for the coast were seized. It was at the factories and the goods in them that this paragraph of my letter was aimed; and I regret that his Lordship turned it towards much less important objects—the vessels.

52. All his Lordship's reasons, therefore, founded on a misapprehension of my statement, as applied to this topic, must fail.

53. With this he blends the other topic, that it is asserted here positively, that the British cruizers do not take the proper steps to prevent the shipping of slaves in Africa, and the alleged motive is, that they seem to desire the slaves to be shipped in order to obtain the bounty of so many pounds sterling per capita for their capture, and to send them as apprentices to Demerara and other possessions of Great Britain.

54. His Lordship's mode of treating this subject implies rather more strongly than is agreeable to me, that I have brought these charges against British cruizers. Nothing could be more unjust, and against such an implication I earnestly protest. But let us, since he is so serious on this point, examine into his defence. He thinks "it will be sufficient in answer to these charges," by whomsoever made, "to state two simple facts." The first is:—

55. That out of 346 vessels seized and proceeded against, for the six years immediately preceding the date of my letter, sixty-six only had slaves on board, the remaining 280, or more than four times sixty-six, having been seized without slaves.

56. Secondly. That Parliament grants a bounty to the captors, calculated upon the tonnage of the vessel, and this for the very purpose that there may be no difference as regards the value of the prize, whether the slaver has shipped her cargo or not. This law has been in force for several years.

57. Thirdly. That as Her Majesty's naval officers have no voice in the disposal of the slaves after the capture, so have they no conceivable interest therein.

58. The first fact stated, if accurate, would seem to go far to vindicate Her Majesty's naval officers. But it has not so much weight with me as it has with his Lordship, when I reflect that the number of vessels without slaves in them (employed in the Slave Trade, in carrying its cargoes and crews, and in tending the factories and the vessels intended to carry slaves) is, to the number of vessels to be found with slaves actually in them, nearer the proportion of twenty than four to one. Therefore, though four of the one to one of the other have been captured, yet it might be said that is not near up to the relative number which should have been captured and seized. This simple fact alone is then far from conclusive.

59. The second fact stated, so far from sustaining, rebuts the defence very strongly, in relation at all events to time past. His Lordship does not say when the law granting the tonnage bounty to captors was passed. I infer, from the reason he assigns for it, that it was passed after the law granting the bounty per capita on the slaves; because he says it was "for the purpose that there

may be no difference as regards the value of the prize, whether the slaver has shipped her cargo or not." Ah! indeed, the very purpose, then, of this law was to balance the motives and inducements to capture prizes without, as well as with slaves! The facts seem to be, a law was passed granting a bounty upon slaves captured, without any bounty upon the tonnage of the slave-vessel. What proportion was there at that time, between vessels captured with and vessels captured without slaves? We are not told, but the number of the latter was not so great as at present, we are left to infer, because the law granting tonnage bounty had to be passed "for the very purpose that there may be no difference as regards the value of the prize." The value of the prize, then was an inducement, a motive for the capture, was it? If so, this reason, up to the time of the granting of the tonnage bounty, admits the very gravamen of the offensive charge.

60. Does not his Lordship perceive that these very bounty-laws presuppose that Her Majesty's naval officers will be influenced and operate on by the value of the prize? How is it a calumny, then, to say that they are operated on by their interest in a greater or lesser bounty? If they are scandalized by this misrepresentation, the laws of Great Britain herself form its foundation. Why give any bounties at all? Will not Her Majesty's naval officers do their duty in subserving the humane policy of the laws of Parliament, without a bounty proportioned to their captures? The law itself tempts their discharge of duty with a mercenary motive. The advocates of the Slave Trade fail not to ascribe such a motive to them, charging them with a total failure where there is no bounty, as in the case of the factories; and giving them credit for vigilance and activity, only where there is a bounty, greater or less, on the capture, as in the case of vessels with slaves actually shipped on board.

61. But the two simple facts of his Lordships, relate only to the motive of bounty. I informed your Excellency that another reason alleged for the fact stated was:—

62. Thirdly. That a main object of waiting until a capture could be made with slaves on board, was that labourers were wanted to be sent to Demerara and other British possessions.

63. His Lordship disposes of this alleged motive very curiously:—"As Her Majesty's naval officers have no voice in the disposal of the slaves after capture, so have they no conceivable interest therein." But, though they may have no conceivable interest in the disposal of the captives, yet they may have orders to obey, and a Government policy to subserve. And to the fact that there may be an object, a motive, for capturing vessels with slaves on board, with the view of procuring labourers for British colonies, in addition to the motive of bounty, no matter whether founded in interest or in orders, or a sense of duty to subserve a Government policy, his Lordship's reasoning does not apply.

64. Whether these motives have operated, or will operate, still they are alleged as motives. And that is all I ever asserted and that I still assert. And though they may be alleged as motives for facts or conduct never existing nor likely to exist, yet they form the basis of imputation upon the disinterestedness of British policy and its administration. That is all I ever intimated. I pretended not to affirm or to deny the truth of these allegations, but submitted merely the question. Why not remove all ground for them? I honour and respect the officers of Her Majesty's Naval Service, as much as any one can who is as much a stranger as I am to all their worth and merit. From what I have seen of them on this station, I can bear the most honourable testimony in their favour. I would be the last to do injustice to them, or injury to their reputation; and, if the author or publisher of unintentional wrong to them, would be the first to make them the amende honorable. His Lordship must relax, then, the austerity of his brow, when he severely expresses his regret at my placing "on record what, upon mature examination, and after inquiring at authentic sources, I would have seen to be a calumny as groundless as it is offensive." I stated before exactly what I repeat now: that these imputations are here, in Rio de Janeiro, on every occasion when the subject is alluded to, and in every case brought under the examination of the American authorities, cast upon the British cruizers. And I add, that I am verily convinced that the chief ground of these imputations, whether well or ill founded, is to be found in the British bounty-laws themselves. I suggested before only what I venture,

notwithstanding his Lordship's frowns, to suggest again: that a great national scheme of philanthropic policy should be as free as chastity itself, from all suspicion of impure motive, and that if there be a ground of suspicion, whether true or false, it ought to be removed. If the motive of bounty operates upon Her Majesty's naval officers, then there is no ground for indignation at the imputation of its operation; and if it does not, the law itself is nugatory.

65. When his Lordship intimates that I failed to apply to authentic sources for information, he forgets entirely to whom I addressed my letter of December 1st, 1844. Whom else did I address but Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Brazil? On the 1st December, 1844, I transmitted to him my letter, and on the 14th of the same month he replied, in the form of the copy of his letter hereto appended. On the same day, and not until after I had received your Excellency's reply, did I address the Secretary of State of the United States, giving him all the information upon which the message of the President of the United States was based. Who can say that I did not apply to the most authentic source? Who can say, after this letter of your Excellency, that I was not at liberty to rely on my statements as correct? If not correct, was there anything in your Excellency's reply which intimated it? If there had been the least intimation to that effect, my correspondence should cheerfully, on my part, have contained any and every correction, and had stricken from it every error brought to my conviction. His Lordship is in error then, when he says that "Mr. Wise has lent his ear to charges which are contrary to truth." I regret that a person occupying the distinguished position held by the Earl of Aberdeen, and writing that which was destined not only to be published to the world, but to be made the foundation of a formal despatch, should have taken so little pains to understand the text of his commentaries, as entirely to misquote it, and should have reflected so little upon the facts, as in the face of a letter to Her Britannic Majesty's Minister, to have made the charge against the United States' Minister, of not inquiring at authentic sources, and should have comprehended so little of the object or point of the United States' Minister in stating the allegation of charges by others against the British cruizers, stated only with a view to remove the causes of imputation, as to have made it the occasion of gravely charging him with lending his ear to charges contrary to the truth. I presume your Excellency was not interested in deceiving me, and to you I applied, and your reply contained no correction. His Lordship is equally in error as to the time I was in Rio de Janeiro before I acquired my information. I was here precisely four times the length of time which he asserts; four months instead of four weeks. But four weeks were enough time in which to hear of every imputation of which I informed you; four weeks are time enough in Rio to hear more truths in respect to the Slave Trade, than a person across the Atlantic would conceive of in a life-time. The charge of hastily publishing what I addressed to your Excellency, rests upon the Federal Executive, not upon me, though I am ready to bear all the weight there is in it. If his Lordship had comprehended the facts of the whole case, and my objects and motives, as well as your Excellency does, he would have lent himself to no such erroneous charges against a foreign Minister, who has been using his utmost endeavours in the discharge of his official duty to aid British policy and laws and their due execution, and his Lordship would have expressed himself in very different terms. The indulgence of such expressions towards a sincere and active friend, needs a caution lest they suggest to the enemies of British policy, the imputation upon the Foreign Office itself, that it does not desire to have its errors corrected. The good opinion of his Lordship is too high and worth too much for its loss to be hazarded in future, by telling the Foreign Office plain truths in respect to the execution of British policy regarding the Slave Trade, which may be unpleasant to hear.

66. His Lordship next adverts to my "bringing forward the more sweeping allegation, that the obvious effect, if not design, of the British efforts on the African coast, is not so much to suppress the African Slave Trade, as to monopolize the African commerce, and particularly to exclude the trade there carried on by the United States;" and he proceeds to speak of the injustice to Mr. Wise, of supposing "that he would blindly and groundlessly give his sanction to the imputation of dishonourable motives on the part of the British Government."

67. Now, as to this, as well as to other like portions of his Lordship's despatch,
CLASS B.

I must repeat the protest that I do not bring forward these allegations; they are brought forward by others, and so I stated. And neither blindly nor groundlessly, nor in any other way, have I, in my letter, given my sanction to any "imputation of dishonourable motives on the part of the British Government;" and the imputations cast by others is not so much perhaps upon the motives of the British Government, as upon the conduct of those who are not entrusted with the execution of its laws on the coast of Africa. The British Government is looked to, on the contrary, to correct and reform the effect, if not the design, of their conduct in many instances of outrage perpetrated on the commerce of the United States on that coast. But his Lordship instructs your Excellency "to beg Mr. Wise to state to you the reasons which have induced him to record such a charge in his letter, and the public measures (if any) of Her Majesty's Government to which the charge has reference." I regret exceedingly that his Lordship should have deemed it proper to give your Excellency any such instruction, because it has the appearance at least of a challenge to enter upon a reply of crimination and recrimination. Supposing, however, that his Lordship's real intent was to seek for truth and information only, and protesting that nothing could have been or can be, from first to last, further from my motives and intentions than to cast reproach or to excite controversy or unpleasant feeling between two great Governments, which, above all things, I desire to see brought into the most friendly co-operation and concert of action on the subject of the Slave Trade, and with the main object only of removing obstacles which I clearly see to exist in the way of the execution of either their joint or separate policy: I proceed to illustrate the reasons and the measures which he instructs your Excellency to beg me to state.

68. As I have repeatedly said, there are two main foreign interests connected with the Slave Trade of Brazil. One is British, consisting in manufactured goods, wares and merchandize. The other is American, consisting in vessels. The goods are the very pabulum of the Slave Trade—its purchase-money. The vessels are the carriers of them as well as of the slaves. The factories on the coast are the depôts of both slaves and goods, and their harbours are the rendezvous of the vessels. Now, in the first place, it is asserted that as between these two interests, the one, that is, the goods and factories which contain them, are rarely disturbed, since the time of the burning at Cabenda by the British cruizers; whilst the vessels are watched, and visited, and searched, and captured with the utmost vigilance; and even American vessels, under the flag of the United States, after their goods are discharged, and are safely stored in the factories without molestation, are subjected to the most rude and harassing, and often oppressive and insulting interruptions in what is called their lawful trade. To give an instance:—On the 21st of September, 1844, I furnished your Excellency with copies of the evidence taken in the case of the brig "*Cyrus*," of New Orleans, abandoned at Cabenda on the 22nd of June previous, by her master and owner, Dumas, in consequence of the violence and outrage perpetrated on him, his vessel and the flag of his country, by Captain W. Bosanquet, commander of Her Britannic Majesty's sloop or brig of war "*Alert*." It is unnecessary to recapitulate all the circumstances of this outrage, as they have been already furnished, I presume, by you to Her Majesty's Government. After being visited once politely by an officer of Her Britannic Majesty's brig of war "*Heroine*," commanded by Captain Foote, on the 1st of April; after being allowed to discharge her cargo fully (on the 13th of April) at Cabenda; and after being forcibly searched at sea by an officer of Her Britannic Majesty's brig of war "*Heroine*," on the 6th of May, she returned to Cabenda, whence she put to sea again, and on the 22nd of May she was chased, fired upon, boarded, and forcibly searched again by Her Britannic Majesty's sloop or brig "*Alert*." She returned again to Cabenda on the 29th of May, her captain being confined at that place by sickness, and on the 2nd of June was again visited by Captain Bosanquet, of the "*Alert*," who proceeded to open her hatches, to go into the hold, and examine the vessel fore and aft; to threaten the master for refusing to comply with a demand for his papers; to claim charge of the vessel; to go into the cabin, rushing violently over and trampling under foot the American flag, though forbidden by the master, who claimed its protection; to demand the log-book; to threaten to take it by force; to demand the ship's papers; to assert that he had written authority to do all this; to demand the key of the master's trunk

to get at the papers therein; to order an officer and a negro to go into the cabin and to break open the master's trunk, which was done, the papers taken out and delivered to Captain Bosanquet; to retain the papers, though demanded back; and finally, to force the master and crew to abandon the vessel, he, Captain Bosanquet, declaring that he did not "care a damn for the American flag." After the vessel was thus abandoned by the compulsion and force of a British cruizer, under pretext of suppressing the Slave Trade, she was taken by persons unknown; and it is said, and currently believed here, a cargo of several hundred slaves was run over in her to Brazil. About the same time, at the same place, there were three other vessels, the "*Agnes*," the "*Monte Video*," and the "*Gannecliff*," which had sailed,—the "*Agnes*" from England with a full cargo of British goods, and the two latter from Rio de Janeiro, with cargoes chiefly of goods of British manufacture. Under precisely the same circumstances of suspicion as the "*Cyrus*," they were permitted to land their cargoes without molestation, at a notorious slave-factory which was left undisturbed, and they were allowed to remain off and on about the harbour, and finally they were sold, and shipped each a full cargo of slaves to Brazil with impunity. When Captain Dumas arrived here in the French vessel "*Guatamozin*," to protest before the United States' Consul, is it to be wondered at that he indignantly inquired why it was that the only innocent vessel of the four was thus insulted and oppressed? Why he was searched and pillaged, and compelled actually to abandon his vessel? He could imagine no other cause for it, than that he sailed last from New Orleans, *via* the Havana, when the "*Agnes*" sailed last from Liverpool, and the other two from ports in Brazil; all three with English goods. Is it strange that he noticed the fact, that his vessel was harassed with visit and search, when the others were not, and that the goods and factories were not disturbed, whilst he was compelled to abandon his vessel? This is one only of a number of like cases; and is it to be supposed that the masters, shippers, and owners in the United States will not in such cases draw the inference, and plausibly too, that British cruizers intend to drive off from the trade to Africa, American vessels carrying American cargoes; but that they are not either desirous or active to prevent the trade in English goods? They do draw such inferences, and do express them too with the strongest protestations of their truth, and the most indignant protests against the conduct of British cruizers, whether authorized or not by Her Majesty's Government.

69. Facts like these were the reasons which induced Mr. Wise—not himself to "bring forward the more sweeping allegation,"—but to record it as brought forward by his countrymen, to whose complaints he is bound to attend.

70. And after what I have said, it is hardly necessary for me to add, that "the public measure of Her Majesty's Government to which the charge has reference," is the exercise, by authority of Her Majesty's Government, of the pretension of visit and search of American vessels, in a manner partial and much more offensive in practice than it is in principle, as asserted of late.

71. In the next place his Lordship says "that the fair answer to the charge that the Slave Trade is supported by British merchants and capitalists, cannot surely have escaped Mr. Wise; that the articles required for the licit and illicit traffic are in great part the same; and, therefore, that as these articles are manufactured to a large extent in Great Britain, it must sometimes happen that British goods will be employed in the Slave Trade." His Lordship really must indulge me with great plainness of speech in reply to this answer. He must allow me to tell him that it is anything but fair, either in fact or form; and that it has filled me with no little astonishment and regret—astonishment that such an answer on a subject supposed to be so thoroughly understood in Great Britain, should have proceeded from the head of the Foreign Office of Her Majesty's Government; and regret, that whilst I am bound to ascribe to this fair answer the utmost sincerity, candour, and integrity, I am compelled to attribute it to a total want of correct information. It is an answer which surely could not have escaped me, for during my researches into the trade of the African slave coast with Brazil, I have heard that same defence set up, if once, perhaps one hundred times. I have heard the very same urged again and again in defence of the unlawful American as well as British trade. The vessel owners of the United States use the same fair answer precisely: "The vessels used for the licit and illicit traffic are of the same class and therefore as vessels are built extensively in the United States for sale, and as they seek

the best markets for them in Brazil and Africa, it must sometimes happen that American vessels after they are sold, will be employed in the Slave Trade." It is hard for a conscientious officer of either Great Britain or the United States here, who is trying his best to make his Government comprehend the true, as distinguished from the pretended, state of the Slave Trade between Africa and Brazil, to treat such pretences, such mere impositions and arts of the odious traffic, upon the belief of even enlightened persons at a distance, with calmness and patience. I mean to pay his Lordship all due respect when I tell him that I pay no respect at all to this fair answer. I believe him to be incapable of coming short in the least of the utmost opposition to the Slave Trade, when I tell him that it is but an old trick of that trade. I am sure that he believed this answer to be fair, or he would never have given it, when I tell him that Her Britannic Majesty's Envoy Extraordinary and Consul, both, at Rio de Janeiro, as well as the Minister of the United States, know it to be in form and substance, in spirit and letter, inconsistent with the true state of facts, and wholly unfair. Tell it not in Onim, Cabenda, Quillemane, Lourenço Marques,—nowhere in the slave coast of Africa; publish it not in the streets of Bahia, Pernambuco, Victoria, Rio de Janeiro, Santos,—no where on the coast of Brazil!

72. I cannot believe for one moment, from what I have known of their dispositions and acts, that Her Britannic Majesty's officers in Brazil, Envoy, Consul, Commissioners, and Naval Commanders, all have failed to communicate true and full information on this subject to Her Majesty's Government. It is so palpable here, that the children and the slaves know the facts. Any candid person can attest the truth of what I have said in respect to the employment of British capital, credit, and goods in the Slave Trade. It cannot be possible that your Excellency has not informed your Government of it; and his Lordship must have been so much engrossed by higher and more pressing matters of State, that he cannot have given due attention to what you and Mr. Samo particularly must have sent home for the information of Her Majesty's Government. But the task is thrown upon me to scrutinize their answer. It will help the cause of suppressing the Slave Trade to do so.

73. "Articles required for the licit and illicit traffic." Premising that, in speaking of the traffic, licit or illicit, to the coast of Africa, I am to be understood always as having reference to the slave coasts of Africa, *i. e.*, places where slaves are regularly and on a large scale bought and sold at all for this market: I ask your Excellency whether you can tell his Lordship what is the licit, and what is the illicit traffic, as distinguished from each other, between the coast of Africa and Brazil? I cannot; and were his Lordship here four weeks even, I would convince him that he could not distinguish the licit from the illicit traffic. The whole trade between Brazil and the African slave-ports is one concatenated Slave Trade. The Slave Trade is the primary, the major, and the other is but the secondary, the minor trade auxiliary to the Traffic in Slaves.

74. Manoel Pinto da Fonseca, for example, at the head of a large company of slave-dealers, employs a regular line of packets on the coasts of Brazil and Africa. He has his factories, that is, stores and regular depôts for goods, provisions, and slaves, both in Africa and Brazil. His head-quarters are at Rio de Janeiro. He employs a number of coasting-vessels to carry to various points the requisite supplies. The coffee, rusks, crackers, farinha, black beans, jerked beef, rice and sugar, and chacaça or aguadente, are the chief products of Brazil. These are the chief provisions of the employés and the slaves, and the crews of the vessels. What is not consumed by the captives themselves, is necessary for the persons engaged at the slave-factories and on board the slave-vessels and their tenders. Brazil has no currency to remit to Africa; and, if she had, money is not the medium of slave purchases in Africa. Dry goods, cotton cloths, velvets, &c., and toys, gew-gaws, beads, ornaments, gunpowder, muskets, and aguadente, are used as the products for purchasing slaves. A vast proportion of the dry goods, and the powder and muskets, and a great variety of articles under the general names of "fazendas estrangeiras," or "mercadorias e varios generos," are of English manufacture, and many made expressly as "panos da costa." When the stores of provisions, goods, water-casks, &c., are all collected at the time and place desired by the coasters, then vessels of a larger class are chartered or bought to run the goods over to the factories, and to bring the slaves back. Some are bought to bring back the cargoes of slaves,

and the most are chartered to carry goods over, and to be tenders to the slave-vessels and the slave-factories. For example:—The “*Agnes*,” and the “*Monte Video*,” and the “*Ganneclift*,” were nearly all three about the same time bought to carry cargoes of goods and bring back slaves, and did each bring a cargo of slaves; and the “*Sea Eagle*” and other vessels were chartered only to take over goods and passengers, and bring back the crews of the slavers. The “*Porpoise*” was the tender to the “*Kentucky*,” and the “*Panther*,” perhaps, and I do not know how many more vessels of late, to the “*Pons*.” Now, I venture to say that the outward-bound cargoes of all these vessels from Brazil were of the same general description. Look at those of the “*Pons*” and “*Panther*,” and some other vessels which have lately made voyages, and the despatches of which are hereto appended. And here I will observe, that the only mode of getting at the description of cargoes taken out hence to the slave coast is by looking at the daily reports of the “*Jornal do Commercio*,” under the head of “*exportação*,” “*embarcações despachadas*,” and “*despachos de exportação*.” These show the uniform description of the cargoes to the coast, and the identity of the persons by whom they are shipped. The “*Pons*” was captured with 900 slaves on board of her, and her cargo out was much less suspicious, apparently, than that of the “*Panther*,” which vessel was captured without a slave. See the deposition of Captain Graham, hereto appended, which states how unaccountably this vessel escaped, with her slaves on board, three days in sight of a British cruiser. She was captured the fourth day out by the United States’ sloop of war “*York Town*.” The sloop run up the British flag, and the slaver the United States’ flag. I pick up a paper whilst I am writing,—the “*Journal*” of the 13th instant. I find this entry:—

75. “Africa. Brigantino Amer. “*Frances Ann*,” de 246 tons, consig. J. Birckhead, manf. 40 pipas aguadente, 1 barrica café, 10 barricas bolacha, 3 barricas arroz, 2 barricas assucar, 2 barris toucinho, e re-exp. 100 barris polvora, 34 volumes fazendas estrangeiras, 8 caixas espingardas e mindezas.”

76. Such is a pretty fair specimen of the general description of these slave-cargoes. Now which of the articles are licit, and which are illicit? Under the laws of the United States one is as licit as the other. They all, however, are used for the purposes and objects of the Slave Trade, just as much as are water-pipes and shackles. Again, all these vessels are alike permitted, with these cargoes, freely to pass and repass across the Atlantic, and to harbour on the coast of Africa, and openly and freely discharge at the slave-factories. The contracts with those which are sold are, that as soon as they have discharged the last parcels of goods, they are to be delivered to the carriers of the slaves, and the rest are chartered, at very high prices, to return for more goods, or to transport them from one port to another in Africa, where they may be most required, taking backward and forward all the time the crews, and agents, and employés of the Slave Trade, as passengers. And whilst carrying these goods to and fro, the vessels themselves, as well as the goods, are unmolested. If American vessels, they are preferred, because their flag does not acknowledge the right of visit and search. But to carry the passengers, goods, provisions, &c., the vessels may be, and are as often, of other flags, such as Sardinian, (they are as often used as American,) French, Portuguese, Brazilian, because, though they are of searchable flags, yet these fair cargoes of goods are called licit, and they may smile when their holds are examined, and can unload at the factory of Fonseca, consigned to his agent, Senhor Cunha, at Cabenda, in open day, with perfect impunity. Now will his Lordship tell us whether it is any more criminal to sell and send to these slave-dealers these American vessels, than it is to sell or send to them these British “fazendas estrangeiras e mercadorias e varios generos?” If you will take away the food and clothing of the Slave Trade, and the purchase-products of slaves, there will be no slaves at the factories for the vessels to transport. These licit goods, like these licit vessels, are, alike on the ocean and at the factory, under perfect protection up to the very point of time when the goods are delivered for and in consideration of the slaves directly, and when the vessels are delivered up for their shipment. What is the difference between the British and American participation in the guilt? What is the difference in point of time of delivery as well as of moral turpitude? None. If the American flag protects the vessel up to the moment of the shipment of the slaves, so does what is erroneously termed the licit character of the goods protect them up to the very moment of the purchase of the slaves. Is it worse in law or morals to furnish the means of transportation to the Slave Trade, than it

is to put the very price of slavery in its hands? Is it not the same to allow that price to go and be deposited in its place in perfect safety, as it is to allow the vessel to be sailed to her rendezvous of the slave-market? Is the shackle which binds more a part of the trade than the piece of cotton-cloth which buys the slave? His Lordship would doubtless return the same answers to these questions which I would. The smallest articles of luxury which are sent over for the agents and employés in Africa, are parts and parcels of the Slave Trade. Every comfort and every necessary used by the principals and employés enters into it as well as the slaves themselves. The incidents, without which the traffic could not be, or could not so well be carried on, ought to be regarded as illicit as the principals, and ought to be as vigilantly pursued, seized, and destroyed. Until they are, the principals, with various success, will surely thrive, in spite of efforts aimed solely at their extermination. As I said in my letter to your Excellency, the very wax, and ivory, and gold-dust, which constitute a small portion of return cargoes, is brought down on the heads of slaves. These products are shipped in the chartered vessels, and the live-stock is shipped on board the vessels to be sold. But to proceed.

77. His Lordship says,—“It must sometimes happen that British goods will be employed in the Slave Trade.” Here is a monstrous error most unaccountably imposed on his Lordship. “It must,” unavoidably of course, “sometimes happen!”—now and then,—not often, but rarely, and at irregular intervals, “fall out,” by accident, not design, “that British goods,”—a few of them, I suppose is meant, “will be,” by the slave-dealers who purchase them, not by British manufacturers and merchants, is implied from the context, “employed in the Slave Trade!” I call upon the British authorities to undeceive Her Majesty’s Government on this essential point of the traffic.

78. 1st. From what I have said the employment of British goods in the Slave Trade to the vast extent of their present use and appropriation, and consumption for its purposes, is not unavoidable. The goods may be seized in the vessels which are liable to search; they may be seized in the act of being discharged in the lighters and launches of the slave-factories, and in the factories themselves. They may be seized outside the marine league of Brazil, wherever found. Such cargoes as I have described sold to M. P. Fonseca or B. de Sá, cleared for the slave-coast, are *primá facie* in Rio de Janeiro to be employed in the Slave Trade.

79. 2nd. They are designed by the very British manufacturers and merchants in the capital of Great Britain herself, for the uses of the Slave Trade. In proof of this I produce a circular from what I am told is a very large and respectable house in London. Its caption is,—“Forbes, Forbes, and Co.’s Circular, No. LXXV, London, 19th January, 1846.”

It is stamped with Her Majesty’s Government penny-stamp. After giving the transactions in cotton, indigo, &c., and a general review of trade in the London market, it adds,—“Postscript, 24th January, 1846.”

It gives Her Majesty’s speech, &c., and then proceeds to “Prices current of East India produce in London, &c.,” and finally to the head of “Prices current of cotton goods, Manchester, 30th December, 1845.”

Under this head it cites, “grey cottons,” “white cottons,” “Yorkshire goods,” “silk goods,” “coloured goods,” and lastly “printed cottons.” Under “coloured goods” it has the following:—“Panos da costa, 70 and 72 inches,” &c., enumerating to the Rio de Janeiro dealers a great variety of articles known universally to be “the coast goods,” the uses and purposes of which, *eo nomine*, are equally notorious. “Printed by Joseph Blades, of No. 11, Coburg Place, Kennington Lane.”

Precisely such goods did the “*Agnes*” and “*Janet*” both ship in Liverpool. This looks very much like happening to be designed. This is the seventy-fifth circular of this house; and how many other houses in Great Britain have been sending precisely such circulars to the great slave-markets of the world, I know not. But—

80. 3rd. I do know that the “panos da costa,” the powder, the muskets, &c., are sent, not now and then only, but regularly, in the way of business, on a large scale. The manufacturers and merchants cannot but know that these goods are made of a peculiar pattern from the fact of being required for the Slave Trade and that they are ordered and intended for that traffic. (See the papers furnished to your Excellency by Commodore Purvis, and by your Excellency furnished to this Legation, found on board the “*Sooy*.”) You see there a

specimen of what goods will and will not suit the African chiefs. And in the report of Archibald Reed, Commander of Her Britannic Majesty's brig "Racer," to Commodore Purvis, of August 21, 1844, his Lordship will find that an English resident at Bahia, "by the name of Gouds," was implicated in the transaction of the "Sooy," and that there were "augmented disclosures, apparently of Frenchmen (Gontois and Pailhet), our own countrymen (Englishmen), and Americans aiding and abetting." And in the letter of Commodore Purvis to your Excellency, dated October 7, 1844, he will find that he says, "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, &c." An official letter from George William Gordon, Consul of the United States at Rio de Janeiro, dated October 21, 1844, addressed to me, states the testimony of an affiant, named Bigelow, to have been, that four were Americans and one was an Englishman, of the crew which navigated the "Sooy" from Africa to Brazil with the cargo of slaves on board. The man Page, one of the crew of the "Kentucky," was an Englishman. With your Excellency's approbation he was sent to the United States, with his own consent, as a witness.

81. Again, I state it as a matter of belief, that a large number of the vessels which are sailed as American, or under the United States' flag, over to Africa, for the purposes of the Slave Trade, are secretly sold, and in fact are not American, or entitled to hoist the United States' flag. I state this as mere matter of belief, because if it were susceptible of clear proof, the evil could be easily, and would be promptly prevented and corrected by the American authorities here refusing to grant the necessary papers to navigate under their flag. Most of the vessels sold, or intended to be sold on the coast, when they depart from ports of Brazil, discharge their American crews if they can, and ship foreigners. Such was the case, for example, with the "Panther" and the "Pons." And the fact of discharging Americans and shipping foreigners, under the flag of the United States, by a master bound to the coast of Africa, is in itself a strong ground for suspecting an intent to engage in the Slave Trade. Many of the foreigners thus shipped are British subjects, and I have good reasons, not amounting to proof sufficient, however, to justify their statement, for believing that many of the vessels thus secretly sold, and which thus ship foreign crews, are purchased by British subjects. I have no doubt that British subjects are at this moment running the American flag against the English and French blockade both at the River Plate and in the Slave Trade. So that they not only do the Slave Trade brokerage, and furnish capital, credit and goods for its prosecution, but are really inculpated, as well as American citizens, in the abuse and prostitution of the United States' flag to its uses and purposes, and in the business of furnishing vessels, and transporting slaves.

82. But further and far more important than all this, I tell his Lordship, without the fear of contradiction by any one at all conversant with the facts, that the whole course of trade between Africa and Brazil, and between Great Britain, Brazil and the United States, and the trio of relative tariffs between them, tend to favour the Slave Trade, and to aid the British brokers, manufacturers, and merchants, and the American vessel owners, who have a combined interest in its profits. This may startle his Lordship, but it is nevertheless true. I appeal to your Excellency for the truth of this position.

83. I regret exceedingly that there is no source to which application can be made for anything like full or correct statistics on this interesting point. Every source of information here is interested to blind and deceive those who are seeking truth with a view to remedial measures. The Alfandega and Consulado accounts of imports from and exports to Africa, are to a vast extent concealed, and the trade embraces an enormous amount of smuggling, which cannot of course be stated. But still there are some few important facts, which, however imperfectly stated, may enable his Lordship to form some general conclusions approximating to truth.

I have before me the best statistics I can procure, of the trade of Rio de Janeiro, No. 26 of the "Rio Mercantile Journal," edited by Isey Levi, printed by J. Villeneuve and Co., Rua d'Ouvidor, No. 65, dated Saturday, January 24, 1846, and purporting to contain an annual retrospect of trade for the year 1845.

85. In the first place I have looked in vain through this for a statement of the amount of tonnage employed in the trade between Brazil and the coast of Africa, as compared with the value of its stated imports and exports. Such would the excess of tonnage be found to be over the amount or value of cargoes accounted for, as, doubtless, to astonish any one with its amount, which must, as there is no other way of accounting for it, necessarily be employed in the transportation of slaves.

86. In this retrospect we find only,—First, that the whole import trade from Africa was done by one American, one Hamburguese, and two Portuguese, and three Brazilian vessels, in all seven—tonnage, 1491. Cargoes, of what they consisted and value not stated.

87. This, I presume, may be taken as the utmost measure of the licit import trade from Africa to Rio, for the year 1845.

88. In the Table No. 3, of the “comparative importation from foreign countries, of principal articles in 1843, 1844, and 1845, and the respective quantities received from each country in 1845,” Africa is not named. The truth is, that the imports from Africa to Brazil, saving a little wax, ivory, and gold dust, and a few birds, or other specimens of natural history, excepting slaves, are, in a commercial point of view, hardly worth naming,

EXPORTS.

89. 2nd—We see, first, that the whole export trade of Rio employed 881 vessels, of 274,955 tons, an increase of 1845 over 1844 of $13\frac{5}{8}$ per cent. Of this number there were:—

With full cargoes	-	-	513
In part laden with produce	-	-	33
With foreign merchandise	-	-	42
With inward cargoes	-	-	72
In ballast	-	-	52

Total having foreign destination 712

90. Second—Where these vessels were respectively bound to is not stated. But in Table No. 6, showing the “destination by countries and ports, of produce of Brazil,” exported in 1845, with the number of vessels, and tonnage of each nation employed in its exportation,” we have, exclusive of the “Cape of Good Hope,” to the dependencies of Portugal alone in Africa.

91. In fourteen American vessels of 4,484, two French of 463, one Hamburguese of 190, twenty-five Brazilian of 3,819, three Portuguese of 685, and four Sardinian vessels of 721 tons, in all forty-nine vessels, of 10,362 tons, Exports of Brazilian produce accounted for, 70 bags of coffee, 169 cases of sugar, 80 tanned half-hides, 1872 bags of rice, 3,649 pipes of rum, 1240 rolls of tobacco, and 6 barrels of tapioca. For the returns of all this Brazilian produce, and all these forty-nine vessels of 10,362 tons to Portuguese possessions alone, we have the imports of seven vessels of 1491 tons only from all Africa. And many important articles, such as jerked beef, the produce of Brazil, not given. It is stated as exported coastwise only.

92. Third—The “destination by countries and ports of foreign produce and merchandize re-exported in 1845, with the number of vessels and tonnage of each nation employed, &c.,” is not given. But under the head of

93. “Foreign merchandize, imported direct and coastwise, shipped coastwise and re-exported, and produce entered inwards and cleared outwards, coastwise, in 1845,” we have,—

94. Exports, the growth, produce, and manufacture of Brazil, coastwise, in 1845: Coffee, 8,274 bags; hides, 9,137, half-hides tanned, 5,480; jerked beef, 170,552 arrobas; rice, 16,521 bags; rum, 862 pipes; sugar, 1565 cases, 86 boxes, 3,879 barrels, 911 bags; tobacco, 36,874 rolls.

95. Under this head, there is no doubt a vast amount of the exports go to Africa.

96. Again, “foreign merchandize exported, coastwise, in 1845:—

Ale and porter, 5,912 casks. Arms, 482 packages. Brandy, 122 pipes. Butter, 2,568 firkins. Candles, 819 boxes; ditto, tallow, 1465 boxes. Cheese, 848 boxes. Coals, 771 tons. Cod fish, 6,667 casks. Copper, $66\frac{1}{2}$ tons.

Cordage, 1626 coils. Earthenware, &c., 3,298 packages. Flour, 26,339 lbs. Gin, 9 pipes; 7,354 dozen stone jugs; 1600 demi-johns; 850 cases. Gunpowder, 2,525 kegs. Hams, 32 casks; 135 loose. Hardware, 417 packages. Iron, 91 tons; 28,792 bars; 1782 bundles. Ditto hoop, 20½ tons; 1348 bundles. Jerked beef, 47,805 arrobas. Lard, 282 kegs. Lead, 327 bars; 75 rolls. Leather, curried, 296 packages; ditto, wrought, 290 ditto. Mess beef and pork, 44 barrels. Nails, 1060 packages. Oil, olive, 393,900 boxes. Oil, fish, 198 casks. Oil, linseed, 85 pipes—1162 tons. Paper, 1,354 packages. Pepper, 377 bags. Piece goods, 20,605 packages. Pitch, 282 barrels. Raisins, 6,214 boxes. Ravensduck, 1052 pieces. Rosin, 2,849 barrels. Sail-cloth, 3,065 pieces. Salt, 433,110 alquieres. Saltpetre, 316 packages. Shot, 1166 kegs. Soap, 7,720 boxes. Steel, 573 cases. Tar, 595 barrels. Tea, 1329 packages. Tin-plates, 342 boxes. Tobacco, 147 packages. Turpentine, 4 barrels, 156 tons. Vermicelli, 3,395 boxes. Vinegar, 464 pipes. Window glass, 671 boxes; and Wine, 4,212 pipes. Of this, but what proportion I am unable to ascertain, a large quantity is shipped undoubtedly to Africa.

Again, "merchandize re-exported to foreign ports in 1845":—

Ale and porter, 295 casks. Arms, 487 packages. Brandy, 166½ pipes; 1997 demi-johns. Butter, 431 firkins. Candles, 612 boxes. Cheese, 121 boxes. Coals, 2,243 tons. Cod fish, 1884 casks. Cordage, 3 coils. Deals, 605 dozen. Earthenware, 147 packages. Flour, 20,620 barrels. Gin, 99 pipes; 787 dozen stone jugs; 700 demi-johns. Gunpowder, 16,130 kegs. Hams, 4 casks; 494 loose. Hardware, 222 packages. Hides 101,819. Iron, 240 quintals; 3,281 bars. Ditto hoop, 112 quintals; 164 bundles. Jerked beef, 16,419 arrobas. Lard, 402 kegs. Lead, 2 rolls; 5,098 bars. Leather, curried, 3 packages. Ditto wrought, 29 ditto. Lumber, 329,265 feet. Mess beef and pork, 222 barrels. Nails, 43 casks. Oil, olive, 260 pipes. 4,279 jugs, 317 boxes. Ditto fish, 41 casks; ditto, linseed, 8¼ pipes; 132 tuns. Paper, 230 packages. Pepper, 176 bags. Piece goods, 4,570 packages. Pitch, 6 barrels. Raisins, 852 boxes. Ravensduck 14 pieces. Rosin, 5 barrels. Sail-cloth, 606 pieces. Salt, 8,910 alquieres. Saltpetre, 447 bags. Shot 89 kegs. Soap, 7,869 boxes. Steel, 25 boxes. Tar, 8 barrels. Tea, 74 packages. Tin-plates, 4 boxes. Tobacco, 39 packages. Vermicelli, 1000 boxes. Vinegar, 20 pipes. Wine, 1178 do.

Except a few articles shipped to the River Plate, nearly all the exports under this head go to Africa.

97. Next, whence is this amount of foreign merchandize thus re-exported from Brazil to Africa, chiefly imported into Brazil?

By Table No. 3, showing the comparative importation, &c., we find that,

Out of 24,294 casks of ale and porter imported into Brazil in 1825, there were from Great Britain

Out of 19,573 firkins butter . . .	21,993
„ 31,572 quintals cod-fish . . .	15,783
„ 303 tons copper . . .	27,783
„ 4,228 coils cordage . . .	302
„ 5,811 packages hardware . . .	3,669
„ 2,452 tons iron . . .	3,840
„ 175 tons hoop do. . .	2,452
„ 24 bundles hoop iron . . .	175
	24

Manufactures of,

Out of 31,160 packages cotton . . .	20,000
„ 2,263 packages linen . . .	1,992
„ 183 packages linen and cotton . . .	131
„ 3,888 packages woollens . . .	3,161
„ 666 woollen and cotton packages . . .	358
„ 9,748 boxes soap . . .	7,058
„ 2,467 tin-plates . . .	2,367

From these statements, very general and imperfect, still some important deductions may be drawn.

98. 1st. That the number of vessels and amount of tonnage employed in the export trade from Rio to the dependencies of Portugal alone in Africa, is in round numbers seven times greater than the number of vessels and amount of

CLASS B.

tonnage employed in the whole import trade from all Africa to the same place. This is apparent from what is stated ; but if we could ascertain the whole amount of exports, which is known, but designedly not stated, and the amount of smuggled exports, which is known only to be very great, to all Africa, from all Brazil, and compare the tonnage and vessels of exports, with the tonnage and vessels of licit imports, we would find the excess of the former over the latter to be so immense as to be accounted for only by the importation of slaves, and to be the most proximate measure we could arrive at of the extent of the Slave Trade between Africa and Brazil.

99. 2nd. That a vast amount of foreign produce and merchandize is re-exported from Brazil to Africa ; and

100. 3rd. That of the foreign produce and merchandize thus re-exported from Brazil to Africa, the principal part is necessarily of British produce, merchandize and manufacture.

101. It is known that the principal part of this foreign produce, manufacture, and merchandize, thus sent to Africa is employed in the Slave Trade. I would say a vast proportion of the cost of slaves, and of the incidental expenses of the Slave Trade, is paid for by produce of British growth and goods of British manufacture.

102. Next, how are these British products, manufactures, and merchandize, paid for in Brazil ?

103. We have seen how little of licit imports there are from Africa, to enable the purchasers here to pay for foreign or British goods. All other imports from Africa, embracing everything except slaves, would not bear any proportion scarcely to the foreign products and merchandize re-exported to Africa. And there is no circulating medium in Brazil which will bear taking out of the country in payments for articles of commerce. The British manufacturers and merchants dare not take the slaves in exchange for the goods which purchase them. There is no such thing as cash ; and there is barter only for coffee, rice, hides, hair, and horns.

104. But Great Britain almost totally excludes these slave-grown products of Brazil. The British merchants cannot send the coffee of Brazil home. They sell their goods to the Brazilian and Portuguese traders, who send nearly all of them, over and above the amount consumed in Brazil, to Africa, in exchange for slaves. The goods are paid for in coffee here, (a long credit for the piece goods, as his Lordship will see by the accompanying retrospect,) and the coffee is sent to the United States, where it is a free article. Out of 1,208,062 bags of coffee exported from Rio in 1845, 551,276 went to the United States. As his Lordship will see by the retrospect, 630,787 bags were shipped by seven houses alone ; and in only two of these seven houses, Maxwell, Wright, and Co., and Charles Coleman and Co., have the Americans, as far as I am informed, any interest.

105. Such is the routine of trade in the quadrangle of Great Britain, Africa, Brazil, and the United States. British merchants sell the goods here which purchase the slaves in Africa, and take coffee, which finds a free market in the United States.

106. There are certain serious corollaries from all this.

107. 1st. His Lordship cannot fail to see that the restrictions in the British markets on Brazilian products, and their comparative freedom in the markets of the United States, furnish available proceeds in the markets of Brazil for the manufactures of Great Britain in competition with, and to a great extent in exclusion of, their own manufactures.

108. 2nd. That the British purchasers of coffee in Brazil come into successful competition with the merchants of the United States, and do the much larger business in that article in their own home market.

109. 3rd. That in proportion as British goods for the coast of Africa are exchanged for coffee here, to be sent to the United States, so is the rate of exchange increased against them as between them and Brazil.

110. 4th. That the accumulation of Brazilian coffee belonging to British merchants in the United States, increases the rate of exchange against them as between them and Great Britain.

111. 5th. That the exports of British goods from Brazil to Africa for Slaves increases *pro tanto* the price of coffee in Brazil, chiefly against the United States.

112. From this his Lordship may see the mighty array of interests on the part of British manufacturers and merchants, and of Brazilian coffee-raisers and dealers, in favour of the Slave Trade.

113. 6th. The least interest of all, and the only interest which the trade of the United States has of the same sort, is the navigation interest; and that is lessened immensely in value, by the effect of our reciprocal treaties of commerce and navigation, particularly with Sweden, the Netherlands, and Denmark. Swedish, Bremen, and Danish vessels constantly compete with our own vessels in the carrying trade to our own markets.

114. If the Slave Trade was effectually abolished, the price of Brazilian coffee would fall immensely immediately; because the African chiefs have not, except slaves, wherewith to pay for British goods, and the amount of them now required to purchase slaves would no longer find a market in Brazil. The interest which the United States have in lowering the price of coffee for their consumption, and in diminishing the double rate of exchange against them, is far greater than any navigation interest which their citizens possess in the transportation of coffee and slaves. If the Slave Trade was abolished, and the United States were to put a moderate revenue duty only on coffee, what would become of the market in Brazil for a vast amount of British goods? And how much rate of exchange would be saved to the trade of the United States? And how much more of American manufactures than there are now, would be let into the markets of Brazil? This shows clearly, that the interests of the United States, or of their trade, or of their citizens, are not the interests which uphold the Slave Trade. They are rather those of the trade and citizens of Great Britain and Brazil. Indeed, I am more than ever confirmed in the conviction, that the largest interests in the world, next to those of Brazilian subjects, now favouring the Slave Trade, are those of a certain class of British manufacturers, merchants, and capitalists. Her Britannic Majesty's Consul at this port was compelled, since my residence here, to issue the appended circular; and Sir Robert Peel himself, in the House of Commons, March 19, 1845, in debate on this very subject, admitted that there was too much reason to believe that British manufacturers and merchants were engaged, and British goods and credit were employed in the Slave Trade. He was at all events not prepared to deny the fact.

115. If his Lordship inquires how "law is to be made" (in the language of Sir Robert Peel) "to reach the application of British capital to the continuance of the Slave Trade?" I can reply only, that my purpose is and was to show only, whatever may be supposed or said to the contrary, the fact that there is such an application, on a large commercial scale, of British capital to the continuance of the Slave Trade, in a variety of ways, directly and indirectly, and that next to the largest interest in the world is the interest of British commerce in the continuance of the Slave Trade. The remedy, the correction of the evil, is not for me to determine. In the connexions in which I have viewed the subject, his Lordship will see a vast field opened for serious study and reflection.

116. Great Britain sends as three to, and takes as one only, from Brazil. The United States sends as two to, and takes as three from Brazil. Great Britain taxes the products of Brazil very heavily; whilst the United States admit the chief of them duty free. Yet Brazil makes no discrimination in favour of the produce and manufactures of the United States, and the latter furnish a rich market for the available proceeds of the manufactures of Great Britain, sold to the exclusion of their own in Brazil. It is very apparent from experience, under this state of things, that the restrictions of Great Britain on Brazilian products in her markets, and the freedom from duty of the same products in the markets of the United States, do not tend to suppress the Slave Trade. My purpose has been and is, merely to show the fact that large British interests do exist and operate most powerfully to continue the Slave Trade, far greater, too, than any American, except Brazilian, interests. And that his Lordship ought not, for one moment longer, to believe that "it must sometimes happen" only "that British goods will be employed in the Slave Trade." They are not unavoidably nor accidentally, but designedly and systematically, and regularly, on a large scale, so employed. In these causes too, perhaps, his Lordship may see why Brazil does not impose the discriminations against British goods authorized by the Act of 1845. And though this matter is

beyond the complete control of the British or of any free Government, which may be truly admitted; and though the British laws have been framed "in the strongest and most comprehensive terms to prevent British subjects from being engaged, directly or indirectly, in the Slave Trade;" and though there cannot be a doubt of the sincere dispositions of Her Majesty's Government to enforce those laws, yet his Lordship must, on the other hand, admit that this matter is, to a great extent, if not completely, within the control of the British Government, and the British laws are not so perfect as not to be possibly still susceptible of important amendments; and that without amendment they may be made to reach cases and classes of cases coming within them against which they have never as yet been enforced. I have from the beginning been confident, in justice to the motives of Her Majesty's Government, that if it could only be convinced of this as I am, it would, with the promptness and good faith and integrity of moral intention which have ever distinguished it on this subject, amend the frame and enforce the execution of the British laws.

117. His Lordship next turns to the course which I had ventured to recommend for securing a more cordial co-operation between Great Britain and the United States in the suppression of the Slave Trade. It was wholly superfluous for him to decline the discussion of the topic of "visit and search" with me. I not only had no instructions to discuss that subject as an independent proposition, but I can tell his Lordship that, as such, I would not consent to be the recognized organ to discuss or treat of that subject with any Power on earth. As a citizen of the United States, I would never give my consent that the Federal Executive itself should ever again entertain its discussion. No discussion is necessary. It is left where I trust it will remain for ever, assimilated to the doctrine of municipal search under the British common law,—the act of visit and search to be trespass or not, and to be trespass with indemnity or *damnum absque injuriâ* or not, according to the circumstances of cases as they may arise. I therefore never intended to discuss this topic independently, but ventured to point to the fact only of the pretension, as an obstacle, and a serious one too, to the cordial co-operation of Great Britain and the United States in the suppression of the Slave Trade. As such, incidentally merely, did I submit it as worthy of consideration by Her Majesty's Government. If my suggestion was founded on a misapprehension of the rights claimed by Her Majesty's Government, it was certainly a misapprehension caused in great part by the attentive perusal of his Lordship's own able and perspicuous writings in 1841; and as to the practice of the British cruizers, that is hardly to be mistaken in such glaring cases as that of the American brig "*Cyrus*."

118. In reply to the hope expressed by his Lordship, "that the American flag and American seamen will not long continue to cross and recross the ocean with impunity, sharing actively in the prosecution of the Slave Trade, &c," and that "justice should not fail to reach" the criminals in the case of the "*Agnes*," and "the vessels associated with her;" I am happy to inform him that the master and mate of the "*Monte Video*" have been tried and convicted, and sentenced to severe fine and imprisonment; that the person who sold the "*Agnes*" was arrested and tried, and escaped only by reason of the absence of the most material witness; that the "*Sea Eagle*" was engaged, it appeared, in what is called by common but very erroneous consent, in the "licit trade" only; that the "*Porpoise*" was seized in the harbour of Rio even, at some risk of giving great offence to national sovereignty, was sent home, and the vessel and master are now under trial; that Clapp, who sold the "*Gannecliff*," has just been arrested in the "*Panther*," and sent home; and the news is, that his trial at Charleston, South Carolina, has eventuated in his conviction; that a number of other cases of arrests, and seizures, and trials, prove the earnestness and activity of the authorities and Government of the United States to fulfil their own duties, to maintain their own jurisdiction, and to vindicate their sincere dispositions to meet all the ends of humanity, and all the desires and wishes of the good on this great subject by a faithful execution of their own laws. The course of decisions in the courts, and the current of sentiment in the public mind of all the States of the Union, are strongly set against the state of things, so strongly deprecated by his Lordship. He may rely on the soundest state of moral feeling existing north and south, east and west, throughout the United States, on this point. In turn, may I not, without necessity of disclaiming a tone of retort or a spirit of recrimination, in the same kind temper

as that of his Lordship, express the hope that the American flag and vessels, in future, may not be tempted so strongly as they have been to ship goods to the Slave Trade in Africa, directly from England herself; that British goods "will not long continue to cross and recross the ocean with impunity," employed actively in the uses and purposes of the Slave Trade, and supporting it until "beyond" even "the moment when its miserable victims are safely stowed in the vessel's hold, and the success of the infamous adventure is more than half secured." The facts which I have adduced, as to the participation in the guilt of the Slave Trade, by British brokers, manufacturers, merchants, and seamen, are so clear, that it is scarcely possible to conceive that they can escape unpunished. Their practices, as I have traced and described them in the case of the "*Agnes*," are becoming of more and more frequent occurrence on the coast of Africa." There is not a slave factory on that coast which may not from time to time be found stored with English goods. I trust that they may in future be frequently visited, rigidly searched and unsparingly destroyed by the armed cruisers of all nations bent upon the successful suppression of the Slave Trade.

119. In the next place, my recommendation "that the Ministers and Consuls of Great Britain and the United States should be clothed with full powers to arrest culprits, to summon witnesses, to hold examinations, and to require bonds, and to send culprits and witnesses home," is not so impracticable as at first view it appeared to his Lordship. The execution and sanction of these powers need not depend so much as his Lordship thinks, upon the will of the sovereignty *in quo*. It would be very desirable to obtain, if possible, a stipulation, by treaty or convention, of such reciprocal consular powers. But if no such stipulation can be obtained, still Great Britain and the United States have the power of creating a sanction to their respective laws for the regulation of their respective citizens and subjects abroad, which no nations on earth have to the same degree and extent. Next to their pure and sound judiciaries, that which most distinguishes the mother and daughter nations from all others, is the real and sacred protection of their subjects in foreign lands. At no time of the world, in no period of Roman history, was the privilege of claiming "I am a Roman citizen!" half so precious or half so proud as that of now claiming British or United States' protection, especially in all South America. It is a part of the old common law liberty, which clings not so much to the force of arms as to the ermine—the civil justice of these countries. To one residing here, it appears a feeling incredibly strong, amounting to an affection, a sympathy, and a sentiment, as holy as a sense itself of religion. It seems stronger in the lower and weaker than in the higher and stronger man, for the reason that as the one feels more humble and impotent, he needs the more some stay, support and defence. Those who can get the protection of a British or United States' Consul in Rio de Janeiro are, or think they are, safe from all harm, and fear no oppression, or necessity, or want, or danger; because they are sure their countries will take good care of their own children. How useful then, might this principle, this pride, this glory of protection, and the dread of losing it, be made in sanctioning the powers of Consuls to suppress the Slave Trade? Could it not be established, that the citizen abroad, who should take refuge under a foreign jurisdiction, to oppose, thwart, and defy the powers, authority, and policy of his own Government, should for the time of his default forfeit its protection? Could not the Consuls be authorized, upon reasonable grounds of suspicion, to call upon parties to submit themselves to examination and proof, and upon witnesses to testify? And if parties or witnesses should disobey, or contemn, or delay to submit to the call, would it be inconsistent with the tenderest rights of civil liberty, to require of Consuls to record and report the defaulters, and their names, and to declare that from that time forth, until due submission, protection should be forfeited? What would become of these recreant subjects, then? Claim of them all their duties to their country still, but deny to them its privileges until they should dutifully obey its laws; and let them be subject to all the impositions, until then, of the country where they may be found. In Brazil, the fear of impressment in the army and navy alone would force witnesses at all events to come forward and testify, in lieu of incurring these risks, if not parties to submit voluntarily to Consular authority, and to go home for trial. At all events truth for the objects and ends of legislation, if not punishment, could be got at in this way without resort or offence to any foreign juris-

diction whatever. The regulations of this subject, of course, should be well guarded, and the Consuls should be held to a responsibility in proportion to the extent and delicacy of their powers, for any abuse or perversion of them. The United States particularly might grant powers to swear masters and owners, and even consignees, as to whether a vessel was or was not to be sold; to whom; for what trade; where to be delivered; to cause manifests to be produced; to refuse papers in all cases of reasonable suspicion of an unlawful intent; and to notify naval commanders of the sailing of vessels unlawfully, and to request them to search any upon the high seas reasonably suspected of transporting slave cargoes. British and American Consuls could be instructed to notify and inform each other of all just grounds of suspicion, in order that cruizers might be put on the alert. The British the United States' Consul, for example, that a large amount of coast goods was just imported from Great Britain, and was in the market; to look out and see that they were sold to those who usually chartered and purchased American vessels in the Slave Trade. The United States the British Consul, that such goods were sold to such persons, and were shipped in a vessel, herself probably sold to the slave-dealers, and that a British broker had done the business. Thus the vigilance would be increased and the proofs multiplied and preserved. All this now is totally wanting, and it is even dangerous for a United States' Consul to act efficiently against crimes daily staring him in the face. A British merchant at the River Plate wants an American flag to run the Paraná, or a Brazilian slave-dealer wants it to run to the coast: the vessel is secretly sold, as the Consul most reasonably suspects, and will be sailed contrary to our laws; yet he can do nothing but suspect. If he refuses to deliver papers, the American master defies him to do it at his peril, and threatens suit for private damages for the least delay even. The Consul can administer no oaths to test ownership. This want of power aids the Slave Trade, and many other practices against the laws of the United States, immensely. The sanction of the foreign Government is not needed for many powers and regulations which might easily be conferred and made, and which would be very efficient whilst perfectly consistent with both international relations and the personal liberty of citizens. I regret that I cannot here go into this subject with the proper details and illustrations. Let both Governments call upon their foreign agents for reports on the powers needed by their officers abroad. Why cannot Consuls be given magisterial powers of like nature and commensurate with those of common justices and conservators of the peace at home, *mutatis mutandis*? But I must pass on, to assure his Lordship that I am thoroughly convinced of the great care, attention, and wisdom with which the Acts of Parliament on this subject have been framed, with a view "to prevent the possibility of a delinquent escaping." They deserve all the commendation bestowed upon them by Lord Stowell; and no one could have been farther than I ever was from impeaching them as far as they have gone, or for not intending at least to go far enough. I meant only what I mean now to say, that notwithstanding the great fitness and the broad and sweeping extent of British laws, they may be somewhat, if not much improved, and may be safely carried, as I have shown, safely as well as considerably farther than they have ever yet gone, as to the means and powers of executing them. The offences are well enough defined, but the means of reaching proofs, and of executing arrests and compelling submission to jurisdiction, are not sufficiently provided. I thank his Lordship for the copies of British laws with which he has caused me to be furnished by your Excellency; they are valuable to this office. I regret exceedingly that it is not supplied with sundry documents of the United States, which I would desire to furnish to the Foreign Office of Great Britain in return. An interchange of this sort, at times, might prevent many misconceptions and errors on both sides. I will write to Washington and request certain documents to be forwarded through Her Britannic Majesty's Minister to the Foreign Office of Great Britain.

120. Finally his Lordship proceeds to add, "Mr. Wise's last advice is that Great Britain should by all means change her policy of making apprentices of the Africans taken from the slavers," &c.

121. This brings me to the review which I have already said I had intended to address to your Excellency in May 1845, of the debate in the House of Commons, March 19, 1845, of the questions then proposed by Mr. Aldam, and of Sir Robert Peel's reply thereto, respecting the message of the President

of the United States, of February 20, 1845, transmitting to the two Houses of Congress copies of despatches from the American Minister at the Court of Brazil, relative to the Slave Trade.

122. My observations on this debate will reply, satisfactorily I trust, to this part of his Lordship's despatch.

Mr. Aldam quoted from the message the following passages:—

123. "The slaves, when captured, instead of being returned back to their homes, are transferred to her colonial possessions in the West Indies, and made the means of swelling their products by a system of apprenticeship for a term of years. It must be obvious that while these large interests are enlisted in favour of its continuance (referring to the Slave Trade), it will be difficult, if not impossible, to suppress the nefarious traffic, and that its results would be in effect but a continuance of the Slave Trade in another and more cruel form; for it can be matter of little difference with the African, whether he is torn from his country and transferred to the West Indies as a slave in the regular course of the trade, or captured by a cruizer, transported to the same place, and made to perform the same labour as an apprentice, which is, at present, the practical operation of the policy adopted."

124. The questions which he proposed were, 1st. "Whether Mr. Tyler had been correctly informed?" and

125. 2nd. "Whether he had any ground for representing the condition of the liberated Africans as no better than that of slaves?"

I must be permitted to say that the true import of this passage of the message of the President Tyler, was wholly misapprehended and misapplied, both by the questions and the answers to them. It has reference, and was intended to have reference, not so much, if at all, to the condition of the liberated Africans in the West Indies or the British colonies, as to the question of what disposition, other than that of apprenticing them, true policy and humanity dictate. It means not to refer to the treatment of recaptured Africans as to its severity, or its restraint, or freedom of will, as compared with that of slaves, so much as to the principle whether "if Africans may be captured from slavers and be bound to servitude for one term of years, why may not the slavers be permitted to hold them for life?" It complains not of the treatment of apprentices, but denies the soundness of the principle upon which apprentices at all were made of liberated Africans. It is, in that sense, and that sense only, that the President asserts, "it can be matter of little difference with the African, whether he be torn from his country and transferred to the West Indies," &c.; for if the right exists to do that, and bind him to serve for five years, the right exists to tear him away from his country and transfer him to bondage for fifty years, or any period beyond the duration of human life. Such was the true meaning of the message, and to prove this I appeal to its history, which is as well known to your Excellency as to myself.

126. One of the first objects which met my eye on entering the harbour of Rio de Janeiro was the British flag flying over the hulk of the "Crescent." On inquiry I was told that the ship was kept here as a receiving-ship for the Africans captured from the slavers. What is done with them? was a natural question. "The most of them are sent to British Guiana, and the British West Indies, and other colonies, and they are there bound to serve for a term of years." This was the information obtained from all sources. I arrived here on the 2nd of August, 1844, and the first case of the Slave Trade calling for my action was that of the "*Sooy*," of the facts of which, by this time, I presume, both the Governments of Great Britain and the United States are fully informed. That case led to a personal interview with your Excellency as early as the latter part of September 1844. The conversation turned of course on the means best adapted to suppress the Slave Trade. I urged various obstacles to its suppression, which could be removed by Great Britain alone, whose Government was anxious only, I was confident, to adopt the course best calculated to effect the ends of its own avowed policy. The claim to the right of visit and search, the bounty paid to the officers of British cruizers, the practice of apprenticing the recaptured Africans, were among other causes of obstruction named. The conversation assumed the fact of the apprenticing as still existing; and it was not, according to my recollection, corrected by your Excellency. As early as the 11th of October, 1844, I submitted to my own Government, whether, under our Treaty with Great Britain, some inquiry should not be instituted to elicit

information as to the mode of apprenticing recaptured Africans in her colonies, stating that I considered it prejudicial to the policy of both countries for the suppression of the Slave Trade, on the principle I have already adverted to. It admitted the right of captivity and servitude. Soon after this the astounding facts in the case of the "*Agnes*" were developed. Of this case, in all its details, showing the connexion of English brokers, manufacturers, and merchants, with our vessels in the African Slave Trade, your Excellency was duly informed by my letter of December 1, 1844. In a spirit of the most friendly counsel I ventured to enumerate certain steps for the suppression of the Slave Trade, which I deemed worthy of the consideration of the British Government. Among others, that Great Britain should by all means change her policy of making apprentices of the Africans captured from the slavers. I adverted to the principle I have mentioned as urged most potentially against such a policy or practice. That there was such a system, policy, or practice still pursued was thus assumed again in my written correspondence with you. It was not mentioned in any upbraiding spirit or in any recriminating sense. Far from it; and your Excellency did not so understand it, but on the contrary, in your Excellency's note of December 14, 1844, a copy of which is hereto appended, returned to me your acknowledgments "for the letter," &c.; and without intimating that I had committed any error, either of intention or fact, in the assumption in the letter that the practice of apprenticing Africans captured by British cruisers still prevailed, you announced the intention of immediately forwarding my letter to your Government. You certainly understood me as suggesting merely, in a tone of the most profound deference, that the abolition of the fact, or practice, or system of apprenticeship would remove all cause for imputation upon the motive or moral of the British Government in liberating the Africans; that it would remove the argument involved in the question, "if a right to bind to servitude for five, why not to bind to servitude for fifty years?" That it would remove the interest which individuals desirous of acquiring apprenticeships, might have against the suppression of the Slave Trade; and above all it was to suggest—no matter whether Great Britain still compelled or only allowed of the system or practice of apprenticeship; no matter whether it was the system of law or of licence only still; no matter whether it prevailed or was abolished in any and every sense; that there was a better system than any which was or had been pursued, which might be adopted, and which would tend as effectually as any other one cause or course, to strike at the root of the evil in Africa herself. This was to restore the Africans to their native land, there to instruct them in manual labour or other schools, and thence to send them as missionaries of light into the surrounding darkness. This would be to establish a moral power in Africa, to break up the trade there by the influences of civilization and Christianity. Such was the spirit of my letters to you and the Government at Washington, and of the President's message to Congress. There was not the remotest intention of reproaching Great Britain with the imputation of treating the liberated Africans as no better than slaves, nor of "representing the condition of the liberated Africans as no better than that of slaves." You may judge of my surprise and mortification, then, when I saw the message of the President of the United States spoken against, as an insidious attack upon Great Britain, and treated of in the British Parliament as aspersing British policy. You will pardon me for saying, in this letter, really meant to explain and justify a course not intended to be offensive, that Mr. Aldam's questions did not rise to the moral elevation of the message, nor did Sir R. Peel's answer respond to its true and just spirit. Why ask "whether the President had any grounds for representing the condition of the liberated Africans as no better than that of slaves?" when the import of his message was merely that it was urged, and might be urged with plausibility, that there was just as much right among any portion of mankind to enslave Africans for life, as there was in Great Britain to bind them to servitude for a term of years? In commenting upon Sir R. Peel's answer to Mr. Aldam, I have to say more than a word. He says that he regrets the President has sent a formal message, &c., "without accurately ascertaining what is the condition, in the British colonies, of liberated Africans." The reply to the regret is, that the presumption is that "liberated Africans" are liberated, and that bound Africans are bound. Sir R. Peel adds, "I must also say that if the President of the United States should think it expedient to appoint a Commission for the purpose of going to the West Indian colonies of Her

Majesty and ascertaining precisely the condition in which those who were slaves now are, there will be every disposition on the part of the British Government to facilitate the inquiries of that commission," &c. If this tender of facilities to a commission was meant to imply that the President, or any agent of the United States, had been officious or intermeddling in looking into British policy respecting the condition of Africans in the British colonies, it is an offensive imputation, the error of which needs to be corrected. The world is witness of the fact that the United States have insisted and striven most earnestly to stand aloof from all joint jurisdiction with other Powers on this question. They have demanded and insisted on nothing more strenuously than that other Powers should not intermeddle with their municipal or separate and independent jurisdiction over their own citizens, vessels, and flag. They have not demanded as a right, but resisted the attempt to visit and search the vessels of other Powers in time of peace. They have confined themselves to the superintendence and government of their own citizens, and their own vessels and flag alone. And Sir Robert Peel is to be informed, it seems, that if the President of the United States should think it expedient to appoint such a Commission as he proposes, it is doubtful whether he alone is not too limited in his executive powers to do so; and the entire Government of the United States would not certainly disregard its settled policy of non-interference with the domestic relations of other nations, so far as to adopt the suggestion of the Right Honourable Baronet. To do so with their consent, however, would not be to sanction an example of the British Government of which the United States have just cause to complain. I mean the instructions of the Earl of Aberdeen to the British Consuls to inquire into the condition of slavery in the United States, descending to the very inquiries of how the slaves were fed and clothed by their masters, and to report thereon, without notice to either the Federal or State Governments of the Union, or to the owners and proprietors whose very homesteads were thus invaded and, it might have been, endangered. But how, in fact, did my communications and the President's message based thereon, come to be made? Did either, uncalled for, and without the inducement of the British Government, or opposed to "every or any disposition on its part," obtrude themselves upon British affairs, questions, or interests? I appeal to you, Sir, to attest the truth of the denial of any such imputation. Again and again, at various times and in almost every form, the British Government, its officers and agents, most justly and truly complained that citizens of the United States and foreigners were using and abusing their flag for the purposes of the infamous traffic. Your Excellency had recently, when I arrived here, notified my immediate predecessor, Mr. Proffit, of this abuse. The truth and the justness of the complaint, in spite of my wishes to the contrary, presented themselves so forcibly to my observation, that no honest mind could resist their admission. There is no Government, there are no officers of any Government, who regret the truth and justness of this complaint, more than the Government and officers of the United States. They pretend not to palliate or justify or deny it. The authorities of the United States at Rio de Janeiro earnestly and honestly, as your Excellency can vouch, set themselves to the task of correcting the abuse. Upon tracing and examining its true nature and secret history, they found certain existing causes for it in which, to a very great extent, British subjects and British interests were involved. They found that certain British manufacturers and merchants and capitalists and brokers, and certain British interests besides, were all concerned in holding out such temptations to enlist the vessels and flag of the United States in the Slave Trade, as to make it extremely difficult, if not impossible, for the United States, by their own separate laws and efforts, to restrain the evil and wipe off the reproach. They found obstacles to the performance of what they were requested to do by the British authorities, which, as belonging to its sole jurisdiction, the British Government alone could remove. Was it not fair, was it not in good faith, then to say, "We admit the justness of your complaint. It is true that the United States' merchant-vessels are chartered and sold, and their flag is used in this trade made piracy by their laws. This should be prevented and prohibited. But we find that your citizens at home, subjects abroad, and capital and labour at home and abroad, are to a great extent employed in enhancing and paying a price for this crime against both our policy and laws and your own. Now will you please to aid us in complying with your own reasonable and humane request, and with our own philanthropic desires, by restrain-

ing your subjects from aiding and abetting and tempting our citizens in the commission of these very offences and wrongs. And will you please destroy certain interests which are allowed by either law or licence to exist within your jurisdiction, and which are arrayed against the whole policy of suppressing the Slave Trade. Among other interests, will you please destroy the interests which masters have in the services of liberated or recaptured Africans? Will you please remove the argument from the lips of slavers, that slavery itself stands on the very principle of the right of apprenticeship. Not that you treat your apprentices like slaves, or treat them badly at all, but that they are made captive like slaves. The comparative "severity and denial of free will" is not in the issue; but it is the comparative right of captivity which is involved. Aye—not that it is not even humane and politic and proper to hold these captives in some state of pupilage. It is wise, politic, and humane to do so. It is what ought to be done. The question is—in what state of pupilage? The state of apprenticeship or of service for years in the British colonies is not the proper state. And if they are restrained by authority, in no state of pupilage ought they to be. Now negroes are savages, untutored, uncivilized, torn from their tribes, taught nothing but "man's inhumanity to man." They are unfit to be perfectly free, and they are utterly incapable of appreciating or enjoying all the rights of free men. They must be trained to liberty, fitted for its arduous duties, and be made duly responsible for their performance. How? Restore them to Africa—not to their native tribes or their native state—but to emancipated colonies—to Sierra Leone,—to Liberia,—to the Cape of Good Hope,—anywhere in Africa where they can be protected from a second capture by slavers, and where they may be educated and taught the arts of civilized life, and be made captives to the glorious liberty of the light of the Gospel, and whereby they may be made, in the hands of Providence, the chief instruments of restoring the land to which they are restored, and of subserving more efficiently than navies can, the wise and humane policy of suppressing the Slave Trade. This would remove all shadow of imputation upon your motives, by those who interestedly allege your philanthropy to be but commerce, and your humanity but dollars and cents; and this would destroy one interest at least, which would make commerce and dollars and cents out of your philanthropy and humanity, and criminals of our citizens, and an agent of mischief of our flag. Was not this a fair and friendly response? How inappropriate, then, to its good faith and good feeling, the implied taunt of officiousness, against those who thus merely responded to a complaint and did not make one; and how ill-suited to the dignity of the subject and to the propriety of its treatment, was the apparent spirit of recrimination which cheered that taunt in the House of Commons! The only justification for either the taunt or the spirit is, that they both proceeded from mistake. But how strange, that with the message quoted by Mr. Aldam, he should have mistaken it so widely as to put his second illogical interrogatory; and that the Right Honourable Baronet should have fallen into the same error, and followed its sequence in his answer. And that the latter should, in the face of the message, have said: "The message to which the honourable gentleman refers, announces, that on the capture of a negro intended for slavery, that negro is sent to the West India colonies, is subjected to an apprenticeship for a term of years, during which he is treated pretty nearly with the same severity and denial of free will as in a state of slavery."

127. I have thus far merely followed the debate in the Commons, and by doing so, am fully aware that I may be told that in all I have said thus far respecting apprenticeship, I am myself illogical, inasmuch as the Right Honourable Baronet in the next sentence said, "Now, in point of fact, the state of apprenticeship is altogether abolished in the West India colonies." Now, I say, that is the very point on which, by seeking a little further information than the Right Honourable Baronet has given, I wish to set myself right. The terms here used are very broad and general, "the state of apprenticeship is altogether abolished in the British West India colonies." Is that the fact? Is there no state of apprenticeship in the British West India Colonies? Am I right in inferring that Sir Robert Peel did not mean to say that there is no state of apprenticeship there; but that the apprenticeship under the special Acts of emancipation in the British West India colonies is altogether abolished. That was a special apprenticeship, and that is abolished. Well, what becomes of his reply thus far, when he is told that neither I in my official communica-

tions, nor the President, I presume, in his message, had particular reference to that special state of apprenticeship. Certainly I had not, but to any state of apprenticeship which exists in the British West India colonies under the English common or statute law, other than the special laws referred to. Does not the old English law of apprenticeship still exist in the British West India Colonies? May not persons be either compulsorily or voluntarily bound there under that system? May not persons be still bound there as servants, under that system? May not persons, without known business, occupation, or calling in life (and what may liberated Africans be known to have?) still be compulsorily bound there, for that reason? If not, the laws of those British West India Colonies are very different from what the laws of England herself once were. In speaking of a "system of apprenticeship," the word system was used not in any special or technical sense, but in the practical sense, or in the sense of usage, or practice, or custom. And in referring to the practice or system in that sense of apprenticeship, the object was not so much to condemn that system, as to recommend another system much better than that, and far better than leaving liberated Africans perfectly free in the British colonies. But am I to be told that there is no practical apprenticeship even in the British West India Colonies? It would seem so, when Sir R. Peel says, "No negro, whether going there voluntarily as an immigrant, or sent there as a captured negro, is placed in a state of apprenticeship." And yet, though so sweeping, apparently, to me the answer is still special." "No negro, &c., is placed in a state of apprenticeship." Let us scrutinize this a little.

128. He says that the negroes captured by British cruizers in Spanish vessels under the Treaty of Great Britain with Spain in 1835, were to be sent to the British colonies, and placed on the same footing as an apprentice, and that Great Britain has a vessel at the Havana, which in general receives the slaves captured in the neighbourhood of Cuba. He states further, that though it was provided by the British Treaty with Brazil, that the captured slaves should be delivered to the country on the coast of which they were captured, or to which the captured vessel belonged, yet as Brazil insisted on keeping them in a state of slavery, and declined to keep the enjoinders of the Treaty with respect to the future disposition of the slaves, Great Britain keeps a vessel at Rio de Janeiro to receive the slaves captured on that coast, instead of delivering them up to Brazil, to be afterwards sent, as they may prefer, to the West India colonies or back to Africa. He states further, that the slaves captured on the coast of Africa are, generally speaking, taken to Sierra Leone.

129. Thus we have clearly stated where the captured slaves are received.

1st. Those captured on the coast of Africa, generally speaking, are taken to Sierra Leone.

2nd. Those captured on the coast of Brazil are placed in the British receiving-vessel at Rio de Janeiro.

3rd. Those captured in the neighbourhood of Cuba are placed in the receiving-vessel at the Havana.

The question remains, what then becomes of these captured negroes?

Sir R. Peel, speaking as to the course pursued by the British Government, seems to be explicit in saying,—

First. Those taken to Sierra Leone are perfectly at liberty to determine for themselves, whether they will go or not to the West India Colonies, or whether they will go to the country of which they may be natives.

Second. Of those taken near Cuba, he says,—“It is true that individual slaves may not always be sent to Africa; it is quite impossible at all times to provide means of sending them thither;” and he leaves us to infer that they are sent to the West Indies, from necessity, but they are subject to no compulsion; and although they may voluntarily enter into contracts, there is no apprenticeship whatever.

Third. Those received at Rio de Janeiro, are to be afterwards sent, as they may prefer, to the West India Colonies, or back to Africa.

130. Thus, then, we have stated,—

1st. The place where they are received.

2nd. The places to which they are sent.

3rd. Apparently, but apparently only, the condition in which they are placed. Those sent to Sierra Leone have, it seems, perfect liberty to go to the West Indies or to their native lands; no choice said to exist as to remaining in Sierra Leone or in any other British colony in Africa.

Second. Those captured near Cuba and sent from the Havana to the British West Indies, are not said to have any choice as to the place where they shall be sent; but if they are sent to the West Indies they are subject to no compulsion, and, although they may voluntarily enter into contracts, there is no apprenticeship whatever.

Third. Those received at Rio are to be sent afterwards to the West India Colonies or back to Africa.

131. Now, Sir, I beg leave to seek the information from you, if it is in your power to give it to me.

What number of captured slaves are there annually sent to Sierra Leone, and what proportion of them elect to go to the West Indies? And what proportion to "the country of which they may be natives?"

132. 2nd—What is the number of those received annually at Rio de Janeiro? What proportion of that number are sent to the British West Indies? What proportion back to Africa.

133. 3rd—What is the proportion out of the whole number taken, sent to the British West Indies? Of those sent there, what proportion is sent back to Africa? Of those who remain in the British West Indies, what proportion voluntarily enter into contracts? And what description of voluntary contracts is it here alluded to by Sir Robert Peel? I shall be very grateful for answers, as full and complete as possible, to these interrogatories, for on them will depend in a great measure the decision of all the questions of mistake which may have been made on this subject.

134. Sir R. Peel has alleged mistake on the part of the President in his message, and has endeavoured to account for it by explanation of the course of the British Government under the Spanish Treaty. He has widely mistaken in accounting for the mistake, if any has been made. There is another and a better mode of accounting for it, which I regret very much has escaped Sir Robert Peel entirely.

135. Neither the President nor the undersigned ever meant, as I have said, to allude to the system of apprenticeship under the Emancipation Act of the British West Indies, or under the Spanish Treaty. The words "system of apprenticeship" were perhaps used loosely in the vernacular, and not in the technical sense. What the undersigned alluded to is embraced in the ideas of a regular system to procure labourers for the British West India colonies, from Africa and elsewhere, to supply the places of emancipated slaves, pursued not only by individuals, but encouraged by the policy of Her Majesty's Government. This system is aided by sending thither the Africans captured by British cruizers, and by ordinances of immigration, by the laws allowing voluntary contracts for service for years, and by the orders and instructions of Her Majesty's Government to its officers, and by its encouragement of individuals to procure such labourers, and of the latter to form contracts for service.

136. Is this, in substance, a true statement of the facts? If so, it is to be regretted that Sir R. Peel did not depart from the letter of the mistake and fully enlighten us as to the real truth of the case; for then the substance of the President's message and of the information given to him by the undersigned, would have been proved to be correct, after all, and the error would have turned out to be one of words only and not of facts. Sir Robert Peel may say this is no apprenticeship whatever. True; but it is something worse for the African, and the system of apprenticeship was less assailable than this state of perfect freedom. Technically, it is no apprenticeship, and protectively, parentally, and guardianly, it is no apprenticeship. Apprenticeship, under statute or common law, is a system made for the protection and guardianship, maintenance and instruction, of a favoured class of servants under the English laws—infants or persons under age, who are either voluntarily or involuntarily apprentices, incapable of contracting and providing for themselves, and who are to be saved from idle and dissolute habits, and to be made useful to society and to themselves, by being instructed in some art, mystery, trade, or business of life. Apprentices are, *ex vi termini*, to be taught some art, mystery, trade or business. They are, in every class, under the especial protection of court as *parens patriæ* and are indentured or bound by deed, to serve their masters, and their consideration is maintenance and instruction. They are of a much higher order of servants under the English law, than the first class *intra mœnia*, or the third class of daily labourers, or such as do not live *intra mœnia*, and are second only to the class of stewards, factors and bailiffs. To what class of servants under the

English law these captured Africans, perfectly free, who voluntarily enter into contracts in the British West India colonies belong, I am not precisely informed. They cannot be special wards of law, like parish apprentices, for I am left to infer that the Government has nothing to do with their contracts. They are not, I presume, servants *intra mœnia*, for though their contracts must arise upon the hiring, as in case of menial servants, yet but very few of them, if any, are fit to be domestics. They cannot be daily labourers properly, for though they may "be compelled to work because they have no visible effects," and are not likely to be allowed to live as a part of the family, yet I presume no planter or tradesman would contract to take them for daily wages. They must then partake both of the character of apprentices and of menial servants. Like apprentices they become bound to serve their masters by deed or indenure for a term of years; but, unlike apprentices, the indentures are not prescribed and regulated by law, and do not necessarily bind them to be instructed as well as maintained, and they are not special wards of court. Like apprentices, they are really, in fact, as incapable of contracting and providing for themselves as infants; but it seems they are not so deemed and held by law, and are left by it to the tender policy of the superior wisdom of civilized man to deal with them in the making of voluntary contracts, where the contract would be the law of the case, and not where the law, as with apprentices, would be the rule of the contract of the case. Like menial servants, their contracts arise upon the hiring, but unlike most menials, their condition compels them to be bound for a term, and to serve for less than the pay or consideration of an apprentice by its better half of instruction. These voluntary contracts of perfectly free captured Africans, then, constitute a peculiar and non-descript class of servants, under either the British Imperial or the British West India colonial laws; and Sir R. Peel was perhaps right in the letter of asserting that they are not "apprentices," either under special treaties or statutes, or at common law. But this in all candour admitted, it still does not satisfy the issue upon the point of policy.

137. The objection to the apprentice system, so called, was,—1st. That it created an interest, in fact, favourable to the Slave Trade, for the sake of procuring labourers in the West Indies. Are these voluntarily-bound servants not more valuable to masters than apprentices would be? 2nd. That it did not make the best provision for the captured Africans. It did not restore them to Africa, and place them there in schools of instruction and labour. Does the system of voluntarily-bound servants remove that objection? 3rd. It prevents the establishment of a moral influence in Africa by means of these manual labour and Christianizing schools which would, through enlightened African missionaries, shed abroad the light of civilization in that dark land, and which would be the most effectual agency for the suppression of wars, and captures, and the Slave Trade. Does not this voluntary system of servitude as effectually hinder these moral means, and prevent their establishment and exertion, as the system of apprenticeship did or would? Aye—more.

138. Now, my dear Sir, the undersigned ventures to appeal to the experience and knowledge of yourself and of the most worthy British Consul, Mr. Hesketh, to bear him witness to certain truths on this subject.

In the first place I rely on the information I have received, that nearly all of the slaves, or captives, are brought from far in the interior of Africa. The chiefs or headmen on the coast receive merely a tax *in transitu* through their kingdoms. The captives pass through the hands of several purchasers before they arrive at the slave-factory, or the shore where the slave-ship awaits them. Many of them are bought by the first purchasers (African dealers, who purchase from the captors in war) at from 500 to 1000 miles from the coast, and they are sold from dealer to dealer, and are sold and resold many times before they are shipped. They are perfect strangers (and that word means enemies among the barbarous African tribes) to most of the tribes intermediate between their shipping port and native countries. When then they once reach the coast, or are once sent to Sierra Leone it is hopeless to think of their returning, or being sent to their native countries. They would be sure to be recaptured and to be resold to the slave-dealers. In speaking, therefore, of being restored to their native land, I intended to be understood to mean Africa, or some civilized colony in Africa, not the localities in Africa where they were born. Sir R. Peel seems to mean these localities, when he speaks of their native

countries, for in my sense of native land they are in it already when they are at Sierra Leone. But when there, he says they are allowed a choice to be sent to the British West Indies or to their native countries, as they may prefer. To give them this choice, therefore, in his sense, is to give them no choice at all. It is to allow them to elect either to run the certain hazard of new bondage, or to accept the terms of a contract of service in the British West India colonies.

139. I am further informed that the masters in the British West India colonies seek them as servants under contract for a term of years, and agents are often employed to engage the captured Africans in these contracts. The captured Africans look upon their deliverers from the slavers as friends and benefactors, and generally do whatever they suggest and advise, and nothing is easier than to induce them to go or to be sent anywhere, and to engage to serve any person. That they are universally unfit to decide for themselves, are utterly incapable of appreciating or comprehending their true condition as liberated persons, and will, when told to do so by those who have freed them, contract for almost any term of service, thinking it a good bargain in lieu of perpetual bondage. This especially I know to have been the case with those captured by American cruizers, and coming under the care of American officers at this place. The two boys taken in this harbour from the "*Porpoise*," were exceedingly sprightly and intelligent; had been bought and branded young; had been living some time on the coast, and could speak the Portuguese language quite intelligibly. With clearness they could describe the manner of their purchase, by whom, the arts practised to prevent them from being deemed slaves until they could once be landed in Brazil, the price paid for them, &c.; and yet so grateful were they to Captain Gregory, of the "*Raritan*," the officer who had them in charge, and so little did they comprehend anything else than that he was their friend, and that the Brazilian passengers on board the "*Porpoise*" desired to make them slaves, and to get them on shore for that purpose, that they would passively and implicitly do whatever they were told. They remained on board the United States' frigate "*Raritan*," until the "*Porpoise*" was released and re-delivered to Commander Turner, when they were sent in her to the United States as witnesses of the unlawful cruize of that vessel. They would have gone anywhere, or done anything implicitly which they were advised by their deliverers to do. They were under no compulsion, and yet had no will whatever of their own. That is the true condition of all captured Africans, with scarcely an exception. To speak then of their being perfectly free is to speak wholly at points with their real condition and their total unfitness for free-will or freedom in any enlightened sense. Their freedom at Sierra Leone or at Rio de Janeiro, or at the Havana, to be sent to the British West India colonies or to their native countries, as they may prefer, and their perfect freedom in the British West India colonies to "voluntarily enter or not into contracts," therefore is in name and not in substance:—

When only what they needs must do appear'd,
Not what they would:—What praise could they receive

* * * * *

When will and reason (reason also is choice),
Useless and vain, of freedom both despoil'd,
Made passive both, had serv'd necessity.

140. On this point I cannot forbear to refer your Excellency to the appended slips from papers in the United States. The article from the "*New York Enquirer*" of May 30, 1845, excepting of course all imputations upon the British Government, contained in it, is believed to be well worthy of notice on this branch of the subject.

141. But I cite a portion of the remarks of Lord John Russell made in the House of Commons, Wednesday, the 26th of February, 1845, on the question of the Sugar Duties, to prove not only the fact that a vast number of Africans have been sent to the British West India colonies, but that their immigration has been caused by settled plans of policy on the part of the British Government, and with the leading motive of admitting a great number of labourers into the West Indies, that there might be a sufficiency of labour to supply sugar to Great Britain.

142. According to the report of the "*Morning Chronicle*," February 29, 1845, he said, that "the discrimination between sugar produced by free, and sugar produced by slave labour was, if at all, required for the protection of Jamaica, Trinidad, and Demerara, where there was a deficiency of labour. What has

taken place in the West Indies has been this:—there have been great plans for immigration, and for the admission of a great number of labourers into the West Indies, that there might be a sufficiency of labour to supply sugar to this country. But the way in which that scheme has operated has been this:—taxes have been imposed under this immigration ordinance, which have borne with great severity on the labour. In proof of this I hold in my hands a letter from a person who is a most remarkable man, who took an active part in the colonies upon the subject of slavery, and who now has a most extraordinary influence over the minds of a great part of the population of Jamaica. The person to whom I allude is Mr. Knibb, the Baptist missionary. This letter was dated December 23, 1844. Mr. Knibb says:—"I do not believe that there is a labouring population on the face of the earth who have so patiently borne a reduction of wages as they have, and this too connected with an increased price of provisions, by a cruel and abominable tax on the necessaries of life, imposed for the avowed purpose of raising money to increase the number of labourers, and thereby still further to curtail their comforts, and still further to reduce their wages." Lord John Russell proceeded: "I believe that the admission of labourers from Africa to the West Indies, if conducted under regulations and allowed to take place in small numbers, would be for the advantage both of the West Indies and of Africa. But I own I look with very great dread to the scheme proposed for taking a great number of people from Africa to the West Indies. But if you are now to introduce vast numbers of Africans from the shores of Africa, if you are to take them from places where they are still in a state of barbarism, and are to transplant them by wholesale to the West Indies, and turn them at once to labour, I cannot but foresee that in no long course of time, you would have a population whom it would be very difficult to bring into a state of civilization, which your present negro population of the West Indies are in. And yet this is the attempt you are now making. It is an attempt I hardly think will succeed. But still the attempt is making in this way, by making large loans in Trinidad and Demerara, and taxing the people, and especially taxing the admission of their food, for the purpose of raising means to bring great numbers of people from Africa to the West Indies."

143. After testimony like this, which came forth since the date of the President's message, I do not think that it could fairly be denied that vast numbers of labourers, less favoured than apprentices, if not apprentices, are procured and sent from Africa to the British West Indies, under a regular and legalised policy, either imperial or colonial, or both. And in these immigration ordinances and plans spoken of by Lord John Russell, we may find, perhaps, grounds for some justice in the allegation of the indifference of British cruisers to capture the slave-vessels until they have shipped their cargoes of negroes, notwithstanding the greater allowance of tonnage bounty paid in the one than the other, with or without captives. And I see nothing in the despatch of the Earl of Aberdeen on this branch of the subject, to contradict this evidence, or to cause me to change the views either of principles or of facts, in substance, which I have heretofore presented. On the contrary, his admissions rather confirm both the evidence and the views based upon it. Perhaps the only contraverted fact in issue between his Lordship and myself would be, whether at the end of the twelve months, the period for which he admits British officers have been instructed to execute contracts for the Africans, the latter are in any cases, but those forming exceptions merely, found capable of making their own terms for their daily labour; and whether they then ought to be left to provide for themselves. From the fairest opportunities of judging of the capacities of the new negroes in Brazil, I would doubt any report by any officers, to the effect stated by his Lordship, respecting the most intelligent immigrants into the British West Indies from Africa. The re-captured Africans, I repeat, ought to be restored under some well-regulated and humane system of pupilage and education, to the colonies in Africa herself. They ought there to be prepared for the enjoyment of freedom, and ought to be made instruments fit to serve mankind, and especially their own kind, by being enlightened to become in Africa the missionaries of the great Christian influence of God's own power to prevent the Slave Trade. Their labour ought not to be left to the cupidity of sugar planters in the West Indies. The suppression of the Slave Trade ought to be second only to the civilization of Africa. The accumulation of new negroes in the West

Indies may reproduce the scenes of the cockpits of Jamaica, and Great Britain may have again in time to force, by treaty and by arms, another emigration from the West Indies back to Africa.

144. In connexion with the debate in the House of Commons, on the message of the President of the United States, it was my intention to notice a piece here appended, published in the "Evening Mail," from Friday March 28, to Monday March 31, 1845, over the signature of "A British Merchant." It is anonymous, and it would be improper to refer to it in a paper like this, except to show his Lordship—first, that there is an interest which has a representative in London, feelingly touched by the exposures of the message respecting the connexion of British merchants and manufacturers with the Slave Trade; and secondly, the bold effrontery, artful falsehood, and eagerness with which attempts are made in England to deceive the public mind on that subject. This writer, for example, denies positively and peremptorily, that any such transaction ever took place, as is proved beyond doubt to have taken place, both by the "*Agnes*" and the "*Janet*." The reason assigned is, that none but slave clippers are employed in the transportation of slaves, and none such, he says, were ever seen from the United States loading a cargo of goods in England "for Cuba or Brazil, or anywhere else, previous to her capture and condemnation as a slaver." This error, that none but clippers are employed in the Slave Trade, is most industriously propagated and kept current for the mere purpose of deception. Nothing that I know of has done more immediately to aid the slave-trader in escaping search or pursuit than this error. So far from its being true, the heavy, round, merchant-looking vessels are now, and have been for some years past, preferred for the trade, because they are comparatively free from suspicion. Take for example the "*Sooy*," the vessel captured on this coast by the "*Racer*." Previous to her landing her cargo of slaves, one would as soon have suspected a Quaker gentleman of being a buccaneer, as her to have been a slaver. It would be well for the cruisers of all nations to remember this fact, while on the duty of suppressing the Slave Trade.

I believe that I have now noticed all, and more than all, the points embraced in his Lordship's despatch.

145. In conclusion, you will please assure him that, although I have not been convinced of any material inaccuracies or misapprehensions in the letter addressed to your Excellency, and although I have been compelled to correct certain inaccuracies and misapprehensions on his part; yet I have endeavoured to offer my explanations in a form and feeling towards his Lordship and yourself, of the most profound respect. The appreciation by Her Majesty's Government of the zeal and success with which I have traced and exposed the devices of the criminal traffic by which the flag of the United States has been polluted, and of the motives which have actuated me in making public the result of my researches, is a compliment which I esteem next to the approbation of my own Government; and in return for this meed of praise, his Lordship must allow me to present to Her Majesty's Government an honest feeling honestly expressed.

146. Her Majesty's Government has expressed its high appreciation of the zeal and success with which I have exposed American guilt only. I would have been prouder still of a like acknowledgment from the same source respecting my exposure of British participation in the Slave Trade. It is one of the chief glories of Great Britain, that at all times, at home and in the remote corners of the earth, she protects her subjects with the anxious care of the fondest of parents. Certainly no children of any parent could have been better protected than are all British subjects in the despatch of his Lordship. This is worthy of the British nation, its constitution, and its laws. But may not an over-fond parent be too partial? You tell your neighbour, "Your children are exceedingly bad." The neighbour, hurt and mortified, but candid and just as human nature allows, replies, "True, they are bad, as you say; I have upon inquiry found it so; but really I regret to say that your own children prompt and pay their iniquities, and participate in their guilt to the uttermost. Restrain your own, and then I can better govern mine." Is it right, while you are daily complaining of your neighbour's family, to be blind to the faults of your own? To thank him for publishing the blame of his fellow-citizens, without thanking him also for making known to yourself the truth respecting the guilt of your own subjects? Certain it is, that his Lordship's despatch, in all its parts,

but especially in its thanks, confirms in my mind the wisdom of the saying of one of the very best governors who ever lived, perhaps, of British bad boys—"It is idle to speculate in *aliena republica*, but to reform one's own is a business which nearly concerns us."

His Excellency Hamilton Hamilton,
&c. &c.

I have, &c.
(Signed) HENRY A. WISE.

Enclosure 3 in No. 152.

Mr. Slacum to Mr. Wise.

My dear Sir,

Rio de Janeiro, January 20, 1845.

THE letter from which the inclosed extract was taken, was addressed to His Imperial Majesty's Minister by Mr. Hamilton, in consequence of an assertion made by Senator Vasconcellos in his place, that no slaves had been imported into Brazil for a year, and that the trade had entirely ceased. He also challenged the production of the names of persons engaged in the trade. Upon this assertion and challenge, Mr. Hamilton furnished the list of persons contained in the extract, directly to this Government, and it has never been denied or questioned. A member of the Vergueiro family, is, I think, a Senator. The entire letter of Mr. Hamilton may be found in the British Parliamentary reports now before me. You will perceive M. Fonseca to be one of the leading slave-dealers, denounced as such to his own Government. And yet American merchants long resident here, and who are intimate with him, under oath do not know his occupation. The extract may be useful to you, and I therefore sent it.

His Excellency Henry A. Wise,
&c. &c.

Yours truly,
(Signed) GEO. W. SLACUM.

Mr. Hamilton to His Imperial Majesty's Minister for Foreign Affairs.

(Extract.)

Rio de Janeiro, April 7, 1843.

WITH regard to the names of leading individuals engaged in the odious commerce (Slave Trade), the subjoined list may in part supply the desired information. It is sufficiently numerous, perhaps, to satisfy the illustrious Senator, if not, other names can be given.

The Commendador (a title) José Bernardino da Sá; Antonio Jose Moreira Pinto; Manoel Pinto da Fonseca; Giuge José da Souza; José Antonio dos Santos Xavier; Franco e Moreira; Barbosa e Castro; Rocha Pacheco; Antonio Ferreira da Amorem; Amaral e Bastos; Barbosa e Guimareis; Francisco Fernandez Guimareis, clerk of José Antonio Ferreira; Vergueiro and Brothers.

Enclosure 4 in No. 152.

Memorandum of Mr. Wise of the Statement of Mr. John S. Wright respecting Weetman and Mr. Consul Hesketh.

MR. JOHN S. WRIGHT, lately, the day I do not remember, informed me that Mr. Weetman told him that he wished Mr. Hamilton, the Minister of Great Britain, would call on him for information concerning the business in which he was engaged as a broker in negotiating charters for vessels to the coast of Africa, &c., and if he would, he (Weetman) would justify himself and his business, by stating that he, though fully acquainted himself with the laws of Great Britain on the subject, had been careful to submit his business and the mode of conducting it to the counsel, opinion, and advice of Mr. Hesketh, the British Consul, who had given the opinion, that the negotiation of charters of vessels for the coast of Africa was lawful, and there was no harm in it. And I understood Mr. Wright to express the wish on the part of Mr. Weetman, that Mr. Hamilton should be informed of this, and of his wish to make this statement to him when called on. I accordingly mentioned these facts freely to several persons, and among others, I believe, to Mr. Slacum. I give the substance, generally, of what was said to me.

Rio de Janeiro, January 29, 1845.

(Signed) HENRY A. WISE.

Enclosure 5 in No. 152.

Depositions in the cases of the "Enterprise" and "Kentucky."

*Consulate of the United States,
Rio de Janeiro, February 14, 1846.*

PERSONALLY appeared before the undersigned, Consul of the United States at this city, Charles Nicholson, who, being duly sworn upon under the Holy Evangelists of Almighty God, deposed as follows:—That he is a native of France, and a naturalized citizen of the United States of America, a resident in the town of Fitchbury, in the commonwealth of Massachusetts. That he was master of the schooner "*Enterprise*" of Boston, and sailed from Boston on the 8th of December, 1844, for the Cape de Verd Islands. The "*Enterprise*" was owned by Thomas M. Cutler of Charlestown, in the State of Massachusetts, and deponent, in equal moities; deponent purchased one-half of the vessel after her register was taken out of the custom-house, and herewith deponent produces a bill of sale received from Thomas M. Cutler, which bill of sale is annexed to this deposition marked A; this document was handed to deponent by said Cutler, on the 7th day of December, 1844, also gave him the power of attorney to sell the said vessel, which is hereunto annexed, marked B, which power was certified by Nathaniel Austin, a judge of the peace, and transferred by deponent to Captain Thomas Shanton, at Rio de Janeiro, on the 11th October, 1845, in the presence of John Stafford, as appears by the endorsements on the said power of attorney. This is the only power of attorney given deponent by said Cutler. The intentions of Mr. Cutler and deponent, when the latter left home, were to sell the vessel, if a satisfactory price could be obtained, and deponent was in hopes of being able to have disposed of her to General Rosas, but he would not buy her. Deponent had also some thoughts of going round the Horn, or to China. The "*Enterprise*" sailed from Boston for the Cape de Verds; there salt was taken in, and thence went to Pernambuco, and took in sugar, with which proceeded to Buenos Ayres, whence she sailed in ballast for Rio de Janeiro, where she arrived about the 22nd of August last. At this port the vessel lay ten or twelve days. After which deponent made a charter-party with Manoel Pinto da Fonseca, she having in the meantime been offered for sale, freight or charter, by Hobkirk, Weetman, and Co., brokers of this city. Deponent never spoke about the matter, except with Weetman. The said charter-party was entered into on the 4th of September, 1845, as that document purports, the original of which entered into with Fonseca, is herewith annexed, marked C. Deponent cannot say that he saw Fonseca sign it. At that time, he, deponent, intended to go in the vessel himself. Among the cargo that came on board deponent objected to carrying four barrels, which had the plugs taken out, and contained, as could be seen, small chains, about the size of a ship's topsail sheet chain; these four barrels were taken out by Fonseca. Deponent thinks the "*Enterprise*" had on board from 100 to 120 barrels of rum, from thirty to forty cases of muskets, 1500 kegs of powder; these, with dry goods, composed the principal part of her cargo. There were also about thirty mats of jerked beef on board. The vessel was first to touch at the Island of St. Thomas. The charterer put a supercargo on board, who had the direction of the voyage, and the care and control of the cargo. The charter-party bound the vessel to return to a port in Brazil, where her voyage was to terminate. Deponent authorized Captain Shanton to sell the vessel if an offer were made to him of 12,000 dollars in good bills or cash, and to reconcile the sale in case it should be made with the charter-party. Deponent saw Manoel Pinto da Fonseca, and agreed with him verbally, that in case the vessel was sold, the charter-party should cease. The manner in which deponent gave Captain Shanton directions as to how he was to know whose bills might be taken was this:—Deponent named to Captain Shanton several houses on whom bills would be good, but the name of Fonseca was not one of them as he remembers; nor does he remember that he, deponent, gave him the names in writing of any agents of Fonseca, whose bills on him he might take; nor that he, deponent, named to him verbally any such men. Deponent himself took no pains to ascertain whose bills in Africa would be good; he might have given to Captain Shanton the names of two men whose bills he might take; he, deponent, thinks

he did make some inquiry as to whose bills in Africa would be honoured, and was told that certain two men, whose names he has forgotten, could give good bills on this place. Does not remember of whom inquired. Deponent never made any agreement or arrangement, or had any understanding with any one here as to the sale of the vessel on the coast of Africa, previous to the sailing of the "*Enterprise*." The charter-party commenced on the 5th of September, and terminated on or about the 20th of December. Deponent was paid two and a half months' charter-party in advance, and when the vessel was sold, one month's charter-money was due. The vessel was sold for 12,000 dollars, and bills were taken for that sum, and 1000 dollars, or one month's charter-money, making 15,500 dollars which deponent received for the sale of the vessel, and three and a half months' charter. The bills were drawn by a man whose name sounded Salvi or Manoel Pinto da Fonseca, who has paid them. At this stage of the deposition the Consul put the following question:—"How happened it that the purchaser in Africa came to include in his bills on Fonseca for the purchase of the vessel the amount of charter-money due from Fonseca to you in the charter-party?" Deponent answers that he does not know. The next paper marked D, is the original instructions given by deponent to Captain Shanton. Captain Shanton gave no bill of sale for the vessel, but receipted for the bills. Deponent has not executed any bill of transfer or sale; he signed a document receipting for the amount of the charter as well as for the sale of the vessel; it was a receipt in full. The reason deponent did not take the barrels with chains, was, that he did not know but that the vessel might be hauled by an American man-of-war, and suspicions might be excited that she was connected with the Slave Trade. Fonseca urged deponent to take them, saying they were only chains for launches, but deponent refused. Further deponent said not.

(Signed) CHARLES NICHOLSON.

Sworn to on this the 14th day of February, 1846, before me.

(Signed) GORHAM PARKS,
United States' Consul.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States at this city, hereby certify the foregoing to be a correct copy of an original deposition, on file at this Consulate.

Given under my hand and seal of office, on this the 29th day of July, 1846.

(Signed) GORHAM PARKS,
United States' Consul.

Deposition of Thomas H. Boyle, Jun.

*Consulate of the United States,
Rio de Janeiro, February 17, 1846.*

PERSONALLY appeared before the undersigned, Consul of the United States of America, Thomas H. Boyle, Junior, who being duly sworn upon the Holy Evangelists of Almighty God, deposed as follows:—That he is a naturalized citizen of the United States of America, of Boston in the commonwealth of Massachusetts, and twenty-four years of age. That in October 1843, shipped on board the brig "*Kentucky*," of which Elik Hart and H. H. Willis were owners, the latter of whom was master. Deponent was shipped as second mate of the vessel. She came out to Brazil to be sold as was said. She sailed from New York to Pernambuco with flour and some duck on board. Laid at Pernambuco one day, and sailed thence for Rio de Janeiro, where she arrived in the month of December. Laid in this port in franquia for a few days and then proceeded to Monte Video, Willis still master of the "*Kentucky*." At Monte Video disposed of the cargo and returned to Rio in ballast. At this port arrived about the latter end of January 1844, and after being in the discharging ground, went up and anchored in the loading ground. The "*Kentucky*" was afterwards chartered by a broker named Weetman to Manoel Pinto da Fonseca. Deponent's impression then was, and now is, that the vessel was sold before she left

this port. Deponent then asked Captain Willis what voyage he was on; he read the charter-party, to satisfy deponent, but did not say then whether she was sold or not; but the night before the "*Kentucky*" sailed, he said to deponent, that he expected he, deponent, should come home in the "*Porpoise*," from which deponent understood the "*Kentucky*" had been sold. He also said that she was to go to the east coast of Africa, and that nothing illegal was to be done. The "*Kentucky*" had been to the coast of Africa on a charter-party the voyage before, a man named John Ankers was then master of her. Captain Willis called deponent into Mr. Gardner's, and settled for the time he had served as second mate. This was the latter end of March, he paid up to 27th February, at which time deponent's pay as chief mate commenced. All the crew were discharged but two men, and these became dissatisfied on account of the pay; and furthermore Mr. Ankers, who had been first mate, left the vessel, because Captain Willis would not pay enough for him to go over to the coast, and claimed from the Consul two months' pay, because the vessel had been sold; and the Consul declined to allow him the two months' pay, as Mr. Ankers told deponent, because he could not prove she had been sold; thereupon Mr. Ankers told deponent that it was useless for him, deponent, to object to going in her, as he would be compelled to go. The captain had told Ankers confidentially, the nature of his voyage, and all about it. Mr. Ankers told deponent the vessel was to go to the west coast of Africa, but Captain Douglass, after he joined the vessel, said the voyage was changed to the East Coast, and that Manoel Pinto was to pay more in consequence thereof. When Mr. Ankers left the vessel he told the two men that they were to be left on the coast of Africa, and the men said that the principal reason for complaining to the Consul, in addition to the trouble about pay, was the being left on the coast. Mr. Ankers immediately after the confidential conversation with Captain Willis, above alluded to, called deponent into the cabin and told him, as he was going mate, that it was necessary that he, deponent, should know that the whole crew was to be discharged on the coast of Africa, and that a vessel was to be sent there to bring them and deponent back again. The same day that this occurred, the captain called up these two men who had wished to be discharged, and wanted to know if they wished to be discharged as the vessel was going to the coast of Africa. They answered "Yes." Thereupon they were discharged that day before the Consul, and then three Portuguese who had been at work on board the vessel were shipped; one of them acted as second mate during the voyage: he could not speak a word of English. Two of these Portuguese and Page, an Englishman, composed part of the crew of the "*Kentucky*" when she brought over a cargo of slaves; the other Portuguese was turned on shore at Quillemane. Frequently before the "*Kentucky*" sailed, deponent warned Captain Willis, as he was told by several of his friends, that Captain Douglass was too dissipated a man to command a vessel, and would get her into difficulty. Captain George H. Douglass had been made master of the vessel about the 1st of March, he had not been on board two days before he became dissipated. Captain Willis, before the "*Kentucky*" sailed, showed deponent one charter-party, and after we got to sea Captain Douglass showed another and different one. By the first it was provided that the vessel should go from this place to the coast of Africa with a lawful cargo, and to receive eighteen contos of reis, or about 9000 dollars, for the voyage there and back, and after waiting thirty days on the coast of Africa, and going wheresoever the charterer pleased, he was to pay thirty dollars for each day's demurrage on the coast. The thirty days had expired. There was something which deponent does not recollect, about taking the vessel, and Fonseca was to send the officers and crew home, and furnish everything necessary for the voyage without expense. Any time after arrival on the coast they were at liberty to take the vessel, and if they took her, the American crew were to be furnished a free passage back. The second charter-party differed from the first in that it made no provision for the passage back of the officers and crew. Such passengers were to be taken as the charterer put on board, he finding provisions, &c. according to the terms of each charter-party. Two cabin-passengers went over in the "*Kentucky*." The supercargo was named Luiz de Souza Fonseca, the other was named Pedro de Sá Pereira; the former returned as captain and the latter as mate, when the vessel came back with the slaves. Deponent thinks he has still a list of the cargo put on board, which, if found, he will produce hereafter, but he can recollect what were

the principal articles. She took first 80 or 90 casks empty, for water, and 7 or 8 launches of firewood. Water was scarce in Rio when the empty casks were taken in, but afterwards they were filled with water. The bungs were covered with tin with air-holes through them. 60 pipes of water were then taken in. Deponent had understood that this part of her cargo was to have been aguadente; but when it came alongside in the lighter, deponent knocked the bung out of one of them and found it to be water; and one of the Portuguese asked him if he was proving it. Next were taken in 300 sacks of rice, black beans, and farinha; some jerked beef, drums of codfish, half barrels of flour, cases of cheese, and 1 box of copper, which afterwards turned out to be a copper for cooking, some barrels of wine and aguadente, some bales goods, some boards and scantling came on board. Fonseca, afterwards captain, came off and made a rigid examination of the vessel to see what was wanting, and they measured her carefully. They asked deponent for compasses, took an account of the anchors, rigging, &c. Deponent has no doubt in his mind, that the admeasurement was to fit a slave-deck for her over the water-casks, for a slave-deck was afterwards fitted to her on the coast, from the boards and scantling that were put on board here. While the deponent was on board, before she was delivered up and while she was on demurrage, Captain Willis left the "*Kentucky*" as captain, about a month before she sailed, but of course knew all about what was going on on board of her here. Tin tubes, to suck water out of casks, were put on board, also a large dipper to dig up beans, farinha, &c., also a large lot of tin pans, out of which deponent saw the slaves eating. We also took in a lot of canvass to make sails of, which were already cut out, and spare ropes, anchors, and cables and everything to fit her for a voyage. Captain Willis came on board the morning the "*Kentucky*" sailed, in a shore-boat; stopped a few minutes and went away. The morning she sailed there were on board sixteen persons besides the crew who had been working in the vessel. They were carried over as forward passengers, and did duty all the time. When abreast of the last guard-boat in the harbour, they were all put below in the hold until the visit had been passed. These men were put on board to navigate the vessel back with the slaves, and all did come back in the vessel except four, one of them died, two were put ashore, and one, a white man, was taken on shore and flogged by negroes with 400 lashes, by order of Fonseca. This man and another one were afterwards taken on board of the "*Porpoise*," as passengers, and were left at Quillemane. The "*Kentucky*" sailed from Rio de Janeiro on the last day of March for Delagoa Bay, where she arrived on the 12th May, 1844. During the voyage Captain Douglass, the cook, Patterson, and Page, were frequently intoxicated. Captain Douglass was intoxicated or sick nearly all the way. Deponent was off duty twenty-two hours, for, when Captain Douglass was intoxicated, he did everything to disturb him in his duty. During the time he was off duty, on orders of Captain Douglass, one of the Portuguese forward passengers had command a part of the time, and the remainder a contramestre. When arrived on the coast, Captain Douglass and supercargo went on shore, about twenty-one miles from where the vessel lay, to a place called Lourenço Marques. The captain was absent about ten days, and then returned on board the "*Porpoise*," Captain Libby. Previous to this seven days the supercargo returned. The supercargo gave orders to the man who acted as second mate, or contramestre, as he was called, to have the long-boat caulked and make sails for her. Deponent forgot to mention that one Paulo Rodrigues, that went out as supercargo of the "*Porpoise*," an agent of Manoel Pinto da Fonseca, came down to us in company with Captain Fonseca. There was another brig belonging to the same concern lying there at the time, which was formerly an American vessel called the "*Seventeenth March*." Nothing particular occurred until the "*Porpoise*" came down, when deponent understood they were to run down to Inhambane as soon as the moon was large enough to enable them to run over the bar. Inhambane is about two days' sail from where they lay. Certain Portuguese came on board to see us off, who landed at an island called Imyack, where a negro king kept a depôt of blacks for slaves, sent down to him from Lourenço Marques. The "*Porpoise*" and "*Kentucky*" sailed in company on the 24th May for Inhambane, off the harbour of which place arrived on the 27th May. There Fonseca and Paulo Rodrigues went up to the town for a pilot. In coming back Fonseca lost the long-boat in the surf. Rodrigues remained onshore. The vessels went

over the bar on the 5th of June, and there the "*Kentucky*" discharged a part of the cargo into the "*Porpoise*," consisting of the wine, agudante, and a few other articles, leaving on board the wood, lumber for slave-deck, water, rice, beans, farinha, copper, &c. Deponent saw the box said to contain copper, open, and a copper caldeira or pot on the deck filling with water, to see if it was water tight. They told deponent that it came off from shore that night, but he is confident, in his own mind, it came from the box said to contain copper. The "*Kentucky*" discharged no cargo there. About the 10th or 11th June, the lay days of the "*Kentucky*" were out. Captain Douglass then addressed to Fonseca, the supercargo (who with all the passengers still remained on board), a note warning him that the lay-days would be out, and wishing to know whether he intended to take the vessel or pay demurrage. Captain Fonseca then said, in deponent's hearing, that he was not ready to take the vessel, but that if Captain Douglass was in a hurry to give her up he would give him an order for demurrage; provided he would allow deponent to remain on board to protect the vessel, as he could not change the colours there. Deponent interpreted to Captain Douglass what Fonseca said, and Douglass told him to stop on board, and that if he got tired he Douglass would stop. Captain Douglass and deponent not being on good terms, the latter preferred remaining on board the "*Kentucky*" to going on board the "*Porpoise*" with Douglass. Several times after this, when deponent went on board the "*Porpoise*," Captain Douglass, in order to blind the crew, would upbraid him for staying on board the "*Kentucky*," asking him what was meant by exposing himself before so many persons, and then privately told deponent that if he were tired of staying there, he would go on board and take deponent's place. Deponent was ignorant of this ruse to blind the crew at the time, and replied that he was not afraid of remaining on board the "*Kentucky*," as Captain Douglass had ordered him to do so, and as Captain Libby and others knew. Captain Douglass, Patterson the cook, Page, Hanson, and Müller, had removed to the "*Porpoise*," and deponent remained with Fonseca and all the rest of the crew on board. Paulo Rodrigues proposed to deponent to go over in the "*Kentucky*" as mate, but he did not come over in her. Deponent told Captain Libby about this offer, but he declined giving any advice in the matter, that in case of being taken, deponent should not blame him. Douglass had Page and Patterson punished for running off with the "*Porpoise's*" boat—the last flogged, the first put in irons. Laid there eighty-four days after deponent was left on board the "*Kentucky*," during all which time, from 12th June, all the expenses of the vessel were paid by Fonseca or his agent, as will be seen by a slip of statement hereunto annexed, showing that the charter-party was all a sham, the vessel having been sold long before. In fact Captain Douglass told deponent that the demurrage was solely for himself, and that he did not intend his owners should know anything about it. And after return to Rio de Janeiro, Manoel Pinto refused to pay the demurrage, but paid all the expenses after the 12th June, as Manoel Pinto da Fonseca told deponent. The American colours were kept flying all the time the "*Kentucky*" lay there, but were not hoisted when the slaves were taken on board. A few days after Captain Douglass left, three or four little boys were taken on board the "*Kentucky*" for the purpose of waiting on the cabin and the sick. One of them deponent has since seen in Rio, and supposes he came over in the "*Kentucky*" as a slave. Captain Douglass was frequently on board the "*Kentucky*" while these boys were on board, and the American colours kept flying by his orders. The Governor-General of the Portuguese provinces in Africa came there in a brig from Mozambique, and last from Lourenço Marques—and in deponent's presence said he had no right to trade there, because there was no custom-house, and made much difficulty, until a purse of 3000 dollars, 1500 of which were paid by Rodrigues, the agent of Manoel Pinto da Fonseca, was made up for him, when he went quietly away to sea without causing further disturbance. This brig from Mozambique was soon after wrecked, and deponent heard Rodrigues laughing and saying that his 1500 dollars had gone to the bottom with the gold sword of the Governor-General, which he had got from the Sultan of Zanzibar. About a month after the Governor-General sailed, deponent went on board the "*Porpoise*," as they were making preparations on board the "*Kentucky*" to take in slaves. The slave-deck was laid before deponent left. Captain Douglass went on board and saw the slave-deck, and made no objections to it,

but said it was no worse to lay the deck than carrying the boards. They barely lay across the joists and then lay the boards on them. It was done in a very short time. But it is unnecessary to lay a slave-deck, as frequently mats are laid on the water-casks. Deponent left the "*Kentucky*" on the 7th or 8th September. On the Saturday night following the slaves were put on board, in number about 500. Deponent went on board of her from curiosity, with Mr. Ulrick, the mate of the "*Porpoise*," to see them. Douglass was on board on Sunday morning, when she had most of her slaves on board. The American colours were left on board. The name of the vessel then was "*Kentucky*," of New York, painted in white letters on black ground. Deponent rubbed over one letter with a white brush. Others were painting, and painted over her name with black paint. She also had her name on the house on deck. Deponent is positive that the same vessel is now lying in this harbour, with the name "*Franklyn*," of Salem, on her stern. He knows her by her house on deck, by the two stars on her stern, and by several other marks, among which is the manner in which her wheel is put on. They are altering the wheel now, and making several other alterations, but deponent would always know her under any circumstances. Page went back voluntarily from the "*Porpoise*" to the "*Kentucky*," and helped to navigate her back with her cargo of slaves. Deponent has seen Captain Fonseca since the return of the "*Kentucky*," and he confessed that twenty-seven of the slaves were killed by firing shot down the hatchway while in the act of rising. Deponent also saw another man of the crew, who said that forty-six were killed. That they tied gaskets round their necks, and hung them up to the house. And the mate told deponent that he had killed two negroes with the pistols he, deponent, sold him in Africa. Deponent came back to this port with Captain Libby in the "*Porpoise*," where he was arrested, as is known to the American authorities. Deponent has received all his money except 100 dollars, at the rate of 30 dollars per month. Captain Willis deposited the money with Maxwell, Wright, and Co. Captain Douglass retained 100 dollars, under the pretext of having paid lawyer's fees after the arrest. After deponent being discharged, shipped on board the "*Caspian*," Captain Peabody. Captain Willis, deponent is informed, was in this port lately as master of the "*Helen M. Fielder*." Does not know what has become of Captain Douglass. Ulrick, he is told, is master of some American vessel. Deponent has voluntarily made this deposition, in order that the Government of his country may know the whole truth. And if he has done wrong, it was in obedience, and under the impression that the command of his superior officers he was compelled to obey. If, therefore, he has erred, it has been through misapprehension of his duty, and for it deponent throws himself on the lenity of the American Government, with the promise and understanding that he will engage in no such transactions for the future.

(Signed) THOS. H. BOYLE, JUN.

Sworn to at Rio de Janeiro, on this the 17th day of February, 1846, and executed before me,

(Signed) GORHAM PARKS,
United States' Consul.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States, hereby certify the foregoing to be a correct copy of an original deposition on file at this Consulate.

Given under my hand and seal of office, on this the 29th day of July, 1846.

(Signed) GORHAM PARKS,
United States' Consul.

I, John Henry Kagel, citizen of Brazil, by favour of His Imperial and Constitutional Majesty of the Empire of Brazil, sworn public translator and interpreter of the nation, residing in the city of Rio de Janeiro, do hereby certify, that by the American Consul, Mr. Gorham Parks, an account of the crew of the American brig "*Kentucky*," written in the Portuguese language, was presented to me, which literally translated into the English, declares the following:—

(Translation.)

Account of the crew of the American brig "*Kentucky*," viz.:—

Captain G. H. Douglass, from the 31st of March, 1844, till 23rd January, 1845, at \$100 per month	1000	\$00
Mate T. H. Boyle, from the 31st March, 1844, till 23rd January, 1845, at \$48 per month	480	00
W. Paterson, from the 31st March, 1844, till 23rd January, 1845, at \$24 per month	240	00
Seaman Hans Hanson, from the 12th June, 1844, till 23rd January, 1845, at \$10 per month	73	67
Seaman J. Muller, from 12th June, 1844, till 23rd January, 1845, at \$10 per month	73	67
Seaman Wm. Page, from 12th June, 1844, till 23rd January, 1845, at \$10 per month	73	67
	1941	01

And nothing else more contained in the said account of the crew of the American brig "*Kentucky*," which I have faithfully translated from the original, written in the Portuguese language, to which I refer; and after having conferred with this present, I delivered it again to the parties from whom I received it.

In witness whereof I have signed this present with my hand, and sealed with the seal of my office, in this very loyal and heroic city of Rio de Janeiro, this 2nd day of March, in the year of our Saviour 1846.

(L.S.) (Signed) JOHN HENRY KAGEL.

Consulate of the United States, Rio de Janeiro.

I, the Undersigned, Consul of the United States of America at this city, hereby certify the above signature "*John Henry Kagel*," to be the true and proper handwriting of the public sworn interpreter at this city, to which faith and credit are due.

Given under my hand and seal of office, on this 3rd day of March, 1846.

(L.S.) (Signed) GORHAM PARKS,
United States' Consul.

Consulate of the United States, Rio de Janeiro.

I the Undersigned, Consul of the United States of America at this city, do hereby certify the foregoing to be a correct copy of the original on file at this Consulate.

Given under my hand and seal of office, on this the 14th day of April, 1846.

(Signed) GORHAM PARKS,
United States' Consul.

Enclosure 6 in No. 152.

Mr. Hamilton to Mr. Wise.

Sir,

Rio de Janeiro, December 14, 1844.

I HAVE had the honour to receive, and beg to return my acknowledgments for the letter which your Excellency addressed to me on the 1st instant, relating to matters connected with the Slave Trade.

It is my intention to forward this very important document to my Government by the packet which is to sail for Falmouth to-morrow morning.

I have, &c.,

(Signed)

HAMILTON HAMILTON.

His Excellency Henry A. Wise,
 &c. &c.

Enclosure 7 in No. 152.

Extract from the "Jornal do Commercio" of despatches of American vessels at Rio de Janeiro for Africa.

June 24, 1845. The Am. barque Pilot arrived from Cabenda, Swift master, crew 9, in ballast; bringing as passengers Domingos Rozendo de Souza, José Martins; o Francez Louis Kraft; o Hesp. Carlos Dupuy; os Itals. Carlos Rossi, and Antonio Pascal Fourgone; and the Portugueze Rufino Antonio Rodrigues, Alezandre José Alves, Carlos Marinho, Manoel, Francisco, José Maria Henriques, and José Maria da Silva.

The Pons.

Id. date. The American barque Pons, 277 tons. M. John Graham. Crew 12, in ballast. Passengers: Portugueze, Manoel José de Rezende and Manoel Lourenço.

July 10, 1845. Despatched for exportation to Africa in the Am. barque Pons, J. S. Pinto, 20 barricas roscas, 12 saccos farinha.

July 11, 1845. Despatched for do. to do. in do., J. F. Rodrigues da Silva, 51 pipas aguardente.

July 13, 1845. Id. for do. to do. in do. by do., 92 pipas aguardente.

July 15, 1845. Id. for do. to do. in do., by F. A. de Andrade, junior, 3 barricas toucinho; by J. C. Gomes & Irmãos, 4 ditos assucar; and by P. G. e Aquino, 160 saccos farinha, 100 ditos feijão, 20 ditos arroz.

July 16. Id. &c. by J. C. R. Silveira, 2 jacazes batatas, 4 latas assucar, 1 barrica café, 1 garraão tapioca, 2 barracas queijos, 1 caixão doce; J. C. de Castro, diversos generos e drogas medicinaes; by J. R. Pardal, 2 caixas cobre, e 12 arrobas balacha, 3000 roscas; by J. A. R., 50 malas carne secca; by A. F. Sà, 4 meias pipas vinagre, 16 garraões vazios.

July 19, 1845. American barque Pons, de 264 tons, cons. J. Graham, manif. 180 pipas aguardente, 3 barricas toucinho, 4 barricas e 4 latas assucar, 12 jacazes batatas, 1 barrica café, 1 garraão tapioca, 2 barricas queijos de minas, 1 caixa doce, 20 barricas roscas, 12 saccos farinha, 50 malas carne secca, 160 saccos farinha, 100 ditos feijão, 20 ditos arroz, 200 garraões varios, 62 volumes mercadorias e varios generos.

July 21, 1845. Barca Amer. Pons, 264 tons, M. John Graham. Equip. 11. Carga varios generos. Passas. o Port. Francisco José de Almeida, e o Sardo João Baptista Galiano.

The Pilot.

Exportação. Embarcações despachadas no dia August 13, 1845.

Bahia e costa d'Africa. Barca Americ. Pilot, de 245 tons, consig. J. C. Ramos, manif. 20 pipas aguardente, 80 saccos feijão e farinha, 8 barricas carne secca, 100 garraões varios, 11 barricas ferragens, 3 feixes verguinhas, 5 duzias

CLASS B.

taboas e 8 pães pinho, 5 caixas com caixas de musica e varias mindezas. Reexp. 90 vols. fazendas estrangeiras.

Sahidas no August 13, 1845.

Africa pela Bahia. Barca Americ. Pilot, 245 tons, M. J. Swift. Equip. 10. Carga varios generos.

The Panther.

Exportação. Embarcações despachadas no dia August 5, 1845.

Cabo Verde por Africa. Barca Americ. Panther, de 597 tons, cons. J. M. Clapp, manif. 10 pipas aguardente, 100 ditas vasiaas, 2 barricas toucinho, 250 saccos farinha, 100 ditos feijão, 50 ditos arroz, 1 caixa mindezas, 4 barricas ditas, 4 caixas roscas e bolacha, 5000 achas lenha, 200 arrobas carne secca.

Sahidas no dia August 7, 1845.

Africa, por Cabo Verde. Galera Americana Panther, 597 tons, M. J. M. Clapp. Equip. 16. Carga varios generos. Pass. o Portug. Antonio Rodrigues Chaves.

Sahidas no dia October 12, 1845.

Africa. Esc. Americ. Enterprise, 212 tons, M. Shanton. Equip. 10. Carga varios generos. Passags. José Gregorio Pereira.

Sahidas no dia November 2, 1845.

Angola. Brig. Amer. Harriette, 257 tons, M. S. M. Jervis. Equip. 8. Carga varios generos. Passags. Luiz da Costa Ferreira e os Franc. João Mariott, João Legrand, João Pedro Francisco Blot.

The L. D., Brig Americ.

Despachos de exportação no dia September 19, 1845.

Africa. Na barca Americ. L. D., J. F. R. da Silva, 51 pipas aguardente.

Do. September 24.

Africa. &c. &c. J. J. Mendes, reexp. 94 barris polvora; MM. do Rego, reexp. 6 fardos fazendas.

Do. September 25.

Africa. &c. &c. Manoel Luiz Texeira da Silva reexp. 142 volumes mercadorias estrangeiras.

Do. September 29.

Africa. &c. &c. J. F. Rodrigues da Silva, 51 pipas aguardente.

Do. September 30.

Africa. &c. &c. J. Jose Mendes reexportou 2000 espingardas.

Do. October 1.

Africa. &c. &c. J. A. Lopes, 250 saccos farinha,

Do. October 6.

Africa. &c. &c. J. J. Mendes reexp. 4 vols. generos estrangeiros.

Do. October 9.

Africa. &c. &c. J. F. R. da Silva, 51 pipas aguardente.

Do. October 20.

Africa. &c. &c. F. J. Pacheco, 50 meias garrafas agua de colonia.

Do. October 21.

Africa. &c. &c. J. José Mendes reexportou 81 fardos mercadorias estrangeiras.

Do. October 22.

Africa. &c. &c. José dos Santos reexportou 14 vols. mercadorias estrangeiras.

Do. Novembro 4.

Africa. &c. &c. J. J. Mendes reexp. 12 gigos louça.

Despachos de exportação no dia November 6, 1845.

Africa. Na barca Amer. L. D. J. J. Mendes reexp. 2000 barris polvora.

Do. Novembro 7.

Africa. &c. &c. J. J. Mendes reexp. 4 saccos arroz, 8 latas, 1 barrica assucar, 150 garrafas de remedio, 4,400 roscas.

Sahidas no dia Novembro 15, 1845.

Africa. Barca Amer. L. D. 459 tons, M. L. D. Basset. Equip. 10 carga varios generos. Passags. Mathias Quintino de Andrade, e os Portugs. Manoel José de Rezende, João José Mendes e João Maria da Silva com 1 criado.

Despachos de exportação no dia November 15, 1845.

Benguella. Na barca Amer. Benloht ou Leubah ou Beulah, A. de Souza, 78 pipas aguardente; R. Antonio Rodrigues, 8 pipas aguardente.

Do. Novembro 6.

Benguella. &c. &c. B. e Castro reexp. 10 barricas farinha de trigo.

Do. Novembro 7.

Benguella. &c. &c. M. S. Teixeira dos Santos, 58 vols. mercadorias estrangeiras.

Do. Novembro 10.

Benguella. &c. &c. C. Rochas, 6 barricas assucar; M. A. Rodrigues, 10,000 charutos; J. Victor, 1 sacca café; 20 latas assucar; A. de Souza, 10 pipas aguardente; F. A. Guimarães, 10 folhas assucar.

Do. Novembro 11.

Benguella. &c. &c. Agostinho de Souza, 5 pipas aguardente; J. A. O. Bastos, 150 caixas sabão; R. A. Rodrigues, 10 pipas aguardente; S. D. e Benjamin, 20 barricas assucar.

Despachos de exportação no dia 12o de Novembro de 1845.

Benguella. No berg. Amer. Beulah. A. P. dos S. Sabrosa Porto, 40 latas assucar.

Do. Novembro 13.

Benguella. &c. &c. J. M. P. Fontes, 10 barricas assucar, 39 saccos arroz; Neves Irmãos, 15 latas assucar; MM. Broon, 15 ditos ditto; J. Victor, 20 saccos arraz; M. Antonio Rodrigues, 318 paos páos de camará.

Do. Novembro 14.

Benguella. &c. &c. A. de Souza, 20 pipas aguardente; A. J. F. Lima, reexp. 240 vols. fazendas.

Do. Novembro 17.

Benguella. &c. &c. F. T. Pinto Saraiva, 8 barricas assucar; Barros e Leopoldino, 10 saccos café.

Do. id. date.

Africa pela Bahia. Na barca Americana Cuba. A. J. Fernandes Lima reexp. peças madapolões.

Do. Novembro 18.

Africa. No brigue Americano Roarer. J. F. Rodrigues da Silva, 51 pipas aguardente.

Do. id. date.

Africa. No brigue Americano Beulah. Oliveira Guimarães, 10 barricas assucar, 30 saccos arroz; Agostinho de Souza, 4 pipas aguardente.

Do. Novembro 19.

Benguella. No berg. Amer. Beulah. J. José de Souza, 50 garrafas aniz.

Do. Novembro 20.

Angola. No berg. Amer. Beulah. J. P. Marques, 5000 charutos, 1 caixa livros em branco; D. G. da Rocha, 15 rolos fumo.

Sahidas no dia 21o. de Novembro de 1845.

Africa e Bahia. Barca Amer. Cuba, 354 tons, master, S. Blanchard. Equip. 8. Carga varios generos.

Entradas no dia 22o. de Novembro de 1845.

Cabenda. Brig. Amer. Janet, 213 tons, M. George Charpon. Equip. 9, em lastro, a Maxwell e Co.; conduz 53 passags. Ficou de quarentena.

Despachos de exportação no dia 22o. de Novr. de 1845.

Angola. No bergantim Americano Beulah. J. N. Corrêa reexp. 3 fardos fazendas estrangeiras.

Do. 23o de Novembro.

Benguella. No idem. G. J. G. Pereira Bastos, 50 rolos fumo, 4 arrobas carne; D. J. Pereira Bastos, 1800 charutos; A. J. Campo Grande, 600 charutos; F. J. Pinto Saraiva, 8 barricas assucar; J. A. Lopes Conto, 200 saccos, 2 barricas farinha, 30 saccos arroz, 53 ditos feijão; A. P. dos Santos Sobrosa Porto, 28 rolos fumo; José dos Santos Teixeira, 80 rolos fumo, 4 barricas toucinho; MM. da Silva, 10 ditos ditto; J. J. da Silva Fontes, 8000 charutos; Jacome Victor, 500 tijolos, 32 libras polvilho e 2 peneiras.

Do. 26o de Novembro.

Africa. No brigue Amer. Beulah. J. M. Pereira Fontes, 4000 charutos; F. J. Pacheco, 20,000 ditos; J. A. de Magathães, 20,000 ditos.

(Journals of November 28, 20, and 30, and of December 1 missing.)

Exportação. Embarcações despachadas no dia 30 de Dezembro de 1845.

Cabenda. Bergantim Americano Beulah, de 279 tons. Consig. o Capitão; manif. 153 pipas aguardente, 62 barricas, 140 latas assucar, 110 saccos arroz, 208 rolos fumo, 8 barricas toucinho, 23 caixas charutos, 11 saccas café, 25 saccos feijão, 150 ditos, 4 barricas farinha, 150 caixas sabão, 318 páos camara, 56 garrações aniz, 8 rolos sola, 137 volumes fazendas estrangeiras. Reexp. 30 barricas farinha de trigo, 113 volumes diversos.

Despachos de exportação no dia 30 de Dezembro de 1845.

Africa. No patacho Americano Ravenwood. A. F. de Sá reexp. 60 fardos fazendas estrangeiras.

Sahidas no dia 60 de Dezembro de 1845.

Cabenda. Brig Americ. Beulah, 279 tons, M. L. W. Morrell. Equip. 10. Carga fazendas e generos. Passags. João Antonio Magalhães, João Francisco de Madareira Para; os Ports. Joaquim Paulino da Rocha, Joaquim José Peixota, João Pedro Marques; e o Napol. Jacomo Victo.

Despachos de exportação no dia 90 de Dezembro de 1845.

Africa. No pat. Amer. Rodver ou Roarer. J. M. de Almeida Lima, 40 saccos farinha, 3 meias barricas dita, 1 meia dita café, 8 saccos arroz.

Despachos, &c. no dia 150 de Dezembro de 1845.

Africa. No patacho Amer. Roarer. Gabriel S. Pereira, 36 queijos.

Embarcações despachadas no dia 150 de Dezembro de 1845.

Africa. Berg. Amer. Roarer, de 128 tons, consig. R. G. Auchindoss. manif. 50 pipas e 2 barris aguardente, 40 saccos 3 barricas farinha, 8 saccos arroz, 1 sacca café, 5 volumes louçã; reexp. 200 barris polvora e 161 volumes fazendas estrangeiras.

Sahidas no dia 20 de Dezembro de 1845.

Africa. Patacho Americano Roarer, 128 tons, master, R. G. Auchindoss. Equip. 7. Carga, varios generos. Passags. Maximiano José da Costa, e o Portuguez Manoel José da Costa Lima Vianna.

Embarcações despachadas no dia 20 de Dezembro de 1845. Cabo Verde pela costa d'Africa. Barca Amer. Lucy Pennyman, de 300 tons. Consig. o Capitão Matthew H. Cooper. Manif. 50 barris aguardente, 500 saccos farinha, 16 pernas e 16 duzias de taboas, 3 barricas feijão, 12 barricas roscas, 5½ barricas e 6 latas assucar, 6 jacazes batates, e reexp. 500 arrobas carne, 400 barricas polvora e 15 barris vinho.

Despachos de exportação no dia 22 de Dezembro de 1845. Africa. Na barca Amer. Pilot. Amaral e Bastos reexp. 162 vols. fazendas estrangeiras.

Embarcações despachadas no dia 31 de Dezembro de 1845. Costa d'Africa. Barca Amer. Pilot, de 245 tons. Consig. o Capitão J. Swift. Re-exp. 162 volumes de fazendas estrangeiras, 3 caixas e mindezas.

Sahidas no dia 4º de Janeiro de 1845. Costa d'Africa. Barca Amer. Pilot, 245 tons, M. Swift. Equip. 12. Carga, varios generos. Passags. Domingos José Martins; o Portuguez João José Peixoto, e 2 pretos livres.

Despachos de exportação no dia 29 de Janeiro de 1846. Africa. No berg. Amer. Malaga. J. F. Rodrigues da Silva. 64 pipes aguardente.

Despachos, &c. no dia 30 de Dezembro de 1846. Africa. No berg. Amer. Malaga. Joaquim de Souza Pinto. 53 arrobas bolacha, 70 alqueires farinha e 16,500 roscas.

Despachos, &c. no dia 3 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. Pinto Guimarães e Aquino. 30 saccos arroz, Manoel Joaquim Pinto, 80 rolos fumo; Manoel da Costa Rocha, 12 barricas assucar, José Maria de Freitas, 20 latas dito.

Despachos de exportação no dia 4 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. Frâneisco Alves de Andrade, 46 arrobas toucinho; Joaquim Rocha Souza, meios sola; Bernardino P. Ribeirão Peixoto e C. 6 pipas aguardente.

Despachos, &c. no dia 5 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. João Nunes Barbosa, 50 libras rapé e 500 bombas de fogo artificial; José Gomes Vianna, 4000 roscas; J. F. Rodrigues da Silva, 11 pipas aguardente.

Despachos, &c. no dia 6 de Fevereiro de 1846. Africa. No bergantim Americano Malaga. Manoel da Costa Rocha, 10 barricas assucar; José Maria de Freitas, 4000 charutos.

Despachos, &c. no dia 7 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. João José Ribeira, 15000 roscas, 1 barrica farinha e 1 sacco arroz; José Maria Freitas, 250 pares de tamaneos.

Despachos, &c. no dia 9 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. Manoel da Costa Rocha, 2 barricas assucar; José Ferreira da Silva, 65 pares sapatos.

Despachos, &c. no dia 10 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. João Ferreira da Silva, 3000 charutos; Pinto Guimarães e Aquino, 500 saccos farinha.

Despachos, &c. no dia 13 de Fevereiro de 1846. Africa. No berg. Amer. Malaga. Gabriel de Souza Perreira, 12 queijos.

Embarcações despachadas no dia 13 de Fevereiro de 1846. S. Thomé e portos d'Africa. Berg. Amer. Malaga, de 210 tons. Consig. C. J. Lorett. Manif. 72 pipas, 40 barris e 28 garrações aguardente, 29 barricas assucar, 31 saccos arroz, 30 barricas bolacha, 42 barricas roscas, 500 saccos farinha, 80 rolos fumo, 3 barricas café, 3 caixas charutos, 2 volumes tamaneos, diferentes trastes, diferentes mindezas e 90 volumes fazendas, e reexp. 57 vols. fazendas estrangeiras, 27 barricas carne salgada e 80 barris pólvora.

Sahidas no dia 14 de Fevereiro de 1846. S. Thomé e Africa. Brig. Amer. Malaga, 210 tons, M. C. J. Lorette. Equip. 9. Carga varios generos. Passags. os Portugs. José Gomes Vianna e 1 criado, José Maria de Freitas.

Despachos de exportação no dia 12 de Fevereiro de 1846. Africa. No bergantim Americano Vintage. J. F. Rodrigues da Silva, 50 pipas aguardente.

Despachos, &c. no dia 16 de Fevereiro de 1846. Africa. No berg. Amer. Vintage. J. F. Rodrigues da Silva, 54 pipas aguardente.

Despachos, &c., no dia 20 de Fevereiro de 1846. Africa. No berg. Amer. Vintage. J. F. Rodrigues da Silva, 51 pipas aguardente.

Despachos, &c. no dia 27 de Fevereiro de 1846. Africa. No berg. Amer. Vintage. Joaquim José Pacheco, 3 saccos arrose 20 latas com 20 arrobas assucar refinado.

Despachos, &c. no dia 28 de Fevereiro de 1846. Africa. No berg. Amer. Vintage. J. F. Rodrigues da Silva, 31 pipas aguardente.

Despachos de exportação no dia de 2 de Março de 1846. Africa. No berg. Amer. Vintage. J. F. Rodrigues da Silva, 21 pipas aguardente.

Despachos, &c. no dia 3 de Março de 1846. Africa. No berg. Amer. Vintage. Joaquim J. S. Inenes, 200 arrobas carne secca; Manoel Gonçalves Pereira Braga, 20 saccos farinha.

Despachos, &c. no dia 4 de Março de 1846. Africa. No berg. Amer. Vintage. C. Coleman e C. 18,500 charutos; Antonio Gomes Neto, 300 moedas de ouro de 6\$400.

Despachos, &c. no dia 5 de Março de 1846. Africa. No berg. Amer. Vintage. Joaquim José Pacheco, 1 embrulho com chicotes, 9 caixas sabão, 4000 charutos e 24 queijos.

Despachos, &c. no dia 7 de Março de 1846. Africa. No berg. Amer. Vintage. C. Coleman e C. 340 peças de 6\$400.

Embarcações despachadas no dia 7 de Março de 1846. Africa. Brig. Amer. Vintage, 237 tons. Consig. C. Coleman e C. Manif. 190 pipas aguardente, 45 barricas e 30 esteiras carne secca, 74 caixas charutos, 20 latas assucar refinado, 20 saccos farinha, 640 peças de 6\$400; reexp. 98 barricas farinha de trigo, 1600 barris pólvora, 35 ditos missangas e varios mindezas.

Sahidas no dia 10 de Março de 1846. Loanda. Brig. Amer. Vintage, 237 tons, M. N. Augustus Frye. Equip. 10. Carga varios generos. Passags. João Gomes de Lima, os Portugs. Antonio Borges de Lacerda, Maria Magdalena José Joaquim Pacheco, e uma criada.

Entradas no dia 1 de Abril de 1846. Quilongo (costa d'Africa). 31 d. brig Amer. Harriet, 225 tons, M. Gervaise. Equip. 16. Em lastro, a Birckhead. Ficou de quarentina.

Entradas no dia 7 de Abril de 1846. Onim, 35 d. Barca Amer. Cuba, 233 tons, M. S. Blanchard. Equip. 10. Em lastro, a ordem. Ficou impedida pela policia.

Entradas no dia 5 de Maio de 1846. Loanda, 30 d. Brig. Amer. Beulah, 198 tons. Mestre L. W. Mervill. Equip. 10. Em lastro ao mestre. Ficou impredida pela policia para o subdelegado de Santa Rita tomar conhecimento.

Despachos de exportação no dia 6 de Maio de 1846. Africa. No pat. Amer. Frances Ann. Fonseca Guimarães e C. 2 fardos fumo em folha, 1 safá, e 150 chapéos de pello.

Embarcações despachadas no dia 12 de Maio de 1846. Africa. Berg. Amer. Francis Ann, de 246 tons. Consig. D. Birckhead. Manif. 40 pipas aguardente, 1 barrica café, 10 barricas bolacha, 3 barricas arroz, 2 barricas assucar, 2 barris toucinho; e reexp. 100 barris polvora, 34 vols. fazendas estrangeiras, 8 caixas espingardas e mindezas.

Despachos de exportação no dia 12 de Maio de 1846. Africa. No berg. Amer. Casket. Vieira Peixoto, 20 pipas aguardente; Felix Antonio Moreira, 80 saccos, 26 barricas feijão, 51 saccos e 48 barricas farinha, 290 arrobas carne secca e 18 saccos arroz.

Sahidas no dia 13 de Maio de 1846. Costa d'Africa. Brig. Amer. Frances Ann, 220 tons, M. William Tate. Equip. 8. Carga varios generos. Passags. os Hespanhoes Francisco Rodrigues e Francisco Peres, o Sardo Luiz Martine, e o Italiano Francisco Artice.

Despachos de exportação no dia 16 de Maio de 1846. Africa. No. berg. Amer. Casket. J. F. Guimarães 15,000 charutos.

Enclosure 8 in No. 152.

Extract of Circular of Messrs. Forbes, Forbes, & Co., dated London, January 19, 1846.

	s.	d.	s.	d.	
Panos da Costa, 70 and 72 inches	0	9½	0	11½	yard
¾ Striped Florentines 21 and 25 inches	0	2½	0	5¼	„
Striped Nankeens and Grandrells 21 to 25 inches	0	2½	0	9	„
⅔ 26 inch Cotton Checks (blue and white) 26 inches	0	1¼	0	4¼	„
¼ 30 and 35 inch do. do.	0	2¼	0	6¼	„
⅔ 26 inch Cotton and Linen Check (blue and white)	0	3¼	0	6¼	„
¼ 30 and 35 inch do. do.	0	4¼	0	7	„
26 and 34 inch Striped Hollands	0	2½	0	5	„
⅔ Satin-tops, Moleskins, &c., 24 and 27 inches	0	6	2	0	„
Cantoons, fancy patterns	0	4½	0	10	„
¾ Velvets, black and common colours	0	8½	1	6	„
Do. blue and fancy colours	0	9	1	8	„
½ Ell Velveteens, black and common colours	0	6¼	0	11	„
¾ Do. do.	0	10	2	0	„
¾ Fancy coloured Ticks, and ¼ths blue and white	0	3	0	7	„
¾ Blue and white do.	0	8	1	2	„
¾ White and coloured Rolled Jaconets	3	4	6	9	Piece of 20 yards.
⅔ Dyed Cotton Sarsnetts, 24 inches	4	0	9	0	„ 24 „
¾ Do. do. 30 inches	5	0	10	0	„ „
Madapollams, 30 to 32 inches.	5	0	10	0	„ „

Enclosure 9 in No. 152.

Extracts from the New York "Courier and Enquirer" of May 30, 1845.

WE published on Wednesday, from the "Royal Gazette" of British Guiana, a paragraph stating that the ship "*Lord Hungerford*" arrived on the 4th of May at Georgetown, having on board 350 coolies from the East Indies. We find also copied from the "Kingston (Jamaica) Journal," of the 2nd, a statement that the "*Blundell*" left Calcutta on the 26th of January, having on board 271 "emigrants" for Jamaica; and the Journal adds, that "the difficulty of obtaining vessels at Calcutta to convey emigrants to the West Indies was very great, owing to the unusually high rates of freights to England. There is no prospect of obtaining emigrants from Madras this season." These men, as may not be universally known, are brought from the East to labour in the British provinces, to supply the demand created by the emancipation of the slaves. This has been practised for several years, and has excited considerable opposition even in Great Britain. Lord John Russell recently presented a petition in Parliament from a committee of the British and Foreign Anti-Slavery Society, in which it was stated that in the year 1834, 100,000 labourers from India had been introduced into the Mauritius; and it was further represented that "the greatest immoralities had prevailed among them:—that very evil consequences followed; that a great part of them were brought thither by crimps; and that the new regulations would be insufficient to prevent abuses."

But it is not from this source alone that the British Government seeks to supply the demand for labourers in those colonies where slavery has been abolished. It will be remembered that on the 19th of March, in his reply to questions asked concerning Mr. Tyler's Message to Congress on the Slave Trade, Sir Robert Peel stated that it was usual to send all the negroes captured by Her Majesty's cruizers on the coast of Africa to Sierra Leone, where they are at perfect liberty to decide for themselves whether they will be taken or not to the West India colonies. Hence it becomes an object with the British Government, not to prevent the loading of ships with slaves on the coast of Africa, but to allow them to be thus loaded, and then to capture them, in order to supply their own colonies with labourers. This tendency of the system has been forcibly urged by those who are in favour of abandoning the attempt to suppress the Slave Trade by an armed force. The pretence, moreover, that there is nothing compulsory in this emigration, that the negroes are at liberty to choose for themselves whether they will go or remain, is manifestly absurd. Utterly ignorant of their destination, of the fate to which they are devoted, and of everything necessary to form an enlightened judgment, and incapable, moreover, of exercising any discretion themselves, their pretended liberty of choice is indeed, as was said by Sir Robert Inglis, in the House of Commons, "like Dr. Johnson's description of a *congé d'élire*, which is recommending a man thrown out of a window to fall softly to the ground." It is utterly impossible that in any case and under any circumstances these men should have any option in the matter; and still less is it conceivable that means, more or less direct, should not be used by the British authorities to influence their decision.

But it seems that the British authorities are driven to still more questionable proceedings in order to supply the demand for labourers in their colonies. Not only are coolies from the East Indies and negroes captured from slave-ships, transferred to this great field of professedly free labour, but negroes are taken from the African coast, from their own country, and thence transferred, ostensibly with their own consent, to plantations in the British colonies. Of this practice, as well as of the abuses which spring from it, we find full proof in the report of certain legal proceedings in British Guiana. It seems that the ship "*Roger Stewart*" arrived at Berbice, bringing a cargo of labourers. She had been chartered, as other vessels are continually, at Berbice expressly for this purpose. A considerable bounty is paid by the Government for every labourer thus introduced; and it has become common for private individuals thus to import negroes for their own plantations and then to claim in addition the bounty granted by the ordinance,—thus

deriving a very considerable emolument from the Government for doing an act of which they reap the exclusive benefit. The propriety of this proceeding has not passed unchallenged. The payment of the bounty, which amounted to nearly 2000*l.* to the charterers of the "*Roger Stewart*," who had transferred the negroes thus imported to their own estates, was resisted in the Court of Policy; and it appeared from the proceedings on this examination, that of the number brought there were fifty-seven who were not captured Africans reclaimed by British cruizers, but were natives taken from the coast, and who had, as was pretended, been induced voluntarily to embark for the British colonies. The bounty was finally granted; and thus half a dozen persons pocketed a net profit of some 500*l.* for stocking their own plantations with labourers.

The British Government has also passed an ordinance "for promoting African immigration," by which British agents are allowed to visit any part of the coast of Africa, and induce the voluntary emigration of the natives to British colonies. This can evidently amount to neither more nor less, in its actual effect, than the establishment of the Slave Trade. The whole eastern coast of Africa is thickly occupied by slave-dealers, not only foreigners, but natives; and the native chiefs have long been accustomed to regard their subjects simply as chattels, to be bought and sold. It is only through these men that British agents can hold any communication with the natives. If they visit the coast to procure free labourers, they must call upon these native chiefs and slave-brokers for the very means of opening any negotiation concerning them. If they give them to understand that they do not come to purchase slaves, but to solicit voluntary labourers, they will simply be asked these persons to give them, without price, what they can sell to others for a large return. It is absurd to suppose that they can obtain emigrants in this way. On the other hand, if anything is offered in exchange for them, they are simply bought, and this is nothing more nor less than the Slave Trade, carried on under the authority, and by warrant, of the British Government.

The whole scheme of promoting what is called the immigration of free labourers, from Asia and Africa, is nothing but an attempt to secure all the advantages of slavery and the Slavery Trade, without incurring its penalties—the detestation of the whole world. It is little else than that horrible traffic cloaked in the garb of freedom. So far from being allowed perfect freedom of choice, the "emigrants," as they are called, are not even permitted to choose their employers on reaching their destination. In speaking before the court of the case of the "*Roger Stewart*" to which we have alluded, one of the members thus spoke of the practical value of the boasted freedom of choice allowed to the negroes taken by that vessel to Berbice:—

"And let us look at the immigrants who were brought by the '*Roger Stewart*.' According to my calculation, there were but fifty-seven who were not captured Africans. Those fifty-seven were surely competent to select employers for themselves, and they ought to have been allowed to do so. But the others were captured Africans. They are not considered to be persons of sufficient intelligence to provide for themselves in that respect, and their distribution and location is confided to the Governor. Was the Governor consulted in the matter? No. On the arrival of the vessel, they were at once divided amongst a few parties and sent off to the estates. They just went where they were told to go."

Under this system of "immigration," then, it appears that British agents, under the authority of the British Government, visit the coast of Africa, to open a communication with the native authorities; and one vessel, the "*Trois Frères*," has, it is said, been recently taken up for that special purpose. This must of necessity be done through the native chiefs, who, being utterly ignorant and regardless of the nice distinctions between voluntary and enforced emigration, of which the British agents may discourse, will simply sell them as many negroes as they want. The purchase may be cloaked and garnished under a variety of certificates, that the embarkation is perfectly free, &c.; but it will, nevertheless, be in fact, simply a purchase of so many negroes. These negroes are taken to the British colonies,—whereupon, as is so often and so loudly boasted, if any slave set foot he becomes from that moment free,—and are there distributed, usually, and where due forms are observed by the Governor among the planters, but sometimes they are "at once divided among a few parties," and marched off to the fields of their voluntary labour.

In some technical and formal particulars, this system may differ from the Slave Trade so called. But that it has some features—in common with that detestable traffic—that its likeness with it is too marked to warrant the boast, so often and so tauntingly proclaimed, that Great Britain alone, among the nations of the earth, has set her face against the trade in human beings—scarcely admits of a reasonable doubt.

The British Apprentices System.

The “Baltimore American,” in alluding to the remarks of Sir Robert Peel on the subject in the House of Commons, in reply to Mr. Aldam, says:—

Along with this statement (of Sir Robert Peel) which we gave on Saturday, we have just now intelligence from the West Indies, which shows a state of things not at all in agreement with Sir Robert Peel’s declarations. The importation of Africans is going on very actively in that quarter—whether as ‘free men,’ or as apprentices, or as slaves, the following paragraphs may in some sort show.

The “Guiana Times” says:—From Sierra Leone we have but few immigrants—216 by the transport “*Arabian*,” and, we believe, very little news.

BERBICE.—A ship has arrived in the Berbice River from Sierra Leone with 248 African emigrants. This importation is altogether the private speculation of a few Berbice gentlemen, who obtained the Governor’s license for the vessels employed by them as an emigrant transport. The Africans were consequently divided among themselves, with a right at the same time to pocket, by authority of the Colonial Minister, the public bounty money for the emigrants.—“Honduras Observer.”

If the planters of Berbice can enter into “a private speculation” of this kind—supply themselves with negroes, and “pocket the public bounty money” for all they import—how far are such speculations likely to extend? If the account here quoted be true, Sir Robert Peel’s statement is substantially without foundation; he himself, and not Mr. Tyler, has been mistaken about facts. It is evident that not only the widest toleration, but positive encouragement, is given to the importation of negroes by the British Government.

Enclosure 10 in No. 152.

Extract from the “Evening Mail” of March 19, 1845.

THE SLAVE TRADE AND THE AMERICAN PRESIDENT.

Mr. Aldam wished to ask a question of the Right Hon. Baronet at the head of the Government, arising out of the message of the American President, signed “John Tyler,” addressed to the Senate and House of Representatives of the United States, received two days ago in this country. The passage to which he wished to direct his attention respected the conduct of England in reference to the suppression of the Slave Trade and the treatment of liberated Africans, and was as follows:—“The Slaves, when captured, instead of being returned to their homes, are transferred to her colonial possessions in the West Indies, and made the means of swelling their products by a system of apprenticeship for a term of years. It must be obvious, that while these large interests are enlisted in favour of its continuance (referring to the Slave Trade), it will be difficult, if not impossible, to suppress the nefarious traffic, and that its results would be in effect but a continuance of the Slave Trade in another and more cruel form; for it can be matter of little difference with the African, whether he is torn from his country and transferred to the West Indies as a slave in the regular course of the trade, or captured by a cruiser, transported to the same place, and made to perform the same labour as an apprentice, which is at present the practical operation of the policy adopted.” He wished to know whether Mr. Tyler had been correctly informed, and whether he had any grounds for representing the condition of the liberated Africans as no better than that of slaves? (Hear, hear.)

Sir R. Peel.—I am obliged to the honourable gentleman for having given me notice of the important question he has asked; and I must say it is rather to be regretted that the President of the United States should send a formal

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message to the Senate and House of Representatives upon the subject of negroes (hear) intended to be reduced to the state of slavery, and captured at great expense by this country, without accurately ascertaining what is the condition in the British colonies of liberated Africans (cheers). I must also say, that if the President of the United States should think it expedient to appoint a commission for the purpose of going to the West Indian colonies of Her Majesty, and ascertaining precisely the condition in which those who were slaves now are (hear, hear), there will be every disposition on the part of the British Government to facilitate the inquiries of that commission (cheers), and enabling the President and Government of the United States to present to their own country the fullest and most accurate account of the condition of the negroes in the West Indian colonies (loud cheers). The message to which the honourable gentleman refers announces that on the capture of a negro intended for slavery, that negro is sent to the West India colonies, is subjected to an apprenticeship for a term of years, during which he is treated pretty nearly with the same severity and denial of free-will as in the state of slavery. Now, in point of fact, the state of apprenticeship is altogether abolished in the West India colonies (cheers). No negro, whether going there voluntarily as an immigrant, or sent there as a captured negro, is placed in a state of apprenticeship. Going there in whatever capacity, he is perfectly free and entitled to all the rights of freemen (cheers). Perhaps I may be permitted to state what is the course pursued by the British Government with respect to negroes captured by our cruisers. If they are captured on the coast of Africa, they are, generally speaking, taken to Sierra Leone, and there they are perfectly at liberty to determine for themselves whether they will go or not to the West India colonies (cheers). They are also at perfect liberty to determine for themselves whether they will go to the country of which they may be the natives (cheers). According to the provisions of the treaties we have with Spain, in the event of the capture of a Spanish trading vessel by a British cruiser, the slaves so captured are to be delivered up to the country to which the capturing cruiser belongs; and we have a vessel at the Havana which, in general, receives the slaves captured in the neighbourhood of Cuba. It is true that individual slaves may not always be sent to Africa; it is quite impossible at all times to provide means of sending them thither; but if they are sent to the West Indies they are subject to no compulsion, and although they may voluntarily enter into contracts, there is no apprenticeship whatever (cheers). It is possible the mistake of the American President may have originated in this manner:—Our treaty with Spain was entered into in 1835; at that time the state of apprenticeship did exist, and the provision of the Treaty was, that the captured negro should be sent to the British colonies and placed on the same footing as an apprentice; but since 1835 the state of apprenticeship has altogether ceased; and no captured negro introduced into the British colonies is now in a condition other than that of a free man (cheers). In addition to the Treaty with Spain, we have treaty with Brazil and Portugal. By the Treaty with Brazil it was provided, that the captured slaves should be delivered up to the country on the coasts of which they were captured or to which the captured vessel belonged. It was the manifest intention of the Treaty that captured slaves should become free men, but Brazil insisted on keeping them in a state of slavery, and declined to keep the engagements of the Treaty with respect to the future disposition of the slaves. On repeated proof that such was the case, we signified to the Government of Brazil, that the slaves, when captured, should not be delivered up to Brazil, unless Brazil consented to place them in a state of freedom; and we do keep a vessel at Rio Janeiro to recover the slaves captured on that coast, instead of delivering them up to Brazil, to be afterwards sent, as they may prefer, to the West India colonies, or back to Africa. Instantly on arriving in the West Indies, they are in the condition of free men. I must say I cannot but regret, that this should have been the subject of a public formal message to Congress, and yet that the practice of this country should not have been understood (hear, hear). With respect to another allegation in that document—namely, that both the subjects of the United States and of this country are concerned in carrying on the Slave Trade, I think that is a matter for very serious consideration (hear, hear). I am not prepared to deny that fact; but I do hope, that if law can reach the application of British capital to the continuance of the Slave Trade, it will be able to be enforced with a vigour that shall put an end to such practices (loud cheers).

Enclosure 11 in No. 152.

Extract from the "Times" of March 31, 1845.

MR. PRESIDENT TYLER AND SIR ROBERT PEEL.

To the Editor of the Times.

SIR,—The late message of Mr. President Tyler to Congress, in which he accuses "English brokers and capitalists," of participation in the Slave Trade, and the implied sanction given to the charge by Sir Robert Peel in his reply to Mr. Aldam's question on the apprenticeship mistake contained in the same message, involve charges too grave and odious to be passively recorded in a State paper, and on the journals of the House of Commons against the honour of England, and the character of her merchants, without further inquiry and explanation. Whether true or false, the charges should be fairly made, and openly and freely met. They are not such as we ought to be afraid to investigate and probe to the bottom. I therefore claim a place in your impartial and influential journal for a few observations on the subject. Sir Robert Peel has clearly shown that the apprenticeship charge was founded in ignorance and falsehood; I undertake to show that the other charge, which has been honoured with the meed of his implied approbation, is as unfounded and unjust as the one he contradicted. But in justice to Mr. President Tyler and the Right Hon. Baronet, a few preliminary observations are necessary in order to show that their mistakes and ignorance on these subjects, egregious and lamentable though they be, are not altogether without precedent and example.

We have spent 20,000,000*l.* to abolish slavery, and 20,000,000*l.* more to repress the Slave Trade; yet does no one nation under Heaven give us credit for disinterested sincerity in this large expenditure of money and philanthropy. Whether the calm verdict of posterity will redress this justice, time alone can show. How far the late discussion on the sugar duties is calculated to remove this prejudice, I shall not stop to inquire. The misrepresentations of foreign slave-trading and slave-holding interests undoubtedly have their share in the propagation and maintenance of this scepticism. But do we not, let me ask, tolerate at home a system of public delusion and personal calumny, to which may be traced, if not the origin, at least the strength of these misrepresentations? It would occupy too much of your valuable space to give all the affirmative proofs which might be adduced in answer to this question. I shall content myself with one.

About four or five years ago, when the failure of our anti-slave-trade efforts began to break in upon the public mind, some new diversion was deemed to be necessary by those who had hitherto guided the proceedings of the Government in this matter. To hide the discomfiture of their past policy, and yet to maintain their influence over Government, that failure had to be accounted for on some other ground than the real one. A "cry" was accordingly got up against our manufacturers and merchants for making and selling goods which it was alleged were afterwards used in the Slave Trade. This accusation was listened to. A person was engaged and sent abroad, at the expense of Government, to rake up proofs in its support. He of course knew his errand too well to return home empty-handed. He discovered what all the world who knew anything of the matter knew before—that the agents of the Spanish and Brazilian slave-traders purchased goods manufactured in, and sent from, this country, with which to assort their investments, in addition to tobacco, rum, sugar, and other articles of their own produce, for purchasing slaves. But he did not discover, or, if he did discover, he forgot to report, that it was impossible for the British merchant to prevent this without ceasing to trade with Brazil, Cuba, and the coast of Africa altogether; and that if even England did give up those trades, her abandonment of them could not interrupt for one hour the supply of goods to the slave-trader, because foreigners would instantly furnish him with the whole of what they already supplied a part. There might be a momentary interruption to the supply of some particular pattern of cotton goods, but of no longer duration than the pattern could

travel to France or America, and return out again; while in the interim the trade would be supplied with what most nearly resembled it.

Moreover, the reporter forgot to mention the important fact, that it was to British merchants and to British trade the cause of humanity and civilization owe nearly all that has yet been done for the repression of the Slave Trade. British merchants and British commerce have long since driven the trade from all those places on the coast of Africa which were, forty years ago, the great marts of the traffic in human flesh when it was carried on by England—viz. the Gambia, Rio Nunez, Sierra Leone, and the Gold Coast; and British trade and British merchants are rapidly conferring the same blessing on Bissao, Whydah, Bonny, and several other places, notwithstanding the calumnies which have been got up in England to scare them from the good work.

Well, the report alluded to was brought home, and in it several merchants were insulted by name, as aiding and abetting the Slave Trade by selling goods, though their agents and correspondents, to parties who might afterwards use them in the purchase of slaves. The charges were grave and serious, and gravely and seriously they were treated. The report was referred to a select committee of the House of Commons for investigation, composed of the leading men of the anti-slavery party. The reporter himself was examined in support of his bill of indictment; to what purpose may be inferred from the fact, that the committee so constituted, in their report, expressly disavow all belief in his statements. With the exception of the reporter, not one of the many who had been instrumental in raising the out-cry ventured to present himself for examination before the committee; and thus were the calumniators silenced for that time. Their charges were sifted by the committee most thoroughly, and were found to be utterly destitute of truth; the merchants against whom they were levelled were not only acquitted of any connivance with the Slave Trade, but it was confessed that by introducing legitimate commerce into the haunts of the Slave Trade, they were employing one of the surest and most beneficial agents in the extirpation of that traffic. Thus was the slander nipped in the bud at home, but only to be sown in other countries. Foreigners, always ready to impugn our motives and misrepresent our conduct on this great question, heard the calumnies, but would not listen to the refutation. The charges were echoed back by the Slave Trade party in France; and we now find them repeated from America, on no less authority than the President of the United States. Mr. Tyler thus describes the transactions imputed to our brokers and merchants:—

“American vessels, with the knowledge, as there are good reasons to believe, of the owners and masters, are chartered, or rather purchased, by notorious slave-dealers in Brazil, aided by English brokers and capitalists, with this intent. The vessel is only nominally chartered at so much per month, while, in truth, it is actually sold, to be delivered on the coast of Africa, the charter-party binding the owners in the meantime to take on board, as passengers, a new crew in Brazil, who, when delivered on the coast, are to navigate her back to the ports of Brazil with her cargo of slaves.

“Under this agreement the vessel clears from the United States for some port in Great Britain, where a cargo of merchandise, known as ‘coast goods,’ and designed especially for the African trade, is purchased, shipped, and consigned, together with the vessel, either to the slave-dealer himself or to his agents or his accomplices in Brazil. On her arrival a crew is put on board as passengers, and the vessel and cargo are consigned to an equally guilty factor or agent on the coast of Africa, where the unlawful purpose originally designed is finally consummated. The merchandise is exchanged for slaves, the vessel is delivered up, her name obliterated, her papers destroyed, her American crew discharged, to be provided for by the charterers, and the new or passenger-crew put in command to carry back its miserable freight to the first contrivers of the voyage, or their employers in Brazil.”

Now, Sir, I will undertake to say that no such transaction as Mr. President Tyler here describes ever once took place in the history of the Slave Trade. I confidently and fearlessly pronounce this statement to be as foul a misrepresentation as that contained in the same message respecting the apprenticeship system in the West Indies. And I say this, notwithstanding England's Prime Minister, in denying the latter falsehood, has gone out of his way to give

a vague sanction to the former untruth. I repeat it, there is not a syllable of truth in this charge. No such transaction ever took place. The slavers, it is well known, are nearly all built in the United States, and sold to Spanish and Portuguese slave-traders. Not one of them was ever known to touch the British shores, except after capture by our cruisers. There can be no mistake in this matter, because the "slave-clippers," as they are called, are of a construction and appearance so peculiar and striking as to attract marked attention wherever they are seen; and I call upon any custom-house officer, or other person connected with shipping in England, to say whether he ever saw one of these vessels from the United States loading a cargo of goods in this country for Cuba or Brazil, or anywhere else, previous to her capture and condemnation as a slaver. The story is from first to last a pure invention, obviously got up for the dishonest purpose of falsely connecting British merchants and brokers with Brazilian and American subjects in these transactions.

With respect to those vague allegations of which Mr. Tyler neither offers particulars nor proofs, it is impossible to grapple with him; but with such proofs of the falsehood of his definite charges, what must we think of his vague ones? It is possible there may be Englishmen in Brazil and elsewhere who have disgraced themselves and their country by slave-trading. If so, let them be named, exposed, and, if possible, punished; but let not whole bodies of honourable men be subjected to the unmerited odium of horrible accusation on their account. The character of no African or American merchant can be safe while calumny is so carelessly or maliciously scattered abroad on such a subject. Let any man read the evidence given before the committee already alluded to in reference to similar charges against the African merchants, and he will see how easily rash or ignorant men may fall into mistakes, and how easily wicked men may invent lies, on this subject. It was then proved, on the highest and best testimony, in answer to such charges, that, so far from being true, they were the very reverse of truth, and that by pushing legitimate trade into the very haunts of the slave-trader, we take the most effectual means of putting down the Slave Trade, by planting legitimate trade in its place among the natives. If, however, you differ with those witnesses, and the report of the committee, then proscribe your trade with Africa; put down our manufactures, put down our trade with Brazil and Cuba; but do not continue and encourage those branches of commerce, and at the same time calumniate those who carry them on. And now comes the point in reference to Sir Robert Peel, to which I wish particularly to direct your attention.

I have shown, and I challenge contradiction on the subject, that Mr. Tyler's charge against British manufacturers and merchants is untrue; Sir Robert Peel has endorsed the falsehood in his place in Parliament; but why did not the Right Hon. Baronet follow the good advice he gives Mr. Tyler in reference to the apprenticeship calumny, and inquire into the truth of the charge before he sanctioned it? The West India interest and his new friends of the Anti-Slavery Society ought not surely to have monopolized all his inquiries? I fear the Right Hon. Baronet takes his inspiration on these matters from an impure source, as he will probably by-and-by discover.

And who are they whose calumnies against our merchants and manufacturers are thus re-echoed in the House of Commons? Who is Mr. Wise, the authority on whom Mr. Tyler professes to rely for the truth of his charges? Mr. Wise is, I believe, one of the most reckless and unscrupulous advocates of slavery even in the United States, and, like Mr. Tyler, himself a large slave-holder. He is known to have publicly declared that he would uphold slavery with the last drop of his blood; and it is on the authority of such men as these, and in reference to a message drawn up by Mr. Calhoun, the author of the letter to Mr. King and for a kindred purpose, that Sir R. Peel stands up in his place in Parliament and lends a vague sanction to such abominable accusations against his countrymen! If he believes in these charges, why not produce his proofs? Why delay one hour in instituting a searching inquiry into their truth, in order that the guilty parties, if any such there be, may be exposed and, if possible, punished? Can anything be more cruel and unjust than to deal in such indiscriminate charges and not to attempt their substantiation? If he have proofs, let him produce them; if he have none, why insinuate a charge on the authority of such a man as Mr. Wise?

I know not what Sir Robert Peel's experience may be in such matters,

but I can safely say that in nearly forty years' experience of my own I have never either known or heard of any English merchant or manufacturer being directly, or even indirectly, concerned in the Slave Trade, nor have I ever met with any candid man informed on the subject who believed in anything of the kind. So far from deserving to be the objects of calumny and suspicion, I consider my countrymen entitled to the highest credit for their upright and faithful observance of the laws against Slave Trade, whatever Mr. Wise may say or invent to the contrary.

There is a gentleman recently arrived in this country who has occupied an important public post on the coast of Africa with distinguished ability and great advantage to the cause of humanity and civilization for upwards of fourteen years, who has been during the whole of that period in constant communication with our naval officers, and other persons the most cognizant of what has been going on there of late years and who probably knows more on the subject of the Slave Trade than any man living. Why does not Sir Robert Peel seek information from such sources before he ventures to reiterate the calumnies of Mr. President Tyler in the British House of Commons? If the Right Hon. Baronet is so hard-pressed for an apology for his conduct on the sugar duties, I beseech him to betake himself to some more worthy means of self-justification than a cry against his countrymen for slave-trading on the authority of Messrs. Tyler and Wise.

I am, Sir, your obedient servant,

A BRITISH MERCHANT.

Enclosure 12 in No. 152.

Mr. Wise to Mr. Hamilton.

Sir,

May 11, 1846.

ATTACHED to a commission to take depositions, directed by a United States' Court to the United States' Consulate at Rio de Janeiro, in the case of the "*Porpoise*," and now in the office of the Consul, is the charter-party of that vessel, which actually brought two slaves into this port, and which was the tender of the slaver "*Kentucky*, in the hand-writing of Weetman. Mr. Hesketh can have access to it at any time before it is returned to the United States, as it must be soon, and Mr. Rainsford, the clerk of Mr. Parks and others if called on, can prove it to be in the handwriting of Weetman. It was made with Fonseca.

Will you please say, in answer to this, whether a bounty is paid under the British law, on the tonnage of the vessel as well as on the slaves, in cases where the prize is captured with slaves on board? A tonnage bounty is paid, I know, where the prize is captured without slaves.

Most truly and respectfully &c.,

(Signed) HENRY A. WISE.

His Excellency Hamilton Hamilton,
&c.

&c.

Enclosure 13 in No. 152.

Mr. Hamilton to Mr. Wise.

Sir,

Rio de Janeiro, May 13, 1846.

WHEN I had the honour yesterday to receive your letter of the 11th instant, I was not perfectly certain upon the point respecting which it requested information. Since then I have ascertained that a tonnage bounty is paid under British law, upon all vessels condemned for trading in slaves, whether captured with slaves on board, or without slaves, but at a different rate; in the former case of 1*l.* 10*s.* per ton, on the latter of 4*l.* per ton.

I have to thank your Excellency for the information your letter supplies respecting the charter-party of the "*Porpoise*," and I shall forthwith instruct Mr. Hesketh on the subject.

I have, &c.,

(Signed)

HAMILTON HAMILTON.

His Excellency Henry A. Wise,
&c.

&c.

Enclosure 14 in No. 152.

Index Analysis of a Letter addressed by Mr. Wise, United States' Minister at Rio de Janeiro, to Mr. Hamilton, dated July 31, 1846.

(This letter is the rejoinder of Mr. Wise to the reply of Lord Aberdeen, December 4, 1845, in answer to Mr. Wise's letter to Mr. Hamilton, of December 1, 1844.)

Paragraph 13. Mr. Wise declares that his first letter to Mr. Hamilton professed to "give information," not to "furnish proof," and he "denies that his facts were proved against American ship-owners, ships, and merchants, in carrying on the Slave Trade."

18. Declares that the "simple statement" of the parties in Liverpool, who shipped goods per "*Aynes*," "that the voyage of that ship was a lawful one, goes far to prove the reverse."

Calls on Mr. Hamilton to state to Her Majesty's Government his opinion upon the *prima facie* evidence respecting the cargo of the "*Aynes*."

44. Appeals to Mr. Hamilton's knowledge and recollection of charges against Mr. Weetman.

45. Declares that the charter-parties (of vessels for the African coast) were drawn by Weetman, under the advice of Mr. Hesketh, Her Majesty's Consul for Rio; instances the confessions of Mr. Weetman to Mr. Consul Hesketh; states that the charter-parties in question are in Mr. Weetman's handwriting.

47. Affirms that the credit and goods of British merchants is extended to Portuguese and Brazilian houses engaged in Slave Trade—the shipments being notoriously of coast goods of British manufacture; that in case of capture by Her Majesty's cruizers, the loss would fall upon British merchants, and therefore British cruizers will not capture.

Upon the profits derived from such shipments of British goods, "they are commensurate with the risk."

48. Asks why these "dry goods" are not seized, and the factories on the coast destroyed.

51. And why farinha de mandioca (flour), water-casks, &c., are proscribed. Answers—because the loss would fall on the British. Appeals to Mr. Hamilton for an opinion whether the destruction of the factories on the coast of Africa would not be more effectual than the capture of many vessels.

54. Declares that British cruizers do not take the proper steps to prevent the shipment of negroes on board slavers; and

58. Gives the reason.

63. Presumed that the British Government have issued secret instructions to officers cruising on African coast, to make captures of slaves for shipment to British colonies.

64. Her Majesty's Department of State for Foreign Affairs unwilling to hear the truth.

65. Object of England is to exclude all foreign trade from coast of Africa; does not however "bring forward any allegations" to prove this.

68. Case of the "*Cyrus*" of New Orleans.

71. Appeal to knowledge which Mr. Hamilton acquired at Rio to the fact of the same description of goods being used in the licit and illicit trade to the coast of Africa.

72. Has not Mr. Hamilton informed his Government of the employment of British capital, credit, and goods, in Slave Trade.

73. Asks Mr. Hamilton to tell his Government what is the licit and what the illicit trade to the coast of Africa.

74. Contains an inaccurate account of the capture of the American vessel "*Pons*."

Admission respecting question of Right of Search. Says, "that vessels under the United States' flag carrying goods are unmolested, because that flag does not acknowledge the right of search and visit, although the vessels so carrying goods may be engaged in Slave Trade."

103. British merchants do not take slaves in exchange for their goods.

107, 108, 109, 110, 111. Errors.

114. Arguments respecting price of Brazilian coffee, which, it is contended, would fall if the Brazilian Slave Trade with the coast of Africa were abolished, for the African chiefs can only pay in slaves for British goods. States that the largest interests in the world now favouring the Slave Trade are those of a certain class of British manufacturers, merchants, and capitalists.

115. His purpose has been "to show the application, on a large commercial scale, of British capital to the continuance of Slave Trade in a variety of ways, directly and indirectly."

117. Upon the course which he ventured to recommend, to secure a more cordial co-operation between Great Britain and the United States for the suppression of Slave Trade.

119. His recommendation that "British Ministers and Consuls should be clothed with power to summon witnesses, hold courts for examinations, arrest culprits, require bonds, send culprits and witnesses home, &c., is not so impracticable as at first view it appeared to Lord Aberdeen."

121 to 130. Review of Sir R. Peel's speech in House of Commons, March 19, 1845, respecting message of President of the United States, February 20, 1845, transmitting to the two Houses of Congress copies of despatches from American Minister at Rio de Janeiro (Mr. Wise), relative to Slave Trade.

131. A series of questions respecting the number of captured Africans sent to Sierra Leone, &c., and their reshipment to British colonies.

134. Sir Robert Peel mistook the purport of President Tyler's message; and

135. Is corrected by Mr. Wise.

137. Objections to the apprenticeship system.

138. Appeal to Mr. Hamilton and to Mr. Hesketh, to bear witness to certain truths on subject of apprenticeship.

140. Speech of Lord John Russell on question of sugar duties, to prove that a vast number of Africans have been sent to the British West Indies in order that their labour might supply Great Britain with sugar.

142. Evidence of Mr. Knibb in this matter.

143. Letter of a British merchant published in "Evening Mail" of March 31, 1845, denying the truth of Mr. Wise's assertions respecting employment of slave-clippers, American built, in transportation of slaves;—shows that there is an interest which has a representative in London feelingly touched by the exposure of the message of the President of the United States.

144. Conclusion—"it is idle to speculate *in aliena Republica*, but to reform one's own is a business which nearly concerns us."

Enclosure 15 in No. 152.

Consul Hesketh to Mr. Hudson, August 27, 1846.

[See Inclosure 3 in No. 151.]

No. 153.

Viscount Palmerston to Mr. Hudson.

Sir,

Foreign Office, November 18, 1846.

I HAVE received your despatch marked Slave Trade, of the 11th of September last, enclosing a copy of a note which, in pursuance of the instruction conveyed to you in Lord Aberdeen's despatch marked Slave Trade, of the 30th of June last, you addressed on the 28th of August to the Brazilian Minister for Foreign Affairs, on the subject of the fraudulent abduction, which took place in the month of January last, in the port of Maranham, of 56 negroes from a slave-vessel which had been captured by Her Majesty's ship "Alert."

I have the satisfaction of informing you that I approve of your note to the Baron de Cayrù; and I have to instruct you on the receipt of this despatch, again strongly to press your application on the Brazilian Government, if that which you have already made should not have proved successful.

I am, &c.

James Hudson, Esq.
&c. &c.

(Signed) PALMERSTON.

BRAZIL. (*Consular*)—*Rio de Janeiro.*

No. 154.

Consul Hesketh to the Earl of Aberdeen.

Rio de Janeiro, January 2, 1846.

(Received February 27.)

My Lord,

I HAVE the honour to enclose a list of the vessels that have arrived at this port from the coast of Africa, during the quarter ending the 31st ultimo.

I also transmit a return of the vessels that have sailed from this to Africa, during the same period.

I have, &c.

ROBERT HESKETH, *H.B.M. Consul.*

(Signed)

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

&c.

&c.

&c.

Enclosure 1 in No. 154.

ARRIVALS at Rio de Janeiro from the Coast of Africa, during the Quarter ending December 31, 1845.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where from.	Reported Nature of Cargo.
1845 October 4	Brig	Teixeira ..	J. S. da Sa. Fontes ..	Brazilian ..	163	14	Benguela ..	Ballast ..
November 4	Schooner	Argo ..	C. P. Brandenberg ..	Hamburguese ..	92	8	Angola ..	Wax, oil, &c. ..
" 8	Brig	Bella Manuella ..	— Mesquita ..	Brazilian ..	362	14	Cape de Verdes ..	Salt ..
" 22	Ditto	Janet ..	Geo. Harper ..	American ..	213	9	Cabenda ..	Ballast ..
" 23	Schooner	Restaurador ..	J. L. da Silva ..	Brazilian ..	56	6	Sierra Leone ..	Ditto ..
December 24	Brig	Ortelius ..	— Tim ..	Belgian ..	211	9	Monrovia ..	Ditto ..

(Signed)

ROBERT HESKETH, *Her Britannic Majesty's Consul.*

Enclosure 2 in No. 154.

DEPARTURES from Rio de Janeiro for the Coast of Africa, during the Quarter ending December 31, 1845.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
1845									
October	8	Barque	Jeune Gabrielle	..	267	11	Cape de Verds & Africa	Sundries	..
"	9	Brigantine	Andorinha	..	120	10	Loanda	Ditto	..
"	12	Schooner	Enterprize	..	212	10	Africa	Ditto	..
November	2	Brigantine	Cacique	..	140	16	Azores and Africa	Ditto	..
"	2	Brig	Harriet	..	257	..	Angola	Ditto	..
"	4	Smack	Emprehendedora	..	51	5	Cape de Verds	Ditto	..
"	15	Barque	Z. D.	..	459	10	Africa	Ditto	..
"	16	Brig	Teixeira	..	163	12	Azores and Africa	Ditto	..
"	21	Barque	Cuba	..	354	8	Africa and Bahia	Ditto	..
"	22	Ditto	Constancia	..	414	22	Angola	Ditto	..
"	26	Brig	Imperial Pedro	..	219	13	Ditto	Ditto	..
December	5	Brigantine	Lobo	..	189	15	Africa and St. Thomas	Ditto	..
"	6	Brig	Beulah	..	279	10	Cabenda	Ditto	..
"	7	Schooner	Argo	..	190	..	Angola	..	..
"	11	Brigantine	Felicidade	..	192	14	Azores and Africa	Ballast	..
"	15	Schooner	Paquete de Sierra Leone	..	85	13	Sierra Leone	Sundries	..
"	20	Brigantine	Roarer	..	128	7	Africa	Ditto	..
"	20	Brig	Sirena	..	200	11	Ditto	Ditto	..
"	21	Brigantine	Jacy Penniman	..	300	10	Cape de Verds & Africa	Ditto	..
"	21	Smack	Nova Santa Anna	..	116	10	St. Thomas	Ditto	..
"	26	Schooner	Dez de Fevereiro	..	57	12	Benguela	Farinha	..
"	29	Schooner	Dez de Fevereiro	..	50	7	St. Thomas	Sundries	..

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

No. 155.

Consul Hesketh to the Earl of Aberdeen.

Rio de Janeiro, March 9, 1846.

(Received June 9.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch marked Slave Trade, dated December 4, 1845, disapproving of my refusal to transmit to Her Majesty's Minister at this Court, according to the request of Messrs. Carruthers and Co. of this place, a certain document, with their observations thereon.

I, however, ultimately complied with the request of Messrs. Carruthers and Co., after more leisurely considering the nature of their application, as your Lordship will perceive, from the enclosed copy of my letter to Her Majesty's Minister, dated 13th of last October, and its enclosures.

I have also enclosed for your Lordship's information, a copy of the reply returned by the Minister.

I have, &c.

(Signed)

ROBERT HESKETH, *H.B.M. Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure 1 in No. 155.

Consul Hesketh to Mr. Hamilton.

Sir,

Rio de Janeiro, October 13, 1845.

I BEG leave to enclose copies of two letters* from Messrs. Carruthers and Co., British merchants in this place, dated 8th and 9th instant, and of my replies relative to the transmission to you, Sir, of a document, a copy of which is also enclosed.

A few days before the 8th instant, Mr. Carruthers and his partner called at the Consulate, and enquired whether I had any instructions to examine the nature of their commercial transactions in purchasing in England the cargo of a vessel called the "*Agnes*," with which she subsequently touched at this port, consigned to Senhor Manoel Pinto da Fonseca, and again sailed with that cargo.

I informed them that I had not any such instructions; and on being also questioned by them whether any had been sent to Her Majesty's Representative at this Court, my reply was, that it did not appear probable, as I had not been made acquainted therewith; and I added, that I would not presume to commence any inquiry, or to collect any evidence as to the transaction alluded to, without authority.

Notwithstanding, the letter dated 8th instant, with its enclosure, was sent to the Consulate in the afternoon of that day. I at once returned the same with the answer herein copied; having in the interim between that explanation and the 8th instant, ascertained from you, Sir, that my supposition was correct as to the absence of all instructions in this respect, at Her Majesty's Legation.

Messrs. Carruthers and Co. on the 9th instant renewed their request to transmit the document and their letters; the packet being then on the eve of sailing, and the conviction being strong on my mind, that to accede to such a request was at that period inexpedient, I again declined compliance, as stated in my reply to their second letter.

It did certainly appear to me, that by transmitting to Her Majesty's Legation the correspondence and documents in question, a sanction and approval thereof on my part might be inferred, which conscientiously I could not give to it; still, on the other hand, it might be argued, that by a refusal so to transmit it, I should be impeding communications between your Excellency and the

* See Enclosures 2 and 3 in Mr. Hamilton's despatch of April 16, 1846, No. 132, p. 158.

commercial firm above mentioned, I have, on reconsideration, thought it due to both parties to make thus known to you these particulars, and to transmit to you the correspondence in question.

I have, &c.

(Signed) ROBERT HESKETH, H.B.M. Consul.

His Excellency Hamilton Hamilton, Esq.

&c.

&c.

Enclosure 2 in No. 155.

Declaration of British Merchants at Rio de Janeiro.

WE, the undersigned British merchants, residents in this place, do hereby declare and certify, that Senhor Manoel Pinto da Fonseca is a large proprietor, one of the most extensive general merchants in this market, and who enjoys, and has enjoyed for many years past, unbounded credit here, from his well known means to meet his responsibilities, and his correctness in doing so.

(Signed)

Hildyard, Clegg, & Co.

Watson, Spence, & Co.

Miller, Le Cocq, & Co.

Jos. Tully & Co.

Jas. Dalglish, Thompson, & Co.

Astley, Algorri, & Co.

Freeland, Ker, Collins, & Co.,

pp. Hogg, Adam, & Co.

Thomas M. Ewbank.

William H. Petty & Co.

Hoyle, Hargreaves, & Co.

Samuel Phillips & Co.

Finnie Brothers and Co.

Andrew & Edwards.

Mackay, Miller, & Co.

Phipps Brothers & Co.

William Moon & Co.

William Harrison & Co.

Pearson, Brown, & Co.

Durham, Bunn, & Co.

Samuel Brothers & Co.

Rio de Janeiro, September 15, 1845.

Enclosure 3 in No. 155.

Mr. Hamilton to Consul Hesketh.

Sir,

Rio de Janeiro, October 15, 1845.

I HASTEN to acknowledge your letter of the 13th instant, communicating copy of a correspondence that has passed recently between yourself and Messrs. Carruthers & Co., British merchants established in this capital, respecting certain transactions in which that house has been engaged relative to the American vessel "*Agnes*."

Very few observations on this correspondence appear to me necessary in the actual position of the affair.

In the first place, with regard to instructions from the Earl of Aberdeen, which it pleases Messrs. Carruthers to assume have been received by Her Majesty's authorities here, none such certainly, whenever they may have been sent from the Foreign Office, have yet reached Her Majesty's Legation or Her Majesty's Consulate. Assurances to this effect, first verbally, then in writing, were given by you to Messrs. Carruthers; and at the same time they were told that without authority you could not institute the enquiries they were urging upon you, as to the nature of their transactions in the case of the "*Agnes*."

It appears to me, that in both respects Messrs. Carruthers ought in com-

mon courtesy to have been satisfied for the present with your verbal assurances on the subject.

Secondly, as concerns the document to the character and position as a merchant, of Senhor da Fonseca, to which are appended the signatures of many of the British mercantile houses established in this capital, on which document Messrs. Carruthers seem to rely as a justification of their commercial transactions with that individual, I will not say more than that, to my judgment, it is a very injudicious document, and that so long as I am able to avoid it, I shall decline to place it officially in the hands of Her Majesty's Government.

I will only state further, that although I consider you to have been fully warranted, and correct, when, in the exercise of your discretion, you objected to enquiries called for by Messrs. Carruthers, in the absence of the specific instructions to that effect from the Earl of Aberdeen which they refer to, still I cannot but regret that you should have hesitated at all to communicate to me immediately in an official form, the representation addressed to you by these gentlemen.

Robert Hesketh, Esq.
 &c. &c.

I have, &c.
 (Signed) HAMILTON HAMILTON.

No. 156.

Consul Hesketh to the Earl of Aberdeen.

Rio de Janeiro, May 2, 1846.

(Received June 25.)

My Lord,

I HAVE the honour to transmit herewith a return of vessels that have arrived at this port from the coast of Africa, during the quarter ending the 31st of March, 1846; and a similar return of the vessels that have sailed from this for Africa, during the same period.

I have, &c.

(Signed) ROBERT HESKETH, *H.B.M. Consul.*
The Right Hon. the Earl of Aberdeen, K.T.
 &c. &c. &c.

Enclosure 1 in No. 156.

ARRIVALS from the Coast of Africa during the Quarter ending March 31, 1846.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
1846.								Days.		
Jan. 12	Brig	Relampago	— Amaral	Brazilian	157	13	Loanda	27	Ballast	..
" 16	Bark	Jeune Gabrielle	C. Michel	French	187	..	Cabenda	—	Ditto	..
" 20	Brig	Adelaide	— Mendouça	Brazilian	128	6	Sierra Leone	24	Ditto	..
Feb. 2	Ditto	Consolação	F. J. Monteiro	Ditto	280	15	Angola	29	Wax and oil	..
" 3	Bark	Luiza	F. J. Pimenta	Ditto	288	17	Benguela	28	Ballast	..
" 3	Brig	Penguin	Elvas Capa	Sardinian	148	12	Africa	61	Ditto	..
Mar. 5	Ditto	Imperial Pedro	J. R. Dias	Brazilian	219	16	Angola	27	Ditto	..
" 7	Brigantine	Romeo	— Theodoro	Hamburguese.	120	13	Ditto	31	Ditto	..
" 13	Bark	Z.D.	— Basset	American	212	9	Africa	26	Ditto	..
" 13	Ditto	Constancia	J. F. da Silveira	Brazilian	414	9	Loanda	36	Ditto	..
" 19	Brig	Maria	— Castel	French	238	9	Quillemane	54	Ditto	..
" 29	Schooner	Trovoada	L. J. de O. e Silva	Brazilian	111	11	Cabenda	29	Ditto	..

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

Enclosure 2 in No. 156.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending March 31, 1846.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
1846.									
Jan. 2	Smack	Boa União	R. de Menezes	Brazilian	67	12	St. Michaels & Africa	Sundries	
" 3	Ditto	2a. Conceição de Maria	M. de F. Victor	Ditto	50	9	Sierra Leone	Ballast	
" 4	Barque	Pilot	— Swift	American	245	12	Africa	Sundries	
" 11	Schooner	Troveada	J. de Oliveira e Silva	Brazilian	111	13	Azores and Africa	Ditto	
" 21	Brigantine	Oliveira	A. F. Regende	Portuguese	213	14	St. Michaels <i>via</i> Pernambuco	Ditto	
" 26	Brig	Inspiração	J. M. Lumar	Brazilian	246	12	Goa	Ballast	
Feb. 14	Ditto	Malaga	C. J. Loret	American	210	9	St. Thomé and Africa	Sundries	
" 5	Brigantine	União	R. J. de Menezes	Brazilian	196	14	Madeira and Africa	Ballast	
Mar. 7	Ditto	Emechetta	— Denaaurizi	Sardinian	120	8	Africa	General	
" 9	Brig	Flor da America	D. V. Lopes	Brazilian	250	20	Loanda	Ditto	
" 9	Ditto	Sociedade Feliz	A. R. Chaves	Ditto	256	21	Cochira <i>via</i> Goa	Ballast	
" 10	Ditto	Vintage	M. A. Fyfe	American	237	10	Loanda	Sundries	
" 15	Barque	Indus	— Bonnet	French	313	12	Cape of Good Hope and Benguela	Ditto	
" 26	Brigantine	Pedraza	Stephen Carnick	American	158	5	Cape Verds	Ballast	

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

No. 157.

*Consul Hesketh to the Earl of Aberdeen.**Rio de Janeiro, June 3, 1846.**(Received August 20.)*

My Lord,

I HAD the honour to acquaint your Lordship, under date of July 27, 1844, in a despatch of this series, that the notorious slave-dealer Manoel Pinto da Fonseca had been unsuccessful in the attempt he about that period made, to obtain by means of a suit in which I was defendant before the then existing British Conservatorial Court, a judicial proof that he, the plaintiff, had suffered a loss to the extent of £48,000, in consequence of the destruction of his property at Cabenda, on the 23rd of May, 1842, by the crews of Her Majesty's ships "Madagascar" and "Waterwitch." Senhor Fonseca then appealed from the sentence of the Conservator, to the Court of Relação; and though he has since carefully availed himself of every favourable opportunity to press forward his appeal, it was only on the 4th ultimo, that the Court of Relação gave its judgment thereon, by a sentence rejecting altogether the case, as in itself entirely irregular and inadmissible; and condemning Senhor Fonseca in all the costs of the suit.

I have, &c.

(Signed) ROBERT HESKETH, *H.B.M. Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 158.

*Consul Hesketh to the Earl of Aberdeen.**Rio de Janeiro, August 8, 1846.**(Received November 3.)*

My Lord,

I HAVE the honour to transmit enclosed a return of the vessels that have arrived at this port from the coast of Africa, during the quarter ending June 30, 1846, and a similar return of the vessels that have sailed from this for Africa, during the same period.

I have, &c.

(Signed) ROBERT HESKETH, *H.B.M. Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure 1 in No. 158.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending June 30, 1846.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
1846.								Days.		
April 1	Brig . . .	Harriet . . .	M. Garvaise . . .	American . . .	225	16	Quilongo . . .	31	Ballast . . .	In quarantine
" 7	Bark . . .	Cuba . . .	S. Blanchard . . .	Ditto . . .	233	10	Onim . . .	35	Ditto . . .	Detained by police
May 17	Smack . . .	Santa Anna Nova . . .	J. E. Perfeito . . .	Brazilian . . .	57	9	Benguela . . .	35	Ditto . . .	
" 20	Brig . . .	Tito . . .	J. F. Alves . . .	Ditto . . .	205	9	Sierra Leone . . .	35	Ditto . . .	

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

Enclosure 2 in No. 158.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending June 30, 1846.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
1846.									
April 20	Schooner . . .	Trovoada . . .	J. A. Cardoza . . .	Brazilian . . .	111	15	Azores and Africa . . .	Sundries . . .	
May 13	Brig . . .	Francis . . .	William Tate . . .	American . . .	220	8	Africa . . .	Ditto . . .	
" 23	Ditto . . .	Casket . . .	W. E. Woodburg . . .	Ditto . . .	183	7	Ditto . . .	Ditto . . .	
" "	Bark . . .	Jeune Henri . . .	J. J. Abeille . . .	French . . .	319	13	Ditto . . .	Ditto . . .	
" 24	Smack . . .	2a Conceição de Maria . . .	F. C. da Silva . . .	Brazilian . . .	50	8	Sierra Leone . . .	Ballast . . .	
June 10	Ditto . . .	Santa Anna Nova . . .	J. L. da Silva . . .	Ditto . . .	57	10	Ditto . . .	Sundries . . .	
" 15	Brigantine . . .	Selina . . .	J. A. Cordeiro . . .	Ditto . . .	116	15	Africa . . .	Ditto . . .	
" 18	Brig . . .	Esperança . . .	B. J. da Cruz . . .	Portuguese . . .	329	18	Benguela and Angola . . .	Ditto . . .	
" 30	Brigantine . . .	Paquete do Rio . . .	J. F. Alves . . .	Brazilian . . .	119	13	Sierra Leone . . .	Ditto . . .	

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

BRAZIL. (*Consular*)—*Bahia*.

No. 159.

Vice-Consul Whately to the Earl of Aberdeen.

Bahia, December 31, 1845.

(Received March 17, 1846.)

My Lord,

I HAVE the honour to enclose Lists No. 1 and 2 of the trade between this port and the coast of Africa, during the quarter ending this day.

I have, &c.

(Signed)

JNO. WHATELY, *Vice-Consul*.

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

&c.

&c.

&c.

Enclosure I in No. 159.

LIST of VESSELS which have entered the Port of Bahia from Africa, from 30th September to 31st December, 1845.

N ^o .	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days Out.	Remarks.
1	1845 October 2	Brazilia	Brig-schooner	Quatro de Março ..	141	7	Querino Jozé Pinheiro	Not known	Ballast	Sierra Leone	32	
2	" 9	Sardinian	Schooner	Iride ..	106	10	André Denegri ..	"	Ditto	Onim ..	29	
3	" 10	American	Schooner	Elionore ..	110	7	P. R. Stanhope ..	"	Ditto	Ditto ..	22	
4	" 17	Brazilian	Brig	Gabriel ..	..	11	Manoel Jozé Teixeira	"	Ditto	Ditto ..	38	
5	" 30	Sardinian	Polacca	Santo Antonio ..	342	14	Gerasmo Sertorio ..	"	Ditto	Ditto ..	26	
6	November 11	Portuguese	Brig-schooner	Audaz ..	106	10	B. Ferreira da Silva	"	Ditto	Ditto ..	33	
7	" 19	Sardinian	Brig	Emprio ..	237	13	G. Pitalluga ..	"	Ditto	Ditto ..	35	
8	" 27	French	Brig	Les Amis ..	144	8	J. F. A. Lefebvre ..	"	Ditto	Ditto ..	29	
9	" 30	American	Brig	Escalus ..	219	11	H. C. Rogers ..	"	Ditto	Ditto ..	29	
10	December 26	French	Barque	Industrie ..	250	13	— Fautrel ..	"	Ditto	Ditto ..	32	Landed 480 slaves

British Consulate, Bahia, December 31, 1845.

(Signed)

JOHN WHATELY, Vice-Consul.

Supplement for the Year 1845.

Smack Boa Sorte,	landed 110 slaves.
Yacht Animoso,	" 250 "
Yacht Bella Clara,	" 115 "
Schooner Amelia	" 537 "
Yacht Maria Angelica,	" 115 "
Brig Eliza,	" 460 "
Brig Braziliena,	" 865 "
Brig Eliza,	" 240 "
Yacht Maria,	" 135 "

Enclosure 2 in No. 159.

List of Vessels which have sailed from the Port of Bahia for the Coast of Africa, from 30th September to 31st December, 1845.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither.	Remarks.
1	1845										
1	October	Sardinian	Polacca	San José	..	..	E. Piaggio	..	General	Coast of Africa	
2	"	French	Schooner	Taglioni	..	..	— Savary	..	Ditto	Ditto	
3	"	Sardinian	Brig-schooner	Julia	..	..	G. B. Doderó	..	Ditto	Ditto	
4	November	Sardinian	Brig	Sirene	..	..	— Ouzzale	..	Ditto	Ditto	
5	"	American	Schooner	Eleonore	..	..	— Stanhope	..	Ditto	Ditto	
6	"	Brazilian	Yacht	Bella Clara	..	..	J. J. da Costa	..	Ditto	Ditto	
7	December	Brazilian	Brig	Anna Constança	..	..	A. Gonzalves dos Santos	..	Ditto	Ditto	
8	"	Sardinian	Schooner	Iride	..	..	A. Denecri	..	Ditto	Ditto	
9	"	French	Barque	Cornélie	..	..	J. Schmidt	..	Ditto	Ditto	
10	"	American	Barque	Pilot	..	..	J. Swift	..	Ditto	Ditto	
11	"	American	Yacht	Julia	..	..	O. Baines	..	Ditto	Ditto	
12	"	Sardinian	Polacca	Abdel Medjid	..	..	L. Canavaro	..	Ditto	Ditto	
13	"	Portuguese	Brig	Novo Destino	..	..	M. F. de Souza	..	Ditto	Ditto	
14	"	American	Barque	Cuba	..	..	J. Blanchard	..	Ditto	Ditto	
15	"	American	Brig-schooner	William	..	..	— Brownell	..	Ditto	Ditto	

British Consulate, Bahia, December 31, 1845.

(Signed)

JNO. WHATELY, Vice-Consul.

No. 160.

*Consul Porter to the Earl of Aberdeen.**Bahia, March 31, 1846.*

My Lord,

(Received June 19.)

I HAVE the honour to enclose Lists No. 1 and 2 of the trade between this port and the coast of Africa, during the quarter ending this day.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure 1 in No. 160.

LIST of VESSELS which have entered the Port of Bahia from Africa, from 31st December, 1845, to 31st March, 1846.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.	Remarks.
1	1846 January 8	Sardinian	Polacca	Galleo	182	12	E. Solari	Fratelli Secchino	Ballast	Onim	28	
2	" 12	French	Schooner	Taglioni	121	10	J. M. Savary	Domingos Gomes Bello	Ditto	Ajudá	23	
3	" 20	Sardinian	Polacca	S. José	196	13	Emanuel Piaggio	Fratelli Secchino	Ditto	Onim	27	
4	" 23	Brazilian	Brig	Brazilense	218	22	"	Joaquim Alz. da Cruz Rios	Slaves	Ajudá	..	Landed 818 slaves
5	" 25	Ditto	Yacht	Maria	51	11	"	Gantois et Pailhet	Ditto	Onim	..	Landed 160 slaves
6	February 7	Ditto	Brig-schooner	Quero	..	15	Antonio Lopes Guimaraes	Francisco Lopes Guimaraes	Ballast	Ajudá	24	
7	" 15	American	Schooner	Eleanor	124	8	— Stanhope	Not known	Ditto	Lagoa	24	
8	" 27	Sardinian	Ditto	Iride	106	10	A. Denegri	Fratelli Secchino	Ditto	Ajudá	31	
9	March 9	Brazilian	Brig	Tres Amigos	406	30	J. P. da Fonseca	Joaquim Pereira Marinho	Slaves	Onim	22	Landed 1350 slaves
10	" 30	Ditto	Yacht	Amelia	169	13	Leonardo Joze da Souza Pinto	Widow Lopes	Ditto	Onim	..	Landed 346 slaves

British Consulate, Bahia, March 31, 1846.

(Signed)

EDWARD PORTER, Consul.

Enclosure 2 in No. 160.

LIST of VESSELS which have sailed from the Port of Bahia for Africa, from 31st December, 1845, to 31st March, 1846.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither.	Remarks.
1	1846 February 2	Sardinian	Schooner	Speranza	..	..	D. Dodero	Not known	General	Africa	Slaver
2	" 17	Brazilian	Brig	Galgo	310	17	"	Ditto	Ballast	Ditto	
3	" 18	French	Schooner	Taglioni	121	10	J. M. Savary	Domingos Gomes Bello	General	Ditto	Slaver
4	March 3	Brazilian	Brig	Gabriel	297	21	"	Not known	Ballast	Ditto	
5	" 9	Sardinian	Ditto	Empirio	..	..	G. Pittaluga	Ditto	General	Ditto	
6	" 12	American	Ditto	Escalus	..	..	J. Nerick	Ditto	Ditto	Ditto	
7	" 27	Ditto	Schooner	Eleanor	..	..	M. Zechener	Ditto	Ditto	Ditto	

British Consulate, Bahia, March 31, 1846.

(Signed)

EDWARD PORTER, Consul.

No. 161.

*Consul Porter to the Earl of Aberdeen.**Bahia, May 4, 1846.**(Received June 19.)*

My Lord,

IN the returns of vessels engaged in the Slave Trade, which I had the honour to transmit to your Lordship in my despatch, Slave Trade, of the 31st March, there appears an increase in the number of slaves imported into this province during the last quarter, which increase is principally owing to the unprecedented cargo of 1350 slaves landed by the Brazilian brig "*Tres Amigos*," which is said to have lost 50 on her passage.

In consequence of the capture of ten or twelve vessels from this port during the past year, the slave-dealers were much dispirited, and some of the principal ones had commenced breaking up their establishments on the coast. The arrival alluded to has, however, caused a re-action. Six vessels have again been fitted out for this detestable traffic, two of which have already sailed.

A vessel lately arrived here from Africa, bringing twenty-three passengers, principally agents of the slave-dealers here. It is currently reported, that their old establishments at Onim and Ajuda will be transferred to Porto Novo, and other places on the coast less frequented by Her Majesty's cruisers.

I have, &c.

(Signed) EDWARD PORTER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 162.

*Consul Porter to the Earl of Aberdeen.**Bahia, June 30, 1846.**(Received September 1.)*

My Lord,

I HAVE the honour to lay before your Lordship the accompanying Lists, Nos. 1 and 2, of the trade between this place and the coast of Africa, for the quarter ending this day.

I have, &c.

(Signed) EDWARD PORTER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure 1 in No. 162.

LIST of VESSELS which have entered the Port of Bahia from Africa, from March 31 to June 30, 1846.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.	Remarks.
1	1846	Brazilian	Brig ..	Anna and Constança	160	13	Antonio Glz. dos Santos	Ferraz and Cotrea	General	Ajudá ..	..
2	April 17	Portuguese	Brig ..	Novo Destino ..	347	15	Martino Francisco de Souza	Jozé Pinto Novaes	General	Onim ..	34	
3	May 1	American	Brig-schooner	Wm. T. Dugar ..	144	15	Jos. Golden ..	Not known	Ballast	Porto Novo	25	
4	" 8	American	Schooner	William ..	140	6	Stafford Brownell ..	Not known	Ballast	Lagos ..	26	
5	" 19	American	Yacht	Julia Telfair ..	101	6	Owen Barnes ..	Not known	Ballast	Ajudá ..	47	
6	" 25	Brazilian	Smack	Bella Angela ..	..	12	João Maria de Lima ..	Not known	Slaves	Cabo Lopo	30	Landed 180 slaves
7	June 8	Brazilian	Brig ..	Brazilense ..	218	20	F. Jozé d'Araujo ..	Joaquim Alves da Cruz Rios	Slaves	Onim ..	..	Landed 600 slaves
8	" 8	Spanish ..	Felucca	Bahiano ..	113	12	D. Pablo Reys ..	Not known	Slaves	Ajudá ..	..	Landed 480 slaves
9	" 28	French ..	Brig ..	Sylphide ..	165	9	F. V. Requier ..	Not known	Ballast	Ambriz ..	25	
10	" 30	American	Bark ..	Pilot ..	234	10	J. Swift ..	J. Swift ..	Ballast	Porto Novo	29	

British Consulate, Bahia, June 30, 1846.

(Signed)

EDWARD PORTER, Consul.

Enclosure 2 in No. 162.

LIST of VESSELS which have sailed from Bahia for Africa, from March 31 to June 30, 1846.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither.	Remarks.
1	1846	Brazilian	Yacht	Sem Par ..	101	..	..	Joaquim Pereira Marinho..	Ballast	Onim ..	Slaver.
2	April 7	Brazilian	Brig ..	Brazilense ..	218	..	F. Jozé d'Araujo ..	Joaquim Alz. da Cour Rios	Ballast	Ajudá ..	Slaver.
3	" 11	French ..	Brig ..	Sylphide ..	120	9	F. V. Requier ..	Not known	General	Africa ..	
4	" 11	Sardinian	Schooner	Bella Sophia ..	74	7	Giacommo Dodero ..	Not known	General	Africa ..	
5	" 23	Brazilian	Yacht	Maria Angelica ..	23	10	Jozé Pacheco ..	Thomaz d'Aquino Gaspar	General	St. Thomas	Slaver.
6	" 24	Swedish ..	Brig ..	Julie ..	324	11	F. M. Gegefeldt ..	Not known	General	Africa ..	
7	May 9	Sardinian	Polacca	Archangelo ..	182	10	Giacommo Dodero ..	Not known	General	Africa ..	
8	" 21	Sardinian	Polacca	Ebe ..	233	12	Guisepe Morrice ..	Not known	General	Africa ..	
9	" 30	Sardinian	Schooner	Iride ..	106	10	L. Gustavo ..	Not known	General	Africa ..	
10	June 8	Brazilian	Schooner	Amelia ..	169	13	Leonardo Jozé de Souza Pinto	Widow Lopes	Ballast	Africa ..	Slaver.
11	" 29	Spanish ..	Felucca	Bahiano ..	113	15	D. Jeronimo Estrader ..	Not known	Ballast	Ajudá ..	Slaver.

British Consulate, Bahia, June 30, 1846.

(Signed)

EDWARD PORTER, Consul.

No. 163.

*Consul Porter to Viscount Palmerston.**Bahia, September 30, 1846.**(Received November 23.)*

My Lord,

I HAVE the honour to transmit to your Lordship the accompanying Lists, Nos. 1 and 2, of the trade between this port and the coast of Africa, for the quarter ending this day.

Every facility is now given for the landing of slaves in all parts of the province, and even within the precincts of this city. As no effort is made by the authorities to put a stop to this proceeding, it gives an additional impetus to the slave-dealers to fit out a greater number of vessels, for the express purpose of bringing slaves to this place.

The number of vessels now returned is double that of the preceding quarter.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.*The Right Hon. Viscount Palmerston, G.C.B.*

&c.

&c.

&c.

Enclosure 1 in No. 163.

List of VESSELS which have entered the Port of Bahia from Africa, during the Quarter ending September 30, 1846.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out	Remarks.
1	1846	Sardinian	Schooner	Bella Sophia	122	7	Giacomo Dodero	Not known	General	Cabo Lopo	22	
2	July	French	Ditto	Taglioni	122	9	J. M. Savary	Domingos Gomes Bello	Ditto	Ajudá	30	
3	"	Brazilian	Brig	Flor d'America	260	18	Francisco Silveira Gularte Lima	Not known	Empty pipes	Angola	20	Suspicious
4	"	Sardinian	Polacca	Abdel Medjid	246	10	L. Camarro	Not known	Ballast	Porto Novo	34	
5	August	Portuguese	Brig	Maria 2a	107	16	Camilo Urbano da Fonseca	Not known	Ditto	Angola	21	
6	"	American	Schooner	Eleonor	124	8	W. C. Rogers	Not known	Ditto	Onim	24	Suspicious
7	"	French	Brig	La Clarisse	182	12	J. B. Auguste Lefort	Not known	Ditto	Gabão	25	
8	"	Ditto	Barque	La Peyrouse	167	9	J. M. Gasquet	Not known	Ditto	Princes Island	26	
9	"	Ditto	Ditto	Le Singe	142	12	John Merick	Not known	Ditto	Mina	23	
10	"	American	Brig	Escalus	219	14	J. M. Gasquet	Not known	Ditto	Ajudá	26	
11	"	Spanish	Felucho	Bahiano	195	15	D. Jeronimo Estrader	Cantois et Pailhet	Slaves	Onim	20	Landed 510 slaves
12	"	Spanish	Polacca	Ebe	233	12	Guiseppe Morrice	Not known	Ballast	Ditto	25	
13	September	Sardinian	Schooner	Maria Angelica	23	6	Miguel José Pacheco	Thomaz d' Aquino Gaspar	Slaves	Sanga Tanga	—	Landed 94 slaves
14	"	Ditto	Brig	Brazilienne	218	20	F. J. d' Araujo	Joaquim Alz. da Cruz Rios	Ditto	Ajudá	20	Landed 514 slaves
15	"	Ditto	Ditto	Tres Amigos	406	30	Jozé Pereira da Fonseca	Joaquim Pereira Marinho	Ditto	Ditto	—	Landed 520 slaves
16	"	Portuguese	Brigantine	Audaz	116	18	Francisco de Lenos	Miguel Duraes L. Vianna	General	Angola	28	
17	"	French	Polacca	Castravan	161	12	R. Cauvin	Not known	Ballast	Princes Island	30	
18	"	Spanish	Schooner	Not known	—	—	Not known	Not known	Slaves	Gabão	—	Landed 240 slaves
19	"	Sardinian	Polacca	Archangelo	182	10	Giacomo Devoto	Not known	Ballast	Onim	33	
20	"	French	Barque	Ferdinand	247	14	Victorien Leopold Durand	Not known	Ditto	Princes Island	29	

(Signed) EDWARD PORTER, Consul.

British Consulate, Bahia, September 30, 1846.

Enclosure 2 in No. 163.

List of VESSELS which have sailed from Bahia for Africa, during the Quarter ending September 30, 1845.

No.	Dates of Sailing	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither.	Remarks.
1	1846	Brazilian	Brig	Tres Amigos	406	30	Jozé Pereira da Fonseca	Joaquim Pereira Marinho	Ballast	Coast of Africa	Slaver.
2	July 3	French	Brig-schooner	Eclipse	150	9	— Cels	Not known	General	Onim	
3	4	American	Schooner	Julia Telfair	101	9	Owen Barnes	Not known	General	Coast of Africa	
4	" 15	French	Barque	Jenne Henri	139	12	J. J. Abeille	Not known	General	Ditto	
5	" 15	Brazilian	Brig	Braziliense	218	20	F. Jozé d'Araujo	Joaquim Alz. da Cruz Rios	Ballast	Ditto	Slaver.
6	" 19	Ditto	Yacht	Marquinhas	45	16	Jozé Bento da Silva	Gantois et Peilhet	Ballast	Ditto	Slaver.
7	" 20	Ditto	Brig-schooner	Paquete do Rio	119	13	Jozé Francisco Alves	Not known	General	Sierra Leone	Conveying the Brazilian Consul, Joaquim Pinto de Menezes Campos.
8	" 26	French	Brig	Les Amis	144	10	J. Lefebvre	Not known	General	Coast of Africa	
9	August 4	Sardinian	Schooner	Bella Sophia	122	7	G. Dodero	Not known	General	Ditto	
10	" 12	Brazilian	Polacca	Silphide	322	22	Miguel Je. da Costa Montro.	Guiseppe Carrana	Ballast	Macahé	
11	" 16	Sardinian	Brig	Amabile Emilietta	215	11	Nicolao Barilaro	Not known	General	Coast of Africa	
12	" 23	French	Barque	Paraguay	200	15	J. B. A. Bort	Not known	General	Ditto	
13	" 26	Sardinian	Polacca	N. Sa. da Assumpto	230	11	F. Chiapello	Not known	General	Ditto	
14	" 29	Brazilian	Brig	Izabel	302	29	Jozé Miguel-de-Faria	Francisco Jozé Godinho	Ballast	Londa	
15	Sept. 6	Portuguese	Ditto	Maria 2a	168	14	Camilo Urbano da Fonseca	Not known	General	Coast of Africa	
16	" 14	American	Schooner	Eleanor	124	7	W. C. Rogers	Not known	General	Ditto	A very fast-sailing vessel, taken on the coast by the English-cruizers, condemned, arrived here under Spanish colours, and changed her flag for Brazilian.
17	" 20	Spanish	Falucho	Babiano	195	23	Izidoro Antonio Vianna	Not known	Ballast	Ditto	Slaver.
18	" 20	Brazilian	Brig-schooner	Eolo	83	18	Ignacio Pereira	Jozé Joaquim Machado	Ballast	Ditto	

British Consulate, Bahia, September 30, 1846.

(Signed)

EDMUND PORTER, Consul.

BRAZIL. (*Consular*)—*Para.*

No. 164.

*Consul Ryan to the Earl of Aberdeen.**Para, December 31, 1845.**(Received March 15, 1846.)*

My Lord,

I HAVE the honour to inform your Lordship that this province continues since my last quarterly report, without any importations of slaves from Africa, nor have any arrived here from the southern provinces of the empire.

I have, &c.

(Signed)

RICHARD RYAN, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 165.

*Consul Ryan to the Earl of Aberdeen.**Para, December 31, 1845.**(Received April 16, 1846.)*

My Lord,

I HAVE the honour to transmit herewith for your Lordship's information, a return of the free and slave population of this province; but, my Lord, it is merely founded on private opinion, as the Government take no steps to ascertain information on this important subject.

I have, &c.

(Signed)

RICHARD RYAN, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure in No. 165.

RETURN of the Population of the Province of Pará (Brazils), including its White, Free Coloured, and Slave Inhabitants, in the year 1845.

Classes.	Males.	Females.	Adults.	Children.	Total.
Native Whites	4,150	4,540	5,940	2,750	8,690
Foreign Whites.. ..	8,254	2,650	8,450	2,454	10,904
Free Coloured	55,470	82,270	103,260	34,480	137,740
Slaves	12,450	13,740	19,760	6,430	26,190
Totals	80,324	103,200	137,410	46,114	183,524

Slaves in this province, in the absence of importations from Africa for so many years back, are yearly considerably diminishing in number, and emigration from Portugal to this province has been prohibited by that Government during the year ending this date.

(Signed)

RICHARD RYAN, *Consul.**British Consulate, Para, December 31, 1845.*

No. 166.

*Consul Ryan to the Earl of Aberdeen.**Para, March 31, 1846.*

My Lord,

(Received June 11.)

I HAVE the honour to inform your Lordship that during the quarter ending this day, no attempt has been made to land African slaves in this province, nor have any arrived from the southern provinces of the empire; and I am happy to say there appears no disposition here to fit out ships for slaving purposes.

I have, &c.

(Signed)

RICHARD RYAN, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

No. 167.

*Consul Ryan to the Earl of Aberdeen.**Para, June 30, 1846.*

My Lord,

(Received August 29.)

I HAVE the honour to inform your Lordship that during the quarter ending this date, there has not been any importation of slaves from any quarter in this province, nor have any ships been fitted out here for slaving purposes.

I have, &c.

(Signed)

RICHARD RYAN, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

BRAZIL. (*Consular*)—*Paraíba.*

No. 168.

Consul Newcomen to the Earl of Aberdeen.

Paraíba, January 24, 1846.

(Received March 3.)

My Lord,

I HAD for some time past been indirectly made aware that Mr. Richard Rogers, a British subject, registered at and resident within the district of this Consulate, had received or was about to receive slaves in payment.

On the night of the 20th instant, I was accidentally witness to the embarkation of a negress on board a jangada at the fishing village of Tambaú; and finding that she was unprovided with a passport, was induced to make some inquiries: upon which I ascertained that she had recently been sold or given in payment to the said Mr. Richard Rogers, and was now being transferred by him (also in payment) to a Mr. Gibson, a British subject, resident in or in the vicinity of the city of Pernambuco.

This is the first time I have reported a violation of the 6 and 7 Vict., cap. 98, but I candidly confess I have not the slightest doubt that subsequently to its provisions being made known by me to the British subjects resident in this province, some of them have, without its coming to my knowledge, engaged in transactions therein forbidden.

The register of slaves in Brazil is very incorrect, and must continue so while there is so little difficulty in evading the Registration Laws, and while for such evasion, particularly as regards the sale and transfer of slaves, so many inducements exist.

That Her Majesty's Consuls in Brazil should become cognizant of the receipt, transfer, barter or exchange of slaves by British subjects, under circumstances not provided for in the special exceptions made to the general prohibition in the above-mentioned Act, must, I fear, as in the present instance, be generally owing to the chapter of accidents; moreover, while every expedient is resorted to by British subjects for the purpose of enabling them to carry on with impunity the illegal receipt and transfer of slaves, it will, under the present system and without the co-operation, of the authorities, be difficult for Her Majesty's Consuls, although personally convinced of the guilt of the parties whom they may deem it their duty to denounce, to furnish Her Majesty's Government with such evidence as might enable them to bring to trial, according to the provisions of 9 Geo. IV, cap. 31, offenders against the said Act 6 and 7 Vict., cap. 98, and the Act therein recited.

I would respectfully submit that many of the provisions of the Act 5 Geo. IV, cap. 113, cannot well be applied to British subjects residing in foreign countries; and for the proper working of the 6 and 7 Vict., cap. 98, I would humbly suggest the necessity of conferring upon Her Majesty's Consuls, as far as regards British subjects and their slave property, some such power as was vested in the Registrars appointed in Her Majesty's Colonies under the said Act of 5 Geo. IV, cap. 113, if indeed the 6 and 7 Vict., cap. 98, is not, as I would fain hope, a step preliminary to the forbidding of British subjects, after a fixed period, wheresoever residing or being, to hold or be interested in slave property, with the exception only of shares held in joint stock companies prior to the passing of the Act.

I have, &c.

(Signed)

BEVERLEY NEWCOMEN, *Consul.*

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

&c.

&c.

&c.

No. 169.

Consul Newcomen to the Earl of Aberdeen.

Paraíba, February 3, 1846.

(Received April 9.)

My Lord,

I HAVE to report, that during the year 1845 no vessels sailed for the coast of Africa from any port within the district coming under my official cognizance; nor have any arrived from thence within the same period. I regret, however, to have to state, that about 170 contraband slaves have been introduced into the province under the following circumstances. A Brazilian vessel, laden with slaves, bound to Pernambuco, was boarded and brought to off the fishing village of Pitimbú, by a number of jangadeiros, or fishermen, who, having plundered her of all her provisions, obliged her to land her slaves. I have been credibly informed that when landed these slaves were in sound health and good condition; yet, horrible to relate, 39 of the number were suffered to perish of starvation on the beach; the remainder were kidnapped by different persons, principally Government authorities.

The Delegado, who kept 40, offered the master a compensation, which he refused, whereupon he was told that his vessel and everything would be seized; he therefore found himself obliged to accept the offer, which was three bills, payable at the end of one, two, and three years, for 3,000,000 reis, equivalent at the present exchange, to 337*l.* 10*s.*

This transaction needs no comment of mine. I am not aware of any other slaves having been imported within the year. Some have been sent southward, either for sale or in payment. The following note shows a decrease in the amount of exports as compared with the preceding year; and this is accounted for by the want of rain.

Articles.	Weight.				Value.		
	Tons	cwt.	qrs.	lbs.	£	s.	d.
Sugar	1250	15	1	27	21,205	19	7
Cotton	1011	8	1	9	50,799	15	2

There have been no changes in the laws or regulations with regard to slaves, within the year.

I have, &c.

(Signed) BEVERLEY NEWCOMEN, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c. &c. &c.

No. 170.

Viscount Palmerston to Consul Newcomen.

Sir,

Foreign Office, July 24, 1846.

YOUR despatch, marked Slave Trade, of the 24th of January last, reporting the circumstances under which it appeared that British subjects, resident within the jurisdiction of your Consulate, have been guilty of infringing the provisions of the Act 6 and 7 Victoria, cap. 98, was, by direction of the Earl of Aberdeen, transmitted to the Lords of Her Majesty's Treasury, for any observations their Lordships might have to offer thereupon.

I herewith transmit to you, for your information and guidance, a copy of a letter which has been received at this department from the Treasury, enclosing a report from Mr. Rothery, upon the subject of your despatch above referred to; and I have to desire that you will use your best endeavours, in conformity with the suggestion of Mr. Rothery, to collect forthwith such evidence of all cases in which British subjects resident within your Consulate, may have infringed the provisions of the Acts of Parliament relating Slavery and Slave Trade, as may

be sufficiently conclusive to enable Her Majesty's Government to take any steps they may think proper thereupon, for the conviction and punishment of the offenders.

Beverley Newcomen, Esq.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

Enclosure 1 in No. 170.

Mr. Trevelyan to the Hon. G. S. Smythe.

Sir,

Treasury Chambers, July 4, 1846.

WITH reference to your letter dated the 13th March last, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit herewith, for the consideration of the Earl of Aberdeen, a copy of a Report from Mr. Rothery, dated the 24th ultimo, respecting the infringement of the Act 6 and 7 Vic., cap. 98, entitled "An Act for the more effectual suppression of the Slave Trade," by British subjects at Paraiba.

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

I am, &c.
 (Signed) C. E. TREVELYAN.

Enclosure 2 in No. 170.

Report by Mr. Rothery.

To the Right Honourable the Lords Commissioners of Her Majesty's Treasury.
 May it please your Lordships,

IN obedience to your Lordships' commands I have perused and considered the documents herewith returned, consisting of a letter from the Hon. G. S. Smythe, dated the 13th of March last, together with the copy of a despatch from Mr. Newcomen, Her Majesty's Consul at Paraiba, reporting the circumstances under which British subjects resident within the jurisdiction of that Consulate, had been guilty of infringing the provisions of the Act of the 6th and 7th of Victoria, c. 98.

And I have the honour to report to your Lordships, that Mr. Newcomen, in his despatch, states that he had for some time past been indirectly made aware that Mr. Richard Rogers, a British subject, registered at and resident within the district of the Consulate, had received or was about to receive Slaves in payment; that on the night of the 20th January last, Mr. Newcomen was accidentally witness to the embarkation of a negress on board a jangada at the fishing village of Tambau, and finding that she was unprovided with a passport, was induced to make some inquiries; upon which he ascertained that she had been recently sold or given in payment to the said Mr. Richard Rogers, and was being transferred by him (also in payment) to a Mr. Gibson, a British subject resident in, or in the vicinity of, the city of Pernambuco.

Mr. Newcomen then observes that this is the first time he had reported a violation of the 6th and 7th of Victoria, c. 98, and confesses that he had not the slightest doubt that subsequently to its provisions being made known by him to the British subjects resident in this province, some of them had, without its coming to his knowledge, engaged in transactions therein forbidden; that the Register of Slaves in Brazil is very incorrect, and must continue so while there is so little difficulty in evading the Registration Laws, and while for such evasion, particularly as regards the sale and transfer of slaves, so many inducements exist; that Her Majesty's Consuls in Brazil should become cognizant of the receipt, transfer, barter, or exchange of slaves by British subjects, under circumstances not provided for in the special exceptions made to the general prohibition in the above-mentioned Act, must, Mr. Newcomen feared, as in the present instance, be generally owing to the chapter of accidents; moreover, while every expedient is resorted to by the British subjects for the purpose of enabling them to carry on with impunity the illegal receipt and transfer of slaves, it would under

the present system and without the co-operation of the authorities, be difficult for Her Majesty's Consuls, although personally convinced of the guilt of the parties whom they might deem it their duty to denounce, to furnish Her Majesty's Government with such evidence as might enable them to bring to trial, according to the provisions of the 9th of George IV, cap. 31, offenders against the 6th and 7th of Victoria, cap. 98, and the Act therein recited.

The Honourable Mr. Smythe transmits Mr. Newcomen's letter for any observations your Lordships may have to offer thereupon. I beg therefore to observe, that it appears to me that both Mr. Rogers and Mr. Gibson are *prima facie* criminally guilty of a breach of the Acts of the 5th George IV, cap. 113, and the 6th and 7th Victoria, cap. 98, but neither of them can be tried for such offence so long as they continue to be resident in the Brazils; but if either of them should arrive in this kingdom, or indeed in any British colony, they may be indicted accordingly. It will therefore be advisable that Mr. Newcomen should forthwith procure all the evidence in his power, not merely as regards the individuals in question, but in all instances where he may consider that British subjects are in any degree concerned in the purchase or sale of slaves, or in receiving slaves in barter, or for payment of debts, which is equally criminal.

With regard to the deficiencies of the laws of the Brazils relative to the registration of slaves, this country can in no way interfere, except by remonstrance of Her Majesty's Secretary of State for Foreign Affairs; and no doubt the proper steps have or will be taken herein.

Mr. Newcomen, in his letter, seems to labour under a misapprehension of the law relative to British subjects concerned in the Slave Trade, for he says that many of the provisions of the Act 5 George IV, c. 113, cannot well be applied to British subjects residing in foreign countries; and, for the proper working of 6 and 7 Victoria, c. 98, suggests the necessity of conferring upon Her Majesty's Consuls, so far as regards British subjects and their slave property, some such power as was vested in the Registrar appointed in Her Majesty's colonies under the said Act of 5 George IV, c. 113.

Your Lordships will find, by reference to section 1 of the Act of 6 and 7 Victoria, c. 98, that it is therein expressly enacted, "That all the provisions of 5 George IV, c. 113, shall, from and after the coming into operation of the said Act of 6 and 7 Victoria, be deemed to extend and apply to British subjects, wheresoever residing or being, whether within the dominions of the British Crown or of any foreign country; and all the several matters and things prohibited by the said Act of 5 George IV, or that of 6 and 7 Victoria, when committed by British subjects, whether within the dominions of the British Crown, or in any foreign country, (except only slaves in the possession of a joint stock company prior to the passing of this Act, &c., as stated in the 6th section of the Act,) shall be deemed and taken to be offences committed against the said several Acts respectively, and shall be dealt with and punished accordingly."

(Signed) WM. ROTHERY.

Stratford Place, June 24, 1846.

No. 171.

Pro Consul Kransé to Viscount Palmerston.

Paraíba, October 7, 1846.

(Received November 23.)

My Lord,

I HAVE to acknowledge the receipt of your Lordship's despatch of July 24, 1846, as also a copy of Mr. Rothery's report on the subject of Mr. Newcomen's Slave Trade despatch of January 24, 1846. I have perused the said report with particular attention, and shall not fail to use my best endeavours to collect sufficient evidence in any case in which British subjects resident within this Consulate may have infringed the provisions of the Acts of Parliament relating to Slavery and Slave Trade.

I have, &c.

(Signed) HENRY KRANSE, *Pro Consul.*

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

&c.

&c.

&c.

BRAZIL. (*Consular*)—*Pernambuco.*

No. 172.

The Earl of Aberdeen to Consul Cowper.

Sir,

Foreign Office, February 21, 1846.

I TRANSMIT to you herewith copies of three letters and their inclosures from the Admiralty, dated the 25th of November last, and 10th ultimo, on the subject of a steam slave-ship, named the "*Cacique*," captured on the 25th of September last, by Her Majesty's ship "*Penelope*," on the west coast of Africa, and subsequently condemned in the Vice-Admiralty Court of St. Helena.

You will see from these papers, that the "*Cacique*" is stated to have left New York on the 26th of March, 1845, and that according to the declaration of the Portuguese master and of the four Americans who formed part of her crew, she left that port under Brazilian colours. But there is every reason to believe that such was not the fact, as in a letter from you to this department, dated the 12th of June of that year, mention is made of the arrival at Pernambuco from the United States, of a three-masted schooner, with a screw propeller, which immediately changed her American flag for that of Brazil; and there can be no doubt that this vessel was the "*Cacique*."

I consider it important, however, that this fact should be, if possible, clearly and formally verified; and I have therefore to desire that you will transmit to me whatever authentic information you may be able to procure bearing upon the character of the "*Cacique*" when at Pernambuco, especially with reference to her nationality and ownership. I have addressed a similar requisition to Her Majesty's Consuls at New York and at Baltimore.

H. A. Cowper, Esq.
 &c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure 1 in No. 172.

The Secretary to the Admiralty to Viscount Canning.

My Lord,

Admiralty, November 25, 1845.

I AM commanded by my Lords Commissioners of the Admiralty to send your Lordship herewith, for the information of the Earl of Aberdeen, copies of a letter from Commodore Jones, dated the 29th of September, and of its enclosures, relative to a steam-ship named the "*Cacique*," captured by Her Majesty's ship "*Penelope*" on the 26th of September, fully equipped for Slave Trade, and not entitled to the protection of any flag. My Lords further desire me to transmit your Lordship the enclosed copies of papers containing information received from Liverpool relative to a steam-ship (presumed to be the "*Cacique*") having sailed from Pernambuco for the coast of Africa.

Viscount Canning,
 &c. &c.

I have, &c.
(Signed) W. A. B. HAMILTON.

Enclosure 2 in No. 172.

Commodore Jones to the Secretary to the Admiralty.

Sir,

"Penelope," off Ambriz, September 29, 1845.

I HAVE the honour to report the capture by this ship, at noon on the 26th instant, of the "*Cacique*," a steam-ship, fully equipped for Slave Trade. We were at the time in latitude 6° 20' south, longitude 9° 52' east, Cabenda bearing east by north 140 miles. The "*Cacique*" did not succeed in getting her steam up before our boat was on board, so that she was taken with much ease by this ship with two boilers; and I do not think that she would have escaped us by her speed under any circumstances, although her American engines are on the high-pressure principle.

This vessel hoisted Brazilian colours, but could not produce papers of any description in support of her abuse of that flag. I therefore detained her for being in all respects fitted for Slave Trade on this coast, and not being entitled to the protection of any flag. The crew of twenty-nine persons on board, was composed of twenty-four Portuguese, four American citizens of the United States in charge of the engines, and only one Brazilian.

As I consider the capture of this vessel to be in various respects highly important, I am very anxious to lay before their Lordships a comprehensive statement of her case, which I think so remarkable as to be deserving of their attention. But as I shall not be able, before I rejoin the "*Cacique*" at St. Helena, to procure all the information which I expect to receive from the American part of the crew, I shall defer my further statement until I do so.

In the meantime I abstain from offering any observation, as the facts of the case will not fail to strike their Lordships, together with the new feature given to the Slave Trade by the introduction of steam-vessels into it. I shall take the earliest opportunity to return to this subject, for their Lordships' information, and have, &c.

(Signed)

WM. JONES, *Commodore, &c.**The Right Hon. H. T. L. Corry,*

&c.

&c.

Enclosure 3 in No. 172.

Declaration of George Rush.

GEORGE WASHINGTON RUSH, born at Bath, in the State of Maine, in the United States, now serving as chief engineer of the "*Cacique*," a steam-ship, this day detained by Her Britannic Majesty's ship "*Penelope*," declares:—

That he shipped on board the "*Cacique*" on the 20th of January last, at New York, at eighty dollars per month, but signed no articles. Supposed the vessel to be fitting for Rio Janeiro. Sailed from New York on the 26th of March; lost the foremast, and put into Baltimore on the 15th of April. Refitted and sailed on the 2nd of May. Arrived at Pernambuco, but cannot recollect the date. From Pernambuco went to Campos, where they stayed fifteen days. Sailed from Campos on the 2nd of August. Supposed that the vessel was about to trade on the coast of Brazil, and was not aware that she was coming to the coast of Africa. Is pretty well aware now that the vessel is fitted for the Slave Trade on the coast of Africa. Has made no remonstrance against the proceedings of the vessel. When the man-of-war was seen to-day, the captain told him to get the steam up, which he did. The captain is the person now present, and called Joaquim Rigel; from him he has always received his orders, and from no other person since he shipped on board. He is and now considers himself a citizen of the United States, having an American protection to prove that he is so. When he shipped at New York the vessel was under Brazilian colours, but had been before an American.

On board the "*Penelope*," at sea, this 26th of September, 1845.

Before me,

(Signed)

W. JONES, *Commodore.*

(Signed)

GEORGE W. RUSH,

Witness to the signature.

(Signed)

JNO. Mc SMITH, *Senior Lieutenant.*W. SIMMONDS, *Clerk.*

Enclosure 4 in No. 172.

*Commander Layton to Commodore Jones.**“Cygnet,” off the River Congo,
September 23, 1845.*

Sir,

I HAVE the honour to report to you, that on the 20th of September, whilst working to the southward between Molembo and Cabenda, at 11.45 A.M., a vessel was reported from the mast head, sailing out for Cabenda Bay, which we very soon made out to be a three-masted steam-vessel. I immediately made all sail to close her, but from the strong northerly current and the stranger steaming and sailing to windward, we could only manage to keep sight of her until dark, when the wind being light and the current strong, I anchored to keep my position.

At daylight on the 21st instant, I weighed again, and at 10 A.M., sighted the same (steam-vessel), when I again used every exertion to close her, sometimes rather gaining upon her, when at 3 P.M. she furled her square sails and steamed in the wind's eye of us; finding I had then no chance of her, I immediately bore up for Cabenda to obtain what information I could respecting her, and ascertained that she ran into that bay early on the day of the 20th, but before she had time to communicate with the shore, seeing us to leeward, she immediately weighed and stood out, and continued beating and steaming to windward for the rest of the day whilst we were in pursuit of her.

The master of the American brig “*Janet*” informed me that she hoisted Brazilian colours whilst in the bay, but immediately lowered them.

I hoisted my colours and fired a gun to endeavour to make her show her nationality, but this she would not do to us.

On getting the above information, I again weighed and stood for the River Congo, learning from an American barque, that the strange steamer stood out of that river at daylight on the 22nd to reconnoitre her; finding she was a merchant-vessel, she again steamed up the river.

I shall continue to blockade this steam-vessel in the entrance of the river, in the hope of cutting her off.

I have no doubt but that she has come here for slaves; she is heavily rigged, being square forward and schooner-rigged on the main and mizen masts, having a black hull.

28th September, off Cabenda.—I have this day heard that the above steam-vessel is now in Pirate's Creek; but having been up the Congo the last few days, and there informed that she never entered the river, I rather doubt this information, but have ordered the “Alert” to watch the entrance of that river.

I have, &c.

Commodore Jones,
&c. &c.(Signed) H. LAYTON, *Commander.*

Enclosure 5 in No. 172.

*Lieutenant Thomas to the Secretary to the Admiralty.**Winchester House, Old Broad Street,
November 7, 1845*

Sir,

AFTER having been honoured by you with an interview on the 31st ultimo, I immediately wrote to Mr. — of Liverpool, with the view to obtain from him, if he possessed it, some authentic information respecting the steam-vessel I stated to you as having left Pernambuco four days before the arrival of Her Majesty's packet “*Petrel*” (on board which I was a passenger) at that port from Rio.

Not having received any reply from Mr. —, I am disposed to think that, as he was not established at Pernambuco, he could not afford any authentic information respecting the vessel or her movements.

The statements at Pernambuco were to the following effect:—That the steam-vessel alluded to had been built in America for some dealers at Pernam-

buco, and expressly for the Slave Trade; was between 400 and 500 tons; had been fitted, on leaving America, with the screw propeller, but steaming slowly, the screw was taken away at Pernambuco (and was lying upon the wharf there), and paddle-wheels substituted. A report was put into circulation when this vessel left Pernambuco, that she was bound to Rio; but having taken on board such goods as are used only for the slave-market, it was generally believed that she was bound upon a slave voyage to the coast of Africa.

I regret, Sir, that I have not succeeded in obtaining, as I hoped to do, more authentic information on the subject.

Captain Hamilton,
&c. &c.

I have, &c.
(Signed) W. THOMAS, *Lieut. R.N.*

Enclosure 6 in No. 172.

Lieutenant Thomas to the Secretary to the Admiralty.

*Winchester House, Old Broad Street,
November 11, 1845.*

Sir,

I HAD the honour to address you on the 7th instant upon the subject of the enclosed letter received by me this morning. Should you desire me to obtain any further information with respect to the steamer in question, I will request that it may be forwarded to me from the Brazils; and if the intelligence offered would be acceptable, I will request to be favoured with it, and do myself the honour of communicating the same to you, so soon as I am in possession of it.

Captain Hamilton,
&c. &c.

I have, &c.
(Signed) W. THOMAS, *Lieut. R.N.*

Enclosure 7 in No. 172.

Private Letter addressed to Lieutenant Thomas.

Dear Sir,

Liverpool, November 10, 1845.

I RECEIVED your esteemed letter of the 1st instant; but having been out of town, I could not answer it sooner. With regard to the steamer in Pernambuco, I can only give general information—that she was built in the United States, sent out partially on slave-dealers' account; then changed hands entirely to them; was tried for speed with the screw, but afterwards fitted with small wheels, loaded ostensibly for Rio, but known to be going to the coast. However, should it be a material point to you, I could, when I return, procure you all information; at the same time I could give them intelligence that would tend more than anything to stop the trade if followed up. I forget the name, tonnage, &c., of the steamer; but I know she could only go by steam about four knots. I shall be in London by 25th, and will call on you. I do not wish my name known in this business, and sign this with what can be rubbed out.

Believe me, &c.

Lieut. W. Thomas,
&c. &c.

Enclosure 8 in No. 172.

The Secretary to the Admiralty to Viscount Canning.

My Lord,

Admiralty, January 10, 1846.

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 Commodore Jones, dated the 8th of November last, containing further information relative to the captured steam-vessel "*Cacique*."

Viscount Canning,
&c. &c.

I am, &c.
(Signed) W. A. B. HAMILTON.

Enclosure 9 in No. 172.

Commodore Jones to the Secretary to the Admiralty.

Sir,

"Penelope," at sea, November 8, 1845.

WITH reference to my letter of 29th September, respecting the capture by this ship, of the "*Cacique*," a steam-ship under Brazilian colours, fitted for Slave Trade, an offence for which she has since been condemned at St. Helena by the Vice-Admiralty Court, as not being entitled to the protection of any flag, I have the honour to submit the following further particulars, which I have collected respecting this remarkable vessel.

2. It appears, from the concurrent testimony of the Americans who were found on board the "*Cacique*," as well as that of the Portuguese master, that the vessel was built in the United States about two years ago, and being named the "*Tigress*," was employed as a trading and passage vessel between New York and Stonington, and other parts of the United States, under the flag of that country. She is said to have then belonged to a Captain Sanford of New York, who, about the beginning of this year, sold her to Mr. Seixas, a Brazilian merchant, and the last owner of the "*Cacique*," for 11,500 dollars, which sum was increased to 25,000 dollars by various alterations and improvements made by Messrs. Brown and English, ship-builders of New York. In these transactions, Mr. Gardner, an American resident of that city, appears to have acted as the agent; and he was looked upon then and afterwards by the Americans belonging to the vessel, as the consignee, and, as there is reason to believe, engaged in fitting out other steam-vessels for the same purpose.

3. On the 20th January, George Washington Rush, the chief engineer, joined the "*Cacique*," at a salary of eighty dollars a-month. He pretends that he was persuaded of the vessel having been intended to run as a passage-vessel on the coast of Brazil; but there are many strong reasons for disbelieving this story. He signed no articles, and declares that he expected no further emolument than his monthly pay; but there is credible evidence that he was to receive a large sum in addition, if the vessel made a successful slave-voyage. He told me distinctly on the day the "*Cacique*" was taken, that while the vessel was refitting at Baltimore, after being dismasted, he had gone to Washington to take advice as to the safety and legality of the voyage, upon both which points he received comfortable assurances at head-quarters. He afterwards retracted, and tried to explain away this circumstance. It was Rush who engaged the other three Americans, Jackson Sheete, as engineer, and J. P. Morris and Jos. Hamilton as firemen. All these now declare their ignorance of the intended slave-voyage.

But with respect to these four American citizens, setting probability out of the question, when the vessel was originally fitted in the ports of the United States, as they say, under Brazilian colours, there were, during her long subsequent stay at Pernambuco, circumstances which they admit to have known which could leave no doubt upon their minds as to the nature of the ensuing voyage; and yet they made no attempt to leave the ship, to seek the protection of their Consul, or in any way, according to their own showing, to object to their employment on such a service, until the vessel had quitted Brazil on her voyage to the coast. Be that as it may, we found these four American citizens very actively engaged at the moment of the "*Cacique's*" capture, in getting up her steam, and aiding and assisting the other slave-dealers on board in the prosecution of their unlawful traffic.

4. The "*Cacique*" left New York on the 26th March, as all the Americans and the Portuguese master declare, under Brazilian colours. But as Mr. Cowper, the British Consul at Pernambuco, in his letter to the Earl of Aberdeen, of the 12th June, mentions the arrival of a vessel, evidently meaning the "*Cacique*," under American colours, which were then changed to Brazilian, I think this is a circumstance which it is very material to establish distinctly; and I would respectfully suggest, that a reference to the British Consuls at New York, Baltimore, and Pernambuco, could not fail of success in clearing it up.

5. The "*Cacique*" having lost her foremast, put into Baltimore, where many of the original crew quitted her; and after a long stay at that place, where Mr. Gardner again was active in refitting the vessel, she proceeded, and arrived at Pernambuco early in June.

6. At this place the screw-propeller with which the "*Cacique*" had hitherto been fitted, was removed, and replaced by paddle-wheels; the machinery of the engines being also moved to the upper deck, so as to leave a continuous hold, capable of containing on a slave-deck a cargo of 1500 slaves*. The water-casks, a long gun, small arms, with boilers, provisions, and all other slave-fittings complete were taken on board, and thus equipped, when the "*Cacique*" put to sea on the 1st of August, soon after noon-day, the commander of a Brazilian brig of war† is said to have come on board with two boats, joined the large convivial party which was assembled, and finally took an affectionate leave of M. Scixas, the owner, who was thus escorted out of the Brazilian bounds. In a day or two after he happily escaped from a British cruizer, and arrived at Cabenda on the coast, on the 20th September. It appears that the "*Cacique*" might immediately have embarked 1000 slaves which were ready in the barracoons, but M. Seixas would not be satisfied with less than his full number of 1500; and the vessel was ordered to stand out to sea for ten days until they could be got ready, for which purpose he landed.

7. In the meantime Her Majesty's brig "*Cygnets*," which was stationed off Cabenda, got sight of the "*Cacique*," and chased her on the 20th and 21st; but on both days it was too evident that the engines, although of very moderate power, gave the slaver a decided advantage over the "*Cygnets*," which is considered one of the fastest cruizers on the station. The "*Cacique*" took a considerable offing, and was 140 miles from Cabenda when taken without difficulty by the "*Penelope*" on the 20th September. On examination, it appeared that the high-pressure engines with which this vessel was fitted, had forty horses' power; too small a proportion on board a ship of 220 tons, to have much effect, except in dealing with sailing cruizers.

8. The Americans are all agreed that at least two other steamers were fitting in the United States to be employed as the "*Cacique*" was, the same owners being concerned, and the same agent, Mr. Gardner, employed in getting them ready. If this system is to be permitted, and American citizens are at liberty to drop the very slight aid which has heretofore covered their proceedings in the Slave Traffic of this coast, it will of necessity entail heavy additional expense on the British Government to provide an adequate remedy. It may even be doubted, considering the very great extent of the coast on which barracoons are established, whether it would be possible effectually to prevent very great mischief, notwithstanding the vigilance of the sailing cruizers. It is from the steamers chiefly that prevention must be looked for in future, and that only on the few points where they can be stationed, off the principal marts, and which soon become unavoidably known. Every exertion shall be made to meet the difficulties which I cannot but anticipate; but I shall feel doubt and anxiety as to the issue, until foreign Governments can be induced to check, by some strong discouragement, the active exertions of their subjects in the unlawful traffic, which they have repudiated by treaty.

I have, &c.

(Signed) W. JONES, *Commodore, &c.*

The Secretary to the Admiralty.

Enclosure 10 in No. 172.

The Secretary to the Admiralty to Viscount Canning.

My Lord,

Admiralty, January 10, 1846.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Aberdeen, copies of a letter from Commodore Jones, dated the 18th of November last, and of a letter which he has addressed to the senior officer of the United States squadron on the west coast of Africa, respecting the four American citizens found working the engines on board the steam slave-vessel "*Cacique*."

I am, &c.

(Signed) W. A. B. HAMILTON.

Viscount Canning,
 &c. &c.

* This work is stated to have been done at the factory of Mr. Starr, who is described as a British subject.

† This vessel is supposed to have been the "*Calliope*," imperial brig, with a round stern.

Enclosure 11 in No. 172.

*Commodore Jones to the Secretary to the Admiralty.**“Penelope,” off St. Paul de Loanda,
November 18, 1845.*

Sir,

I HAVE the honour to submit, for the information of the Lords Commissioners of the Admiralty, the copy of a letter which I have addressed to Commodore Skinner, senior officer in command of the American squadron on this coast, respecting the four American citizens found working the engines on board the “*Cacique*” steam slave-vessel, detained by this ship on the 26th September last.

I have, &c.

(Signed) WM. JONES, *Commodore, &c.*

The Right Hon. H. T. Lowry Corry,
&c. &c.

Enclosure 12 in No. 172.

*Commodore Jones to Commodore Skinner.**“Penelope,” at sea, off the Coast of Angola,
November 15, 1845.*

Sir,

IT is with very sincere concern that I have the honour to request your attention to the accompanying enclosures. They relate to the cases of four American citizens who were found serving on board the “*Cacique*,” a steam vessel fully equipped for the Slave Trade, which was captured by the “*Penelope*” on the 26th September. As the most concise mode of giving you a just notion both of this vessel and her history, as well as my views in regard to both, I beg leave to send you an extract from my official report to the Lords Commissioners of the Admiralty on the subject.

I shall thus be spared the pain of troubling you with any further observations on a matter which I feel assured must cause as much regret to you as it does to me.

It has long been well known as a notorious fact on the coast of Angola, that the criminal Traffic in Slaves has been carried on to a great extent, mainly through the intervention and assistance of citizens of the United States, who have therein engaged their own persons and vessels, and abused the flag of their country, in flagrant violation of the Treaties by which our respective Governments stand mutually pledged to each other, that the “Slave Trade shall be, in so far as may be in their power, effectually abolished.” I am aware, Sir, of the honourable efforts made by public functionaries in the service of the United States to remedy these evils, and I have observed with sincere satisfaction the zealous spirit in which the American officers whom I have had the pleasure of meeting, have entered, as far as lay with them, into the common object in which we were engaged on this coast. But I have hitherto had to regret that among your arrangements in furtherance of that important end, I have seen none of the cruizers of your squadron in the neighbourhood of Cabenda, and those parts of the coast of Angola most infested by the dealers in slaves. Will you permit me, Sir, very respectfully to suggest to you, that your concert and co-operation in this neighbourhood could not but have the most salutary effects in relation to the objects of the Treaties subsisting between our Governments for the suppression of Slave Trade.

With respect to the case of the “*Cacique*,” it is by no means a singular one in most of its leading features; a fact of which I can unfortunately furnish you with abundant proof, a recent date. But this particular vessel being, as far as I know, the first steamer which has been embarked in the Slave Trade (although she is said to be only the forerunner of others), is likely to attract the more attention. It is clearly established that the “*Tigress*,” of New York, was purchased at that place last January, and fitted for the Slave Trade, and that the same vessel, under the new name of the “*Cacique*,” left that port

with four citizens of the United States on board, whom I afterwards captured on the coast in the active prosecution of a slaving voyage. How far this line of conduct may be consistent with their obligations to their own country and its laws, it is not for me to determine. After due consideration, I have resolved to send these men to you, to be disposed of as you may think fit, and as the justice of the case may appear to you to require.

Three of them possess regular protections as American citizens; the fourth, Joseph Hamilton, says that he had lost his papers, so that I have no proof of his being an American beyond his own assertion. But, as he declares that he formerly belonged to the United States sloop "*Preble*," his history may possibly be traced.

I shall therefore have the honour of sending to you these four persons, with their effects, by the first cruizer which I can spare for that purpose. They have suffered no restraint, beyond what was necessary for their safe custody, since they fell into our hands.

Chas. Wm. Skinner, Esq.
&c. &c.

I have, &c.
(Signed) WM. JONES, Commodore, &c.

No. 173.

Consul Cowper to the Earl of Aberdeen.

Pernambuco, March 2, 1846.

(Extract.)

(Received May 2.)

IN obedience to the instructions contained in your Lordship's despatch of the 8th of March, 1843, I have the honour to transmit a report of the state of Slave Trade and Slavery within the district of this Consulate, during the past year.

I am in the highest degree gratified in being enabled to inform your Lordship that not more than 146 slaves have been landed here during the whole year; and your Lordship will perceive by the enclosed lists of vessels, that the numbers of arrivals and departures to and from the coast of Africa have been quite insignificant.

The arrival of these few slaves was attended, however, with certain remarkable circumstances worthy of mention. The vessel in which they were embarked, made this coast at Macaro by mistake, it having been arranged that Catuama should be the point of landing; the consequence was, that no one being in attendance to receive the negroes, the captain sold thirty of them to enable him to procure some depôt for the remainder until he could communicate with his consignees; the connivance of the local authorities was purchased by the gift of eleven more; a portion of the remainder were robbed by the people of the neighbourhood, and the rest, together with the owner, lodged in confinement in this city. During the first night of their incarceration, however, an equal number of creole slaves were exchanged by the owner's friends for the Africans; and having effected this, nothing was simpler than to place themselves in the position of the injured party, which they did not fail to do, declaring that the blacks confined were the legal slaves of presenting their papers, &c. The consequence, of course, was their immediate and unconditional release, and the permanent and hereditary slavery of the unfortunate negroes.

I have little to communicate respecting the almost extinct foreign Traffic in Slaves; the causes of its rapid decline are somewhat obscure, but may be reasonably supposed to be in some way connected with its astonishing increase in the Province of Bahia. The discovery of the diamond district of Chapada, has there given an extraordinary impetus to commerce of all sorts, including Slave Trade, which latter has been so far overdone, that during the past year considerable quantities of Africans have been transmitted from Bahia for sale into this province; added to which the state of agricultural depression into which Pernambuco has been plunged by a drought of three years duration, has rendered it almost impracticable for the landed proprietor to make new purchases; as far, however, as the foreign Slave Trade has extended, the native authorities

have, in the first instance, offered a show of resistance, which, from its results, prove unquestionably the existence of a secret connivance.

With regard to the numbers of persons existing in a state of slavery within this province, I can only repeat the statements which I made in my previous reports, and refer particularly to Enclosure No. 2 in my despatch *Slave Trade* of the 1st of January, 1844.

The amount and value of exports, the production of slave-labour during the past year, were 26,562 bags of cotton, 19,571 cases, 849 boxes, 61,892 barrels and 216,015 bags of sugar, 163,935 hides, 1586 pipes, 26 barrels of rum, and 2,769 arrobas, 28 lbs. of Carnauba wax, worth 913,574*l*.

During the last two months I have carried into effect the intention expressed in my former reports of visiting the "Certao," or cotton and cattle districts, with a view of completing my reports upon the state of slavery in this province, from personal observation. I was accompanied by the French Consul, my colleague and intimate friend. We left Pernambuco on the 21st of January, and passed through the cities and towns of Maccio, Atalaia, Assemblêa, Quchangula, Papacaça, Matta Grande, Agoa Branca, Piranhás, Pao d'Assucar, Semocira, Barra de Panêma, Traêpec, St. Braz, St. Colegio, Penedo, St. Miguel, Alagoas, Maccio, Porto Calvo, Rio Formoço, Serinhaem, and Cabo; besides numberless villages, reaching Pernambuco once more on the thirty-seventh day of continued riding on horseback, having journeyed 305 leagues, and from the rugged nature of the country, having lost six horses. I shall address your Lordship upon this subject in greater detail on another occasion; I shall here confine myself to its bearings in respect to slavery. In addition to the Engenhos which I have already mentioned in my former reports as having visited, I have to add on this occasion those of Cocapeira, Pinto, Gassartorto, Cagado, Antas, Pescocoço, Genepapo Percão, Jequiã, Machacha, Prata, Nova, Caracomba, Jequambã, Cauto, Lacura, Matta Redonda, Capeleiro Dias, Santa Cruz, Peazerer, Pao d'Arco Japarutuba, and Duas Burras, all in the Province of Alagoas; Pranceha, Lunveira, Guarano, Rosario, St. Braz, Casura Nova, Caxeira, Pendanburta, in the Province of Pernambuco; and the following Fazendas:—Lorenzo, Gamcheca, Trapixe, Laquences, Carçara Gatto, As Anges, Salgado Luynia, Xuerqu, Talhadu, and Olho d'Agoa. Your Lordship will perhaps recall to mind, that "Engenho" is the term applied to a sugar estate, and that "Fazenda" is the name given to a cotton or cattle estate. I cannot avoid expressing to your Lordship my satisfaction that I determined upon undertaking this journey. I am confirmed in my determination never to adopt the dangerous course of offering information to Her Majesty's Government upon popular rumours or generally received opinions, it is illiberal and unjust to both parties: to the people thus almost invariably misrepresented, and to the Government almost equally without exception. Thus misinformed, if in replying to your Lordship's despatch of the 8th March, 1843, I had stated that which every one imagined here, and that which I also believed, notwithstanding my long residence in Pernambuco, respecting the state of slavery in the interior, without having first informed myself from personal observation, I should have given your Lordship a very different report from those which I had the honour to forward under date of the 4th of August, 1843, and 1st January, 1844. It may not have escaped your Lordship, that my reception at the Engenhos was very different from what I had been warned to expect. Such, my Lord, has also been the case in the Certao. In my last-mentioned despatch, I stated, in speaking of its inhabitants, that they were represented as a "people semi-barbarous," and "as inhospitable as the imagination can paint them." This is the popular belief, and it would have thus been stated to your Lordship, if I had not taken the trouble of personally judging, by undergoing some fatigue and a few difficulties, which are quite indifferent to me, and for which I am amply rewarded by being enabled to do justice to the kindest, most hospitable, and generous race of men that I ever met with. This applies equally to the upper and lower classes; the latter, the greatest sufferers, of course, from the fearfully extended drought of which I have spoken, reduced to the verge of death by famine, to which hundreds have already fallen victims; in some instances obliged to kill an ox to drink his blood;—these poor people, my Lord, were always ready to receive us; to share all they had with us: to show us all the attention which their means enabled them; and yet who never, under their trying and pitiable circumstances, purloined the most trifling thing

which we possessed, and invariably refused the slightest remuneration for their trouble. They are also by far the finest race of men that I have seen in Brazil; and I could not avoid observing, upon one occasion, when twenty-five Vacceiros, on herdsmen, were leaving the Fazenda of Capine, on horseback, in their picturesque leather dresses, that if I were the Emperor I would have a body-guard of Certanegas (or people of the Certao), dressed precisely as they were; indeed they are always on horseback, and it is truly wonderful to see one of them in chase of cattle, at full gallop through the forests, indifferent to the roots beneath or the branches above, which momentarily threaten him. A people thus free themselves, can scarcely be cruel to their slaves. Indeed at the Fazendas de Gado, or cattle estates, there exist very few, and those are employed in domestic services; at the Fazendas de Algodao, or cotton estates, there are more, but still infinitely less than at the Engenhos. There the most repulsive features of slavery are unknown; the negroes are not overworked, and the women and children are employed separating the cotton from the seed, whilst the men turn the wheel of the machinery with which this is effected. Upon the whole I saw nothing revolting in the slavery of the Certao, always excepting the fact of its existence. But we can scarcely, my Lord, condemn a people for the continuance of an institution which was existent at their births. In doing justice to their prejudices, there is no reason that we should relax our efforts to convince them; my object in these observations is not to defend the existence of an institution which I abhor, but to do justice to a people whose kindness I can only repay by defending them whenever it lies in my power. My three despatches upon this subject, namely, 4th August, 1843, 1st January, 1844, and this, will constitute a brief, but I trust correct, report of the different species of slavery existent in this province. I could of course be more diffuse; but unless I could carry the subject out into its fullest details, which the nature of a despatch will not permit, I dread giving rise to false impressions by isolated statements upon a subject of such vast and general importance.

(Signed)

H. AUGUSTUS COWPER, *Consul*.

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

&c. &c. &c.

Enclosure 1 in No. 173.

List of Arrivals of Vessels, suspected of being employed in Slave Trade from the Coasts of Africa to the Province of Pernambuco, during the Year ending December 31, 1845.

Date of Arrival.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	From what part of the Coast arrived.	Remarks.
1845 March 30	A small Brazilian schooner from the coast ran on shore in a small creek (Macaró) to the northward of the Island of Itamaracá, having overshoot the Bay of Catuamá, where she was expected. It is reported 30 of the slaves were sold to persons in the neighbourhood at Rs. 250% per head. To facilitate the debarkation of the remaining negroes, 11 were given to the local authorities as a douceur. The rest, about 122 slaves, were disposed of, and secreted in the adjacent Engenhos. On the 3rd of April, the "Guarapes," a schooner of war, was despatched to the vicinity, but arrived too late to find either vessel or slaves.							
June 23	Leão ..	J. da Costa Rama Guedes	Gabriel Antonio	Brig ..	235	Brazilian ..	Angola ..	Ballast; sailed the 6th July for St. Catharine's
July 3	Triunfo do Brazil	Ditto ..	Ditto ..	Ditto ..	218	Ditto ..	Ditto ..	Ditto
December 22	Ditto ..	Ditto ..	Ditto ..	Ditto ..	218	Ditto ..	Ditto ..	Ditto; in port, loading for the coast
								N.B.—These three last-named vessels could not procure any slaves on the coast, or the masters would have attempted to embark them.

Enclosure 2 in No. 173.

List of Departures of Vessels, suspected of being employed in Slave Trade from Pernambuco to the Coasts of Africa, during the Year ending December 31, 1845.

Date of Clearance.	Name of Vessels.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	No. of Crew.	Nation.	To what part of the Coast sailed.	Remarks.
1845 January 16	Flor do Brasil	..	..	Hiate ..	49	11	Brazilian	Angola	80 barrels, 100 latas sugar, 164 pipes rum, value 1140l.
February 8	Leão ..	J. da Costa Rama Guedes	Gabriel Antonio	Brig ..	235	15	Ditto	Ditto ..	8 boxes, 136 barrels, 23 latas sugar, 231 pipes rum; value 1623l.
August 2	Cacique ..	..	..	Screw steamer	200	36	Ditto	Ditto ..	This vessel cleared for Rio de Janeiro; sent the mails for that city on shore by the pilot's boat; sailed at once for the coast, and was captured.
" 30	Triunfo do Brazil	M. N. Passalagne	Gabriel Antonio	Brig ..	218	15	Ditto	Ditto ..	170 pipes rum, 23 barrels molasses; value 1120l.

No. 174.

*Consul Cowper to the Earl of Aberdeen.**Pernambuco, April 1, 1846.**(Received June 19.)*

(Extract.)

I HAVE the honour to enclose to your Lordship my quarterly statements of the arrival and departure of vessels from and to the coasts of Africa during the past three months.

The Slave Trade does not appear to revive in this province, nor is it at all likely to do so if the system adopted by the authorities upon the coast is continued. For the last eighteen months no vessel has safely landed a full cargo of slaves from Cape St. Roque to the Rio San Francisco; they have invariably, in part or whole, been seized by and appropriated to themselves or friends, by the Government officers at the different districts.

The "*Maraquinhas*," which arrived at Galinhas in January, belonged to a notorious slave-trader in this port. Her whole cargo was plundered and distributed amongst the different Senhores de Engenhos around, who happened to be of the political party now in power; and the owner was so severely beaten, that he states he only escaped with life, owing to the number of his assailants, whose sticks struck one against another.

The "*Feliz*," the only other arrival with cargo during this period, met with a similar fate. She embarked 200 slaves upon the coast, lost 70 during the voyage, and was seized, upon her arrival at Una, by the authorities; 80 were appropriated by them and their friends, and 50 sickly women and children sent up here, where they were lodged in Fort Brum for security, but died in so mysterious and rapid a manner, that I question if any one of them will enjoy the blessing of that freedom which the provincial authorities no doubt intended for them.

Your Lordship will perceive from these facts, that no greater check can be offered to the importation of slaves.

(Signed)

H. AUGUSTUS COWPER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

§c.

§c.

§c.

Enclosure 1 in No. 174.

List of Arrivals of Vessels suspected of being employed in Slave Trade, in the Province of Pernambuco, from the coasts of Africa, during the Quarter ending March 31, 1846.

Date of Arrival.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	From what part of the coast arrived.	Remarks.
1846 January	Maraquinhas	.. ..	Gabriel Antonio ..	Schooner	45	Brazil ..	Angola	Embarked, it is reported, 203 slaves, Arrived at Galinhas; her whole cargo was plundered and distributed amongst the Engenhos in the vicinity.
March	Feliz ..	.. ..	Ferreira and others	Ditto ..	60	Ditto ..	Ditto	Embarked 200; 70 died during the voyage to Uná, 80 of the most robust were robbed, and given to different Engenhos friendly to the party in power; 50 who were sickly, and principally children and women, were brought to this city and lodged in Fort Brum, where they are reported to be daily dying; the number it is certain is fast diminishing.
"	29 Especulação	.. ..	Oliveira Irmãos ..	Bark ..	254	Portugal	Ditto	In ballast

(Signed) H. AUGUSTUS COWPER, Consul.

Enclosure 2 in No. 174.

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, 1846.

Date of Clearance	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	To what part of the coast cleared for.	Cargo.
1846 March	6 Leão ..	Cdo. Forjaz de Laurda	Gabriel Antonio ..	Brig ..	235½	Brazil ..	Loanda ..	183 baricas, 35 tins, 717 arrobas, 14lbs. of sugar, 210 pipes, 4 quarter-pipes, 40,164 canadas rum, &c., value Rs.13,990 \$, or £1175 sterling.

(Signed) H. AUGUSTUS COWPER, Consul.

No. 175.

Consul Cowper to the Earl of Aberdeen.

Pernambuco, May 16, 1846.

(Received July 6.)

My Lord,

IN reply to the communication which your Lordship did me the honour to address to me under date of the 21st of February last, respecting the slave steam-sloop "*Cacique*," I have the honour to inform you that although upon that vessel's arrival at this port on the 11th of June last, a report obtained, and was generally credited, that upon her first appearance in the horizon, she had an American flag at her peak, subsequent enquiry proved that this was an error, the United States flag was carried at her mast-head, but a Brazilian ensign at the peak. Upon this subject I enclose a copy of my despatch to Her Majesty's Minister at Rio de Janeiro, and the announcement of her arrival here from the "*Diario de Pernambuco*."

The information which your Lordship has received from the Admiralty respecting the "*Cacique*," is, as far as I am aware, substantially correct; she arrived here upon the 11th of June, without her screw which had been detached, and is still lying on the wharf. Her machinery was arranged, and paddle-wheels adjusted in lieu of the screw, by the British foundry of Christopher Starr and Co. of this place, and she sailed from here on the 2nd of August, taking a mail for Rio de Janeiro, which I have since heard was re-landed in the pilot boat; she had an American sailing-master, but her acknowledged captain gave his name here as Jozé Henriques Rojala; her crew were also said to be Americans, but one at least was an Englishman; he called at the Consulate a day or two prior to the sailing of the "*Cacique*," and informed me that she was positively going to the coast of Africa, and requested my advice respecting the propriety and safety of his continuing in her. I strongly dissuaded him from proceeding, and he promised to leave her, which he did not. The proprietor, Senhor Seixas, a Brazilian, had been so cautious, that had it not been for this man's information, I should really have believed his report that she was intended to trade between Rio de Janeiro and Santos. The statement that she was escorted out of port by a Brazilian man-of-war's boat, can only have been made mischievously, or by a person quite unacquainted with Brazil, for all vessels are so escorted; that is to say, they are boarded by a boat from the guard-ship, that their papers may be examined, which usually proceeds with them to the light-house at the mouth of the harbour.

The correspondence accompanying your Lordship's despatch, has however given rise to a suspicion in my mind respecting another screw steam-vessel which arrived here from the United States, *via* Maranhão, on the 15th of last month, under the American flag, called the "*Santa Cruz*;" was ketch-rigged, of 170 tons, and sailed again for Rio de Janeiro on the 23rd of the same month. She was consigned to the English house of Coleman and Co. (now Coleman, Hutton, and Co.) of Rio de Janeiro; and this fact, added to the strongest assurances that her object was the navigation of that beautiful bay, induced me to credit the report.

But in Commodore Jones' correspondence respecting the "*Cacique*," mention is made of her active agent in the United States, Mr. Gardner; and in the course of my present enquiries respecting the "*Cacique*," I happened to mention the "*Santa Cruz*" to an American gentleman, he immediately observed that there could be no just grounds for suspecting her, "for she is, I believe, in fact, English property, consigned, if not belonging, to the house of Coleman and Co. of Rio, of which my countryman, Mr. Gardner, is a partner." The coincidence of name betwixt the agents of the "*Cacique*" and "*Santa Cruz*" immediately struck me. My informant could not say if Mr. Gardner had been in the United States at the time of the "*Cacique's*" fitting out, or not; he believed, however, that he had a brother in New York.

I enclose the advertisement of the "*Santa Cruz's*" arrival here, and shall now that the legality of her voyage is not so clear, communicate with Her Majesty's Minister at Rio de Janeiro upon the subject.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.
The Right Hon. the Earl of Aberdeen, K.T.
 &c. &c. &c.

Enclosure 1 in No. 175.

Consul Cowper to Mr. Hamilton.

Sir,

Pernambuco, August 7, 1846.

I DEEM it to be my duty to inform your Excellency, that an American-built vessel, called the "*Cacique*," arrived here under Brazilian colours last month, *en route* for Rio de Janeiro. She was barque-rigged, and fitted with a screw-propeller, and was evidently intended to be a fast-sailing ship.

She had proved, however, so total a failure during the voyage, that the screw was removed at this port, and substituted by paddles, which, from the specimen seen of their working when she left Pernambuco last week, appear to be as little adapted to her as the screw. She sailed for the coast of Africa with a very large crew, composed of people of all nations, the captain and greater part being Americans.

Although I conceive her to be entirely unfitted for the Slave Trade, there is every reasonable presumption for supposing that she is intended for that traffic. I have therefore made this communication to your Excellency, that, should you think fit, it may be forwarded to the Commander-in-chief of Her Majesty's Naval Forces upon this station and on the coast of Africa.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul*.
His Excellency Hamilton Hamilton,
 &c. &c.

Enclosure 2 in No. 175.

Extract from the "Diario de Pernambuco" of June 12, 1845.

(Translation.)

BALTIMORE; 36 days. National lugre "*Cacique*," of 200 tons, Captain Joaquim Henrique Kazel. Crew, 16. Cargo, ballast. To the Captain.

Enclosure 3 in No. 175.

Extract from the "Diario de Pernambuco" of August 4, 1845.

(Translation.)

RIO DE JANEIRO. Brazilian steamer "*Cacique*," Captain John Henrique Kazel; in ballast. Passengers, Jozé Antonio de Seixas and Antonio Gonçalves Pacão, Portuguese.

Enclosure 4 in No. 175.

Extract from the "Diario de Pernambuco" of April 6, 1845.

(Translation.)

MARANHAO; 12 days. American steamer "*Santa Cruz*," of 170 tons; Captain Samuel T. During. Crew, 14. Cargo, coal and high-pressure engines. To the Consul. Entered to repair the engine, and continues to Rio de Janeiro.

No. 176.

*Consul Cowper to the Earl of Aberdeen.**Pernambuco, May 30, 1846.*

My Lord,

(Received July 10.)

I HAVE the honour to inform your Lordship, that on the 26th instant the Hamburg barque "*Catharina*," Claus Rothje, master, called off this port for the purpose of landing Mr. William Page, midshipman, John Ringdon, William Palmer, John Brown, and James Prat, seamen, belonging to Her Majesty's brig "*Pantaloon*," together with the captain and one man of the Brazilian schooner "*Bella Clara*," of Bahia, from which latter vessel they had been rescued when she was in a sinking state.

It appears that the "*Bella Clara*" was captured by Her Majesty's brig "*Pantaloon*," on suspicion of having been engaged in Slave Trade; and the crew, with the exception of the captain and one seaman, removed to the "*Pantaloon*." Mr. Page and four men were then placed in the prize, and ordered to proceed to Sierra Leone. She soon sprung a leak, and was kept afloat only through the utmost exertions of her crew. She had parted company with the "*Pantaloon*" sixty-five days, when she fortunately fell in with the "*Catharina*;" the "*Bella Clara*" was then half-full of water, and Mr. Page and his people completely exhausted. They were received by Captain Claus Rothje with the greatest humanity, who refused to receive any remuneration for his expenses, although he had victualled them for fifteen days when they arrived here. The owner of the "*Catharina*" is Mr. Y. Marks, merchant of Hamburg.

Mr. Page immediately addressed himself to me; I enclose a copy of his letter. I assure your Lordship, that in the exciting state of the Slave Trade question with this country, I felt the greatest anxiety about the consequences; for I have no doubt that had he been obliged to remain here, he and his men would have been imprisoned at the suit of the Brazilian captain, for illegal capture, &c.; indeed, whilst writing this, the enclosed advertisement has appeared in the "*Diario*." Her Majesty's packet "*Crane*" was fortunately here; she was however inside the harbour, and I feared their detention by the guardship if they attempted to embark in daylight; I therefore sent a boat outside at night to the "*Catharina*," and giving orders that the prisoners were not to be landed until the next day, I had the satisfaction of succeeding in placing them on board the "*Crane*," with their arms, clothes, &c., and of seeing her safely depart with them the next morning.

The Brazilians were landed the next day.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul.*

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

&c.

&c.

&c.

Enclosure 1 in No. 176.

Mr. Page to Consul Cowper.

Sir,

HAVING been picked up by the Hamburg barque "*Catharina*" in the Brazilian schooner "*Bella Clara*," in a sinking state, having been fatigued with continually pumping, I will be much obliged to you if you will be kind enough to apply to Captain Lewis of the "*Crane*" packet, to give us a passage to England.

I am, &c.

(Signed) WILLIAM PAGE.

Names of the crew.

(Signed)

JOHN RINGDON.
WILLM. PALMER.
JNO. BROWN.
JAMES PRATT.

Henry Augustus Cowper, Esq.

&c. &c.

Enclosure 2 in No. 176.

Extract from the "Diario" of May 27, 1846.

(Translation.)

SOUTH ISLAND. The Hamburg barque "*Catharina*," of 200 tons, Captain C. Rothje; crew, 12; cargo, salt, to the captain. She brings the crew (seven persons) of the Brazilian brig "*Bella Clara*," of 36 tons, who, proceeding to the coast, passed on board the barque, in consequence of risk of foundering, from being leaky; and also the slaves taken by the man-of-war "*Pantaloön*."

Enclosure 3 in No. 176.

Extract from the "Diario" of May 30, 1846.

(Translation.)

JOSE Julão de Cunha Bitencourt, captain of the national schooner "*Bella Clara*," and not brig, as announced in the "*Diario*" of the 27th, neither, as was also said, did she pass slaves on board the English brig "*Pantaloön*," which captured the said schooner, with a legal cargo, which was proved by her manifest, and not as smugglers of slaves, as is said in the "*Diario*" of the 27th; that everybody may know, I make this advertisement: The said captain of the prize who conducted me to Sierra Leone, who came in the barque "*Catharina*" with his men, together with me and one sailor of the said schooner "*Bella Clara*," the moment that he reached here, arranged to make this advertisement for his defence, and immediately embarked in the English packet which was anchored in this port.

No. 177.

Consul Cowper to the Earl of Aberdeen.

Pernambuco, June 2, 1846.

(Received July 10.)

My Lord,

IN conformity with the instructions conveyed to me in your Lordship's circular of the 31st of December, 1843, I have the honour to direct your Lordship's attention to the two accompanying advertisements, extracted from the "Diario de Pernambuco," and to request your instructions as to whether the sale of slaves, thus taken in execution for debt, be legal for British subjects.

It is a common opinion amongst the merchants, that slaves may be received in liquidation of debts; these advertisements contain an advance upon that opinion, inasmuch as they publicly offer those slaves for sale.

I shall feel thankful for your Lordship's early commands upon this subject.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul.**The Right Hon. the Earl of Aberdeen, K.T.*

&c.

&c.

&c.

Enclosure 1 in No. 177.

Extract from the "Diario" of May 12, 1846.

(Translation.)

BEFORE the Sr. Dr. Civil Judge of the second district, they will put up to public auction, the goods of the shop in Mother of God Street, seized in execution by George Kenworthy and Co., against Cento Vianna and Son, and at the same time two slaves seized by the same, which auction will take place on the 13th instant after mid-day, at the door of the said shop. Bidders ought to be there at the day and hour indicated.

Enclosure 2 in No. 177.

Extract from the "Diario" May 16, 1846.

THE auction of goods and slaves announced at the shop in Mother of God Street, seized in execution by Cento Vianna and Son, by George Kenworthy and Co., for the 13th, is transferred by order of the Sr. Dr. Civil Judge of the second district, to to-day the 16th instant, after mid-day, at the said shop.

No. 178.

Consul Cowper to the Earl of Aberdeen.

Pernambuco, June 30, 1846.

(Received September 1.)

My Lord,

I HAVE the honour to enclose to your Lordship my quarterly return of the state of the Slave Trade here.

Your Lordship will find that the traffic has not revived, since I last had the honour to address you upon the subject; there has been but one departure for the

coast, no arrival positively known, although upon the 20th April it was reported to me that a vessel had landed 162 slaves at Guarbú, and was hourly expected here. This report was never confirmed, and there is no vessel fitting out for the coast.

I am unable to offer any observations at present, I have barely time to state these facts; I have therefore to crave your Lordship's indulgence for this hasty despatch.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul*.

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

&c.

&c.

&c.

Enclosure in No. 178.

List of the Departure of Vessels suspected of being employed in Slave Trade, from Pernambuco to the Coasts of Africa, during the Quarter ending June 30, 1846.

Date of Clearance.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	Nation.	To what part of the coast.	Remarks.
June 26 1846	Rio-Ave ..	Jozé Rodrigues Dias	..	Brig ..	165½	Portuguese	St. Thomé ..	51 baricas, 30 caras wine, 448 arrobas, 20 lbs. sugar, 96 pipes, 1728 canadas rum, 411 arrobas tobacco; value rs. 9027 dols. or 996 <i>l.</i> 14 <i>s.</i> 7 <i>d.</i> sterling.

No arrivals. None fitting out.

(Signed) H. AUGUSTUS COWPER, Consul

No. 179.

*Consul Cowper to Viscount Palmerston.**Pernambuco, September 30, 1846.**(Received November 23.)*

My Lord,

I HAVE the honour to enclose to your Lordship my quarterly return of the state of the African Slave Trade with this province; by which your Lordship will observe that the traffic has not revived during this period.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul.**The Right Hon. Viscount Palmerston, G.C.B.*

&c.

&c.

&c.

Enclosure in No. 179.

List of the Departure of Vessels suspected of being employed in Slave Trade, from Pernambuco to the Coasts of Africa, during the Quarter ending September 30, 1846.

Date of Clearance.	Name of Vessel.	Name of Master.	Owner or Consignee.	Rig.	Tonnage.	No. of Crew.	Nation.	To what part of the coast.	Remarks.
Sept. 27 1846	Casualidade	Manuel Igno. Correia.	..	Brig ..	152	14	Brazilian	Loanda ..	46 barrels, 20 istas, 354 arrobas, 25 lbs. sugar, 146 pipes, 8½ demijohns, 24,968 canadas rum, 47½ alqueiras rice, 89½ arrobas tobacco, 4 hds., 336 canadas molasses, 245 tanned half-hides, value 1000l. 6s. 3d. sterling.

Arrivals during the Quarter—None.

NETHERLANDS.

No. 180.

Sir Edward Disbrowe to the Earl of Aberdeen.

The Hague, January 9, 1846.

(Received January 11.)

My Lord,

I HAVE the honour to enclose the copy of a letter which I have received from Her Majesty's Consul at Rotterdam, requesting to be informed whether a British subject can legally purchase negroes in a foreign colony for his own agricultural purposes in said colony, and whether such purpose does in any degree affect his position as a British subject?

Sir James Turing conceives it is desirable for British inhabitants of Surinam to have the matter correctly defined, and I therefore transmit the letter to your Lordship, together with a copy of my reply.

I have, &c.

(Signed) E. DISBROWE.

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

&c.

&c.

&c.

Enclosure 1 in No. 180.

Consul Sir James Turing to Sir Edward Disbrowe.

Sir,

Rotterdam, January 8, 1846.

AT the instance of the proprietor of an estate, situated in the Colony of Surinam, himself residing there, and a born British subject, I have been requested to ascertain whether a British subject can legally purchase negroes in a foreign colony for his own agricultural pursuits in said colony, and whether such purchase does in any degree affect his position as a British subject?

It appears that the question has been mooted in the colony, and although none of the British Slave Commissioners have ever given publicity to any act of Parliament which may have passed on the subject, the question involves such grave consequences to many of the British inhabitants of Surinam, that it is desirable to have the matter correctly defined; I have been, therefore, induced to bring the case under your Excellency's observation, and shall esteem it a great favour if you will enable me to send an early reply to the inquiry.

I have, &c.

(Signed) JAS. TURING.

Sir Edward C. Disbrowe, G.C.H.

&c.

&c.

Enclosure 2 in No. 180.

Sir Edward Disbrowe to Consul Sir James Turing.

Sir,

The Hague, January 9, 1846.

I BEG to acknowledge the receipt of your letter of the 8th of January.

I should have been of opinion that the publication and general notoriety of the Acts of Parliament relative to the trading in, and possession of, slaves, might have satisfied the British subjects resident in Surinam, as to the legality of such proceedings as those to which you refer; still, as the parties concerned deem it necessary that the matter should be correctly defined, I have immediately transmitted a copy of your letter to Her Majesty's Government.

I have, &c.

Sir James Turing, Bart.
 &c. &c.

(Signed)

ED. C. DISBROWE.

No. 181.

The Earl of Aberdeen to Sir Edward Disbrowe.

Sir,

Foreign Office, February 3, 1846.

I HAVE submitted to Her Majesty's Law Officers your despatch marked Slave Trade, of the 9th instant, in which you enclose a letter from Her Majesty's Consul at Rotterdam, requesting to be informed "whether a British subject can legally purchase negroes in a foreign colony, for his own agricultural purposes in said colony, and whether such purchase does in any degree affect his position as a British subject?"

The Law Officers have reported, in reply, that by the statute 6 and 7 Victoria, cap. 98, all the provisions of the Consolidated Slave Trade Act, 5 Geo. IV, cap. 113, are extended to British subjects, wheresoever residing, or being, and whether within the dominions of the British Crown, or of any foreign country, and the offences against the same, with certain exceptions, are to be dealt with and punished accordingly; and it does not appear to the Law Officers that the purchase of negroes as slaves, by a British subject, in a foreign colony, for his own agricultural pursuits in such colony, falls within the exceptions of this Act; and they are therefore of opinion that the purchase in question would be illegal, and render the purchaser liable to the penalties imposed by the statute.

I have therefore to instruct you to return an answer to Sir James Turing, to the above effect.

Sir Edward Disbrowe, G.C.H.
 &c. &c.

I am, &c.

(Signed)

ABERDEEN.

No. 182.

Viscount Palmerston to Sir E. Disbrowe.

Sir,

Foreign Office, August 11, 1846.

I HEREWITH transmit to you copies of three despatches, received in the year 1845 from Mr. Schenley, Her Majesty's Acting Commissary Judge at Surinam, on the subject of certain actions-at-law which were brought against him in the Courts of that colony, by persons who complain of defamation of character, in consequence of certain statements reflecting upon their conduct, contained in Mr. Schenley's reports to his Government having been published in the papers on the Slave Trade, which were presented to Parliament in the year 1844.

It will be seen from these despatches, that General Elias, then Governor-General of Surinam, had interposed his authority to stay the progress of those actions, admitting that Mr. Schenley could not be made answerable in Surinam for reports officially sent in to his Government; and it was in consequence

of this fact having been reported to Her Majesty's Government at the time, and the act of the Governor being considered as conclusive, that no representation upon the subject was then made to the Government of the Hague.

But it now appears, from a letter recently received from Mr. Schenley (at present in England), an extract of which is enclosed, that owing to the suspension of these actions not having been confirmed within a twelvemonth, by the Dutch Government, the suit had been recommenced, and was proceeding without hinderance from the present Governor, Mr. Von Raders; that the judgments in these cases, owing to Mr. Schenley's absence, would go by default, and that Mr. Schenley's property in Surinam would be rendered amenable to the decision of the Courts.

I have to desire that you will represent these facts to the Government of the Hague, and that you will state the just expectations of Her Majesty's Government, that these proceedings will be immediately put an end to, as Her Majesty's Government cannot admit that officers of the British Crown, serving on foreign stations, are to be made personally responsible for reports made by them to the British Government, in the due performance of their duty. If the statements so made were true, the parties implicated by those statements, deserve punishment, and not compensation; and if the statements are untrue, Her Majesty's Government will feel great pleasure in receiving from the Dutch Government convincing and conclusive proofs thereof; and Her Majesty's Government will not fail to give to the exculpation the same publicity which has been given to the charge. If any injury has been done to the individuals accused, which yet remains to be shown, that injury was done by the British Government who published the despatches, and not by Mr. Schenley, who in performance of his duty wrote them.

You will moreover make the Netherland Government aware, that Her Majesty's Government will consider itself entitled to claim from the Government of the Netherlands full compensation for any loss which Mr. Schenley may sustain by reason of this suit.

I am, &c.
(Signed) PALMERSTON.

Sir Edward C. Disbrowe, G.C.H. &c.
&c. &c.

Enclosure in No. 182.

Mr. Schenley to the Earl of Aberdeen.

(Extract.)

Shute House, June 19, 1846.

I RESPECTFULLY beg leave to refer your Lordship to my despatches of last year, concerning the actions for defamation which were commenced against me in the Courts of Surinam, by certain individuals whose names were published, under your Lordship's authority, in the Parliamentary Slave Trade Papers; from despatches bearing my signature, as having perpetrated cruelties against their slaves.

In connection with the above despatches, I now deem it my duty to forward, for your Lordship's consideration, a letter which has just reached me, purporting that the local authorities of Surinam have permitted those actions, and I believe others of a similar nature, to be resumed.

The writer of the letter, my brother-in-law, is a merchant established at Boston, and as such in correspondence with Surinam; the communication is made to his brother, Mr. W. R. Inglis, a gentleman whose name has already been favourably noticed by your Lordship, as Clerk to the Commission; and Dr. Cragin, is an American practising in Surinam, who, despite the threats of the Dutch and English slave-traders, as already reported, continued his professional services to my family up to the moment of my quitting my post, and greatly, I believe, to his own injury.

Several weeks since intimation reached me, through a credible quarter, that the course above stated would be permitted by the present Dutch Governor, Mr. Von Raders (brother to the individual who sold into slavery the British subject John Clever); and that, moreover, any and every description of property belonging to me would be rendered amenable to the decisions of the Courts.

It would be presumptuous in me to offer any comment upon the prejudicial consequences which must result to me as a public officer, if this matter be not speedily and satisfactorily put an end to.

No. 183.

Viscount Palmerston to Sir Edward Disbrowe.

Sir,

Foreign Office, August 13, 1846.

WITH reference to the Earl of Aberdeen's despatch to Mr. Howard, marked Slave Trade, dated the 28th of April, 1845, relating to the condition of the negroes who formed the cargo of a vessel named "*La Légère*," detained by Sir Thomas Cochrane in the year 1823, and who were delivered over by that officer to the Dutch authorities at Surinam, I have to desire that you will inform me of the result of the note which Mr. Howard addressed to the Dutch Minister for Foreign Affairs in consequence of Lord Aberdeen's despatch, and of which a copy was enclosed in Mr. Howard's despatch marked Slave Trade, dated the 2nd of May of last year.

If no satisfactory answer should have been received to the representations already addressed to the Dutch Government, I have to instruct you to remind them of Mr. Howard's note, and to press strongly for a favourable answer.

Sir Edward C. Disbrowe, G.C.H.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 184.

Viscount Palmerston to Sir Edward Disbrowe.

Sir,

Foreign Office, August 13, 1846.

IN the concluding paragraph of a note from M. Dedel to the Earl of Aberdeen, dated the 25th of April, 1845, a copy of which was transmitted to you in his Lordship's despatch marked Slave Trade, dated the 27th of August, 1845, a promise was conveyed that a further communication to Her Majesty's Government would be made by the Dutch Government, relative to the negroes of the "*Snow*," a vessel condemned by the Mixed Commission Court at Surinam, in the year 1821.

In Lord Aberdeen's answer to M. Dedel, dated the 14th of June following, a copy of which was also transmitted to you, his Lordship expressed his acknowledgements to M. Dedel for that promise, at the same time observing that he felt confident that the Government of the Hague would admit the justice of the claim which had been made in behalf of these negroes, for the restoration to them of their families, and for remuneration on account of their forced and long-continued labour. Lord Aberdeen further observed, that it would be doing an injustice to the Dutch Government to suppose that they could consent to reap benefit from wrongs of their own infliction without offering some sort of acknowledgement or compensation to the sufferers.

It does not, however, appear that this promise, made through M. Dedel, has yet been fulfilled; and I have, therefore, to instruct you to bring the subject again under the notice of the Dutch Government, and to press for a favourable and early answer.

Sir Edward C. Disbrowe, G.C.H.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 185.

*Sir Edward Disbrowe to Viscount Palmerston.**The Hague, August 11, 1846.
(Received August 13.)*

My Lord,

I BEG to enclose certain statistical documents, showing the number of slaves born in the Netherland possessions in the West Indies in the year 1845, and the number of slaves who have been manumitted.

I have, &c.

(Signed)

E. C. DISBROWE.

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

Enclosure in No. 185.

*Extract from the "Journal de La Haye."**Documens Statistiques et Commerciaux.*

Etat Civil et des Esclaves.

Pendant l'année 1845 il y a eu à Paramaribo : naissances 260 ; décès 418 ; il est arrivé 188 personnes ; il en est parti 144 ; esclaves manumissés 120.

*Curaçao 1845.**Etat civil :*

Naissances : 448 ; 219 garçons, 229 filles ; 6 jumeaux.
Décès : 242 ; 109 masc., 136 fem. ; 3 morts-nés.
Mariages : 58, par lesquels sont légitimes 46 enfans.
Inscrits : 63 esclaves manumissés.

Esclaves :

Naissances : 141 ; 65 garçons, 76 filles ; 2 jumeaux.
Décès : 97 ; 53 masc., 44 fem.

*Bonaire 1845.**Etat civil :*

Naissances : 42 ; 18 garçons, 24 filles.
Décès : 19 ; 7 masc., 12 fem.
Inscrits : 2 esclaves manumissés.

Esclaves :

Naissances : 34 ; 15 garçons, 19 filles.
Décès : 11 ; 4 masc., 7 fem.

*Aruba 1845.**Etat civil :*

Naissances : 75 ; 34 garçons, 41 filles.
Décès : 26 ; 12 masc., 14 fem. ; 1 mort-né.
Inscrits : 7 esclaves manumissés.

Esclaves :

Naissances : 19 ; 11 garçons, 8 filles.
Décès : 6 ; 4 masc., 2 fem.

Ainsi, pour ces trois îles, l'état civil et les esclaves pris ensemble, le résultat général pour l'année 1845, est comme suit :

Naissances : 759 ; 372 garçons, 387 filles, dont 10 jumeaux.
Décès : 404 ; 189 masc., 215 fem.

Moins qu'en 1844 :

Naissances : 59. Décès : 71.

Commerce et Navigation de Paramaribo, en 1845.

Navires arrivés 136 ; partis 144.

<i>Exportations.</i>	1844.	1845.
Sucre	35,413,280 liv.	29,787,267 liv.
Café	1,958,309 liv.	1,708,479 liv.
Coton	1,112,339 liv.	840,505 liv.
Cacao	72,616 liv.	104,295 liv.
Rhum	30,754 gall.	20,356 gall.
Mélasses	1,073,777 gall.	1,027,133 gall.

Commerce et Navigation de Curaçao et de Bonaïre, 1845.

Navires arrivés de ports d'Europe.	2,	jaugeant	246 tonn.
Idem de l'Amérique Sept.	38,	jaugeant	4,608 tonn.
Idem de l'Amérique Mérid.	256,	jaugeant	13,038 tonn.
Idem des Colonies occident.	256,	jaugeant	12,810 tonn.

	Total général	. 552,	jaugeant	30,702 tonn.
Moins qu'en 1844		. 27,	jaugeant	4,808 tonn.

Exportation de sel, 1845 : de Caraçao	37,201	barils, par	113 nav.
Exportation de sel, 1845 : de Bonaïre	41,102	barils, par	46 nav.

	Total général	. 78,303	barils, par	159 nav.
Moins qu'en 1844		. 83,316	barils, par	8 nav.

Le commerce de Paramaribo a repris de l'activité dans le premier trimestre de 1846. Exportations pour la Hollande : sucre 7,110,513 livres, café 3,040 liv., coton 116,880 liv., cuivre vieux 3,491 liv., arrowroot 5,409 liv., rhum 4,311 gallons, sirop 75 gall., peaux 455 pièces, etc. Pour l'Amérique Septentrionale, mélasses 227,977 gall., cacao 18,030 liv., cuivre vieux 2,120 liv. Pour d'autres destinations : coton 89,230 liv., mélasses 4,766 liv., arrowroot 9 barils, etc.

No. 186.

Sir Edward Disbrowe to Viscount Palmerston.

The Hague, August 18, 1846.
(Received August 23.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatches marked Slave Trade, of the 11th and 13th instant.

I beg to enclose the copy of a note which I have addressed to General de la Sarraz.

I have, &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 186.

*Sir Edward Disbrowe to General de la Sarraz.**The Hague, August 15, 1846.*

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, in conformity with the instructions which he has received, has the honour to draw the attention of his Excellency General de la Sarraz, Minister for Foreign Affairs of His Majesty the King of the Netherlands, to the fact that certain lawsuits have been recommenced before the Courts of Justice, in the colony of Surinam, against Mr. Schenley, Her Britannic Majesty's Commissary Judge at Surinam, by persons who complain of defamation of character, in consequence of certain statements reflecting upon their conduct which are contained in Mr. Schenley's reports to his Government, which reports were presented to the British Parliament by the Government in 1844, and ordered to be printed.

When these lawsuits were commenced, M. Elias, Governor-General of Surinam, very properly, under the circumstances of the case, interposed his authority to stay the progress of these actions, on the perfectly clear ground that Mr. Schenley could not be made answerable at Surinam for official reports addressed to his own Government.

The fact was reported at the time to the British Government; and the act of the Governor-General being considered as conclusive, it was not deemed

necessary to make any representation to the Netherland Government on the subject.

But the British Government have now learnt, with some surprise, from the accompanying extract of a letter from Mr. Schenley, at present in England, that the authorities of Surinam have permitted these legal proceedings to be resumed before the Courts, on the plea that the order for suspending these lawsuits had not been confirmed within the twelve months by the Netherland Government, thus subjecting a British functionary to a lawsuit; and, as sentence will probably be delivered during his absence by default, to the confiscation of all his property in the colony, as a punishment for the performance of his official duty towards his own Government,

The Undersigned is convinced that the Netherland Government will see that it is impossible for the British Government to allow the officers of the British Crown on foreign stations, to be made amenable to the laws of that country where they officially reside, for reports made by them to their own Government, in the due performance of their duty; and the Undersigned cannot entertain a doubt that the Netherland Government will order the present Governor-General, M. Van Rüders, to put a stop to these proceedings.

If the allegations are true, the parties deserve punishment, and not compensation. If they are untrue, the British Government will feel great satisfaction in receiving from the Netherland Government convincing and conclusive proofs of the innocence of the parties, and the Government of His Netherland Majesty may rely upon it, that equal publicity will be given to the exculpation as has been given to the charge.

If any injury has been done to the individuals accused, it is quite clear that the injury was done by the British Government, who published the despatches, and not by Mr. Schenley, who wrote them in the due performance of his official duty.

It is therefore to be regretted that the Governor-General, M. Van Rüders, did not follow the conduct of his predecessor, and exercise his authority in staying proceedings; but as he has not done so, the Undersigned expresses the conviction of his Government that full compensation will be awarded to Mr. Schenley, by the Netherland Government, in case he is subjected to loss or inconvenience by any sentence of the Court; which would be unjust towards Mr. Schenley, since he could neither direct nor prevent the publication of his despatches.

The Undersigned, &c.

(Signed)

E. C. DISBROWE.

His Excellency General de la Sarraz,
 &c. &c.

No. 187.

Sir Edward Disbrowe to Viscount Palmerston.

The Hague, August 20, 1846.

My Lord,

(Received August 23.)

I HAVE already had the honour to acknowledge the receipt of your Lordship's despatches marked Slave Trade, of the 13th instant.

In your despatch of the 13th instant, your Lordship is pleased to direct me, in case no satisfactory answer should have been received to the representation already addressed to the Dutch Government, relating to the condition of the negroes who formed the cargo of "*La Légère*," to remind the Netherland Government of the note presented by Mr. Howard on the 26th April, 1845, as well as the previous notes which I had addressed to the Netherland Government, and to press for a favourable answer.

In your despatch of the 13th instant, your Lordship is equally pleased to direct me to press for an early and favourable reply, on the subject of the negroes of the "*Snow*," whose families had not been restored to them, and to demand a remuneration on account of their forced and long services.

In reply I beg leave to state that, under date of the 29th September, 1845, General de la Sarraz addressed me a note, referring to a reply on both

these points, which M. Dedel had been just instructed to convey to the British Government, a copy of which note of M. de la Sarraz I had the honour to transmit in my despatch, marked "Slave Trade," 1845.

Not being certain whether M. Dedel has or has not fulfilled these instructions, I feel some difficulty in presenting a note to General de la Sarraz, and I hope I shall not do wrong in confining myself to verbal communications until I am honoured with your Lordship's further commands.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

No. 188.

Sir Edward Disbrowe to Viscount Palmerston.

The Hague, September 18, 1846.

(Received September 20.)

My Lord,

GENERAL DE LA SARRAZ having returned to the Hague, I had a conference with his Excellency this morning, on the subject of the negroes of the "Snow" and "Légère," in conformity with the instructions contained in your Lordship's despatch of the 13th instant.

As regards the negroes of the "Snow," I read to his Excellency the points touched on in the note which he addressed to me on the 29th September, 1845, but as this note refers to a written communication from M. Dedel to the Earl of Aberdeen, of which I have no copy, I was compelled to touch on it in general terms, as requiring further elucidation.

The concluding paragraph of the same note relates to the negroes of "La Légère."

I pointed out to his Excellency, that assurances were held out on that occasion that the unfortunate individuals would be emancipated in a few months; and as a year had now elapsed, I requested to be informed, as such information would be agreeable to my Government, what measures had been taken to carry this promise into effect.

His Excellency replied, that he would forthwith address himself on both points to the Colonial Minister, and he hoped to be able to give me a satisfactory reply very shortly.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

No. 189.

Viscount Palmerston to Sir Edward Disbrowe.

Sir,

Foreign Office, October 3, 1846.

I HAVE received your despatch, marked Slave Trade, of the 18th instant, reporting the substance of an interview which you had had with the Netherland Minister for Foreign Affairs, on the subject of the claims made by Her Majesty's Government on that of the Netherlands, on behalf of the negroes the "Légère," for their immediate and unconditional liberation; and on behalf of the negroes of the "Snow," that their families may be restored to them, and that they themselves may receive remuneration for their long and forced labour in Surinam.

With respect to the claims made on behalf of the negroes of the "Snow," you state that "you read to General de la Sarraz the points touched on in the note which he addressed to you on the 29th of September, 1845; but that as that note referred to a written communication from M. Dedel to the Earl of Aberdeen, of which you had no copy, you were compelled to touch on this question, in general terms as requiring further elucidation."

General de la Sarraz, in his note to you of September 29, 1845, stated, that M. Dedel had received instructions, the general purport of which he communicated to you, to reply to the demands of Her Majesty's Government, respecting the negroes of the "*Snow*" and the "*Légère*;" but the only note bearing on this subject, which was received from that Minister subsequent to his note of the 25th of April, 1845, is that of which I herewith enclose you a copy, and which from its date, though hardly from its purport, would appear to be the "*Communication ultérieure*," which General de la Sarraz informed you, was about to be made to Her Majesty's Government by M. Dedel.

You will accordingly no longer delay presenting a note to General de la Sarraz, urging upon him in the strongest manner, the necessity of acceding to the just demands made by Her Majesty's Government, as well with respect to the negroes of the "*Snow*," as to those of the "*Légère*."

You may assure General de la Sarraz, that the acquiescence of his Government in these acts of justice so earnestly pressed upon it by that of Her Majesty, will not fail to be duly appreciated by the Government and people of this country.

I am, &c.
(Signed) PALMERSTON.

Sir Edward C. Disbrowe, G.C.H. &c. &c.

Enclosure in No. 189.

M. Dedel to the Earl of Aberdeen.

Londres, le 6 Octobre, 1845.

LE Soussigné, &c., en se référant à la note que my Lord Comte d'Aberdeen, &c., a bien voulu lui adresser sous la date du 14 Juin dernier, en réponse à celle du Soussigné du 25 Avril de cette année, ainsi qu'aux communications confidentielles qui, durant le dernier séjour de Sa Majesté le Roi des Pays Bas à Londres, eurent lieu entre sa Seigneurie et le Ministre des Colonies à la Haye, relativement aux Affaires de Suriname, a l'honneur par ordre de sa Cour, de confirmer à son Excellence les assurances qui lui furent données en ces occasions; savoir, que d'après les explications susmentionnées, suivant lesquelles il fut convenu qu'on maintiendrait, de part et d'autre, les choses à Suriname dans le *statu quo*, où elles se trouvaient à cette époque, sans que provisoirement il y fut porté le moindre changement, le Gouvernement des Pays Bas, se prêtant à cet égard au désir exprimé par le Gouvernement de Sa Majesté Britannique, renonçait pour le moment à l'idée qu'il avait eue de déplacer le siège de la Cour Mixte établi jusqu'à présent à Suriname, quelque désirable que lui parût d'ailleurs ce déplacement pour la tranquillité présente et future de la colonie.

(Signé) DEDEL.

Le Soussigné, &c. &c. &c.

Son Excellence le Comte d'Aberdeen, K.T.

No. 190.

Sir Edward Disbrowe to Viscount Palmerston.

The Hague, October 15, 1846.
(Received October 18.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, marked Slave Trade, of the 3rd instant, and I beg to enclose the copy of a note which, in accordance with your Lordship's instructions, I have addressed to General de la Sarraz.

I have, &c.
(Signed) E. C. DISBROWE.

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

Enclosure in No. 190.

*Sir Edward Disbrowe to General de la Sarraz.**The Hague, October 14, 1846.*

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, in conformity with his instructions, has the honour of once more drawing the attention of his Excellency General de la Sarraz, Minister for Foreign Affairs of His Majesty the King of the Netherlands, to the fate of the negroes captured on board the "*Snow*" and the "*Légère*." In the middle of last month the Undersigned had the honour of speaking to his Excellency on this subject, and of calling his attention to the different notes which had been addressed to his Department by the British Legation on several occasions; and at the same time, of reading to him the substance of his own note of 29th September, 1845: this note refers to a communication which the late Baron Dedel was to have made to the Earl of Aberdeen, but it does not appear that Baron Dedel ever executed this instruction, although, from his previous communication, the British Government was led to expect that it would shortly receive a favourable reply on the subject under discussion.

The Undersigned therefore takes the liberty of offering a few remarks on the note which General de la Sarraz addressed to him on the 29th September, 1845, which he makes no doubt will be received in the friendly spirit in which they are offered.

General de la Sarraz expresses the opinion, that the negroes taken on board the "*Snow*" are not entitled to any indemnity, because, during the period of their slavery, they received food and clothing, and that when they were sick every care which humanity required was bestowed upon them. The Undersigned is ready to admit, that such was the case; but at the same time he begs leave to ask, in what respect the fate of these individuals differed from the fate of negroes in the employment of the Dutch Government, who were legally slaves? On the other hand, it must be borne in mind, that these negroes had been set free by a Decree of the Mixed Court, composed of British and Dutch functionaries, and were therefore illegally treated as slaves. The question for the consideration of the British and Netherland Government is not, whether they were treated with humanity as slaves, but whether the individuals are not entitled to a distinct compensation, as a satisfaction for their illegal detention. The British Government is decidedly of opinion that they are, and therefore, with whatever reluctance it does so, it feels itself, as one of the parties concerned in the due execution of justice by the Mixed Court, compelled to urge this point once more on the attention of the Netherland Government.

The British Government learns with pleasure, that the "*Administration de Surinam a reçu l'ordre de permettre aux proches parens des nègres sus mentionnés d'aller les rejoindre.*"

It is to be hoped that the Governor-General will put a liberal construction on the order he has received, and that he will not limit the degree of relationship too much on the ground of want of affection on the part of those negroes who had emigrated to Demerara, as it was certainly natural for them, after what had happened, to avail themselves of the first opportunity of escaping from a settlement where they had suffered for so long a time, without being taxed with want of natural affection.

The British Government cannot but see with pleasure and thankfulness the improvement which was announced in September, 1845, as having taken place in the treatment of the negroes of the "*Légère*," and it will be a real satisfaction to the Undersigned, if he is authorized in reply to this note to announce, as these negroes have already passed, "*quelques mois dans cette position transitive,*" that the promised manumission has been conferred upon them, and that they have been placed by the kindness and consideration of the Netherland Government, "*dans la position sociale qui leur est due.*"

The Undersigned fulfils the remainder of his instructions with sincere pleasure, when he assures his Excellency the Minister for Foreign Affairs, that Her Majesty's Government is fully sensible of the value of the steps taken for the liberation of the negroes by the Netherland Government, which it considers to be dictated by a sense of justice triumphing over local difficulties, and that

an acquiescence in these further acts of justice so earnestly pressed upon it by that of Her Britannic Majesty, will not fail to be duly appreciated by the Government and people of Great Britain.

The Undersigned, &c.

(Signed)

E. C. DISBROWE.

His Excellency General de la Sarraz,
 &c. &c. &c.

No. 191.

Viscount Palmerston to Sir Edward Disbrowe.

Sir,

Foreign Office, October 20, 1846.

I HAVE to acquaint you that Mr. Schenley, Her Majesty's Arbitrator in the Mixed Court of Justice established at Surinam under the Treaty for the suppression of the Slave Trade concluded on the 4th of May, 1818, between Great Britain and the Netherlands, is about to return to his post to resume the duties of his office.

I have accordingly to instruct you to notify Mr. Schenley's approaching departure to General de la Sarraz, and to request that proper orders may be given to the authorities of Surinam to receive Mr. Schenley with due courtesy and attention, and to give full and efficient protection both to his person and property during his residence in that colony.

You will at the same time refer General de la Sarraz to the note which you addressed to him on the 15th of August last, relative to actions-at-law brought against Mr. Schenley at Surinam on account of reports made officially by him to Her Majesty's Government; and you will state that Her Majesty's Government demand from that of the Netherlands that the proceedings in question shall be put a stop to; and that neither Mr. Schenley's person or property shall be held liable to any decision which may have been or may be pronounced by the Courts of Surinam upon the actions in question.

I am, &c.

Sir Edward C. Disbrowe, G.C.H.
 &c. &c.

(Signed)

PALMERSTON.

No. 192.

Viscount Palmerston to Sir Edward Disbrowe.

Sir

Foreign Office, October 22, 1846.

I HAVE received your despatch, marked Slave Trade, of the 15th instant, enclosing a copy of a note dated the 4th instant, which, in pursuance of my instructions, you had addressed to the Netherland Minister for Foreign Affairs relative to the claims made by Her Majesty's Government upon that of the Netherlands on behalf of the negroes from the slave-vessels "*Snow*" and "*Légère*;" and I have the satisfaction of acquainting you that I entirely approve of the note in question.

I am, &c.

Sir Edward C. Disbrowe, G.C.H.
 &c. &c.

(Signed)

PALMERSTON.

No. 193.

Sir Edward Disbrowe to Viscount Palmerston.

The Hague, October 27, 1846.

(Received October 29.)

My Lord,

ALMOST simultaneously with the receipt of your Lordship's despatch marked Slave Trade, of the 20th instant, I received the enclosed note from General de la Sarraz, of which I had been in daily expectation for some days.

It did not appear to contain the unqualified protection to the person and property of Mr. Schenley which I was instructed to demand, and as his immediate departure under such circumstances might, on his arrival in Surinam, be attended with unpleasant consequences, and as the note of General de la Sarraz was written before he knew the intention of Mr. Schenley's immediate return, I thought it my duty to reply at once to his note of the 24th October.

I beg to enclose the copy of mine of the 25th, and of his Excellency's answer, which I think leaves no doubt that Mr. Schenley will receive from the Government the protection to which he is so fully entitled.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

Enclosure 1 in No. 193.

General de la Sarraz to Sir Edward Disbrowe.

La Haye, le 24 Octobre, 1846.

LE Soussigné, Ministre des Affaires Etrangères, a eu l'honneur de recevoir la note que Sir Edward Cromwell Disbrowe, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté la Reine de la Grande Bretagne, a bien voulu lui adresser le 15 Août dernier, relativement à des poursuites judiciaires du chef diffamation instituées pardevant le tribunal de Surinam, contre Mr. Schenley.

S'étant empressé de recueillir à cet égard des informations précises du Ministère des Colonies, le Soussigné a l'honneur de présenter à Sir Edward Disbrowe, les communications suivantes. Dans la lettre de Mr. Schenley à Lord Aberdeen, du 14 Août, 1843, il cita quelques exemples de l'état moral de la société à Surinam, et de ce que les nègres ont à souffrir de leurs maîtres impitoyables. Parmi ces exemples il affirme que deux membres du Conseil Colonial s'étaient rendus coupables de révoltantes atrocités. L'un (M. Freudenberg) ayant donné l'ordre d'enchaîner un esclave à l'orifice d'un four; et l'autre (M. Röperhoff) ayant fait appliquer l'horrible punition du "Spanish Buck" à un nègre âgé de plus de cent ans, qui en conséquence était agonisant.

Cette lettre ayant été publiée dans le recueil intitulé "Correspondence with the British Commissioners relating to the Slave Trade, 1843," les individus ainsi exposés entamèrent devant le tribunal de la colonie un procès contre Mr. Schenley, du chef de diffamation.

Mr. Schenley ayant dans cette circonstance réclamé la protection du Gouverneur, celui-ci se prévalut d'un article du règlement constitutif de la colonie, qui l'autorise pour des motifs graves, à suspendre toute poursuite judiciaire jusqu'à ce que le Roi en ait statué la suspension, n'étant dans aucune cas valable au-de là du terme de douze mois.

L'intervention du Gouverneur en faveur de Mr. Schenley fut suivi d'assez près du départ de ce fonctionnaire pour l'Angleterre, d'où l'on avait tout lieu de croire qu'il ne retournerait pas de sitôt; et la mort de M. Freudenberg, un des plaignans, fit supposer que la procédure ne serait dans aucun cas reprise. Ce concours de circonstances fit considérer une décision royale dans ce cas special comme superflue, et on s'abstint, en conséquence, de la provoquer, pour ne pas réveiller inutilement l'impression défavorable qu'une intervention administrative en matière judiciaire ne manque jamais de produire.

Contre toute attente la procédure a été reprise après l'échéance du terme fatal malgré l'absence de Mr. Schenley, et malgré la mort d'un des deux plaignans. Ce qui dépend du Gouverneur, dans les circonstances actuelles, sera cependant mis en œuvre. Le Procureur-Général de la colonie recevra les ordres nécessaires, afin de présenter à la Cour de Surinam des conclusions tendant à ce que ce tribunal se déclare incompétent; et si ces motifs étaient rejetés, le Gouverneur avisera aux moyens les plus propres à intervenir d'une autre manière en faveur de Mr. Schenley, sans que toutefois le cours de la justice puisse désormais être arrêté.

Sir Edward Disbrowe a démontré que Mr. Schenley ne saurait être

amenable devant les tribunaux de la colonie, du chef de communications faites à son Gouvernement et publiées par celui-ci. Le Soussigné fait observer à Sir Edward Disbrowe, que depuis que la lettre de Lord Palmerston à M. l'Envoyé des Pays-Bas à Londres du 3 Novembre, 1840, est connue à Surinam, on y considère les Commissaires Britanniques comme simples particuliers amenables devant les tribunaux de la colonie en tout ce qui ne regarde pas strictement les fonctions judiciaires pour l'exercice desquelles ils sont admis dans la colonie d'après les Traités existant entre les deux Gouvernemens. Cette lettre de Lord Palmerston contient littéralement ce qui suit :

“ The post of British Commissary Judge in the Mixed Court established at Surinam under the Treaty between Great Britain and the Netherlands, for the suppression of the African Slave Trade, is of a judicial and not of diplomatic character and Her Majesty's Government in assigning that post to Mr. Samo, had no intention to exempt him from the jurisdiction of the Courts of law of the country in which he is resident.”

Or, dans le cas dont il s'agit, Mr. Schenley est entièrement sorti du cercle de ses attributions judiciaires, puisque les accusations lancées contre Messrs. Freudenberg et Röperhoff n'avaient aucune relation avec la répression de la Traite.

L'opinion est encore émise par Sir Edward Disbrowe, que les individus incriminés auraient dû fournir les preuves de leur innocence pour être publiées de la même manière que l'accusation.

Le Soussigné regrette de ne pouvoir partager cette manière de voir.

Dans les lettres livrées à la publicité, Mr. Schenley était l'accusateur. En droit et en équité, c'était dès lors à lui de prouver la culpabilité, et non aux accusés de prouver leur innocence. Le Soussigné répète que tout en regrettant qu'un concours de circonstances ne permet plus d'arrêter la procédure civile entamée contre Mr. Schenley, le Département de Colonies a transmis au Gouverneur de Surinam les instructions nécessaires afin d'entrevenir de telle autre manière que le permettront les circonstances du moment et les lois de la colonie.

Le Soussigné, &c.,
Sir Edward Cromwell Disbrowe,
&c. &c.

(Signé) DE LA SARRAZ.

Enclosure 2 in No. 193.

Sir Edward Disbrowe to General de la Sarraz.

The Hague, October 25, 1846.

PREVIOUSLY to the reception of the note of his Excellency General de la Sarraz, of the 24th October, the Undersigned had received the orders of his Court to inform his Excellency General de la Sarraz, of the immediate departure of Mr. Schenley from England, with the intention of resuming his functions as Commissary Judge of the Mixed Court at Surinam, and as the Undersigned had, as long ago as the 15th of last August, declared that the British Government took upon itself the responsibility of the publication of Mr. Schenley's letters, he is further instructed to declare the expectations of the British Government that proper orders should be given to the authorities at Surinam to receive Mr. Schenley with the courtesy and attention due to his situation, and to give efficient protection both to his person and property during his residence in the colony. And, moreover, the Undersigned is further directed to state, that Her Majesty's Government expects to learn that all the proceedings before the Courts have been put a stop to, and that neither Mr. Schenley's person or property shall be held liable to any decision which may have been, or may be pronounced by the Courts of Surinam upon the actions in question.

In this view of the case, the Undersigned might simply content himself with transmitting the note of the 24th August to London, and fulfilling the instructions above recited, but as the immediate departure of Mr. Schenley will not admit of any loss of time, the Undersigned begs leave to offer a few

remarks for the consideration of his Excellency, on his note of the 24th October.

General de la Sarraz, after showing the injury done to certain gentlemen by the publication of Mr. Schenley's letters, states that this publication took place dans un recueil intitulé "Correspondence with the British Commissioners relating to the Slave Trade, 1843." If his Excellency had had the goodness to cite the whole title of the work, instead of confining himself to this extract, he would have found that the papers "were presented to both Houses of Parliament by command of Her Majesty," and printed in London, a fact which completely exonerates Mr. Schenley from all responsibility as to the publication, and upsets the jurisdiction of the Court. It is difficult to believe that the fact was not known from the first to the tribunals of Surinam, and it would have been natural to suppose that the tribunal would, in consequence, have declared its own incompetency; at all events, the Governor of that colony must have been informed of it by Mr. Schenley.

There can be no doubt that the British Government will be always ready to show any deference to the independence of the Court of Justice, wherever it can be justly claimed, and at the same time it will be ready to give due consideration to the embarrassments of the Netherland Government in treating this question, embarrassments which are partly due to the delay in confirming in due time the decision of the Governor of Surinam; but it must be borne in mind that the British Government has also a duty to perform in protecting its own agents, and from the moment the British Government takes upon itself the responsibility of the publication, it follows as a matter of necessity, that the responsibility of that agent ceases—it becomes a question of Government to Government—and the jurisdiction of the tribunal falls to the ground, if, indeed, it ever had any jurisdiction in this case.

It is therefore with infinite regret that the Undersigned, in doing justice to the intentions of the Netherland Government, learns, from the note of General de la Sarraz, that the protection which the Netherlands Government proposes to afford Mr. Schenley is not efficient; he earnestly requests that, the responsibility of the British Government being admitted, he may receive an assurance that both the person and property of Mr. Schenley shall be efficiently respected during his residence in the colony. The Undersigned admits that Lord Palmerston's note of 3rd November, 1840, equally applies to Mr. Schenley as to Mr. Samo; the Undersigned claims, however, no diplomatic character for Mr. Schenley, nor "any exception in ordinary cases from the jurisdiction of the Courts of Law;" but this affords no reason for his being prosecuted for a document bearing on the very title a proof of his innocence, and of the fact having taken place beyond the jurisdiction of the Court of Surinam; but the Undersigned now repeats, that he claims an irresponsibility for Mr. Schenley by taking that responsibility on the British Government.

Whilst, therefore, the Netherland Government will naturally deal with its courts of law in the manner required by its Constitution, the Undersigned trusts that he shall be authorized to declare that it will afford to Mr. Schenley that protection to which, under circumstances, he is fully entitled by the law of nations.

The Undersigned, &c.

(Signed)

E. C. DISBROWE.

His Excellency General de la Sarraz,
&c.

&c.

Enclosure 3 in No. 193.

General de la Sarraz to Sir Edward Disbrowe.

La Haye, le 26 Octobre, 1846.

LE Soussigné, Ministre des Affaires Etrangères, a eu l'honneur de recevoir la note que Sir Edward Cromwell Disbrowe, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, a bien voulu lui adresser en date de hier, pour présenter quelques remarques relativement à celle qu'il lui avait fait parvenir le 24 de ce mois, par rapport à l'affaire de Mr. Schenley. S'étant

empressé de consulter le Ministre des Colonies, le Soussigné croit ne pouvoir mieux répondre à ces remarques qu'en communiquant à Sir Edward en substance, ce que son collègue avait déjà écrit à cet égard à Monsieur le Gouverneur de Surinam.

On a d'abord fait observer à ce haut fonctionnaire, que les relations amicales entre les Pays Bas et la Grande Bretagne exigent que, quant aux poursuites instituées derechef par M. Röperhoff contre Mr. Schenley, il soit fait tout ce qui entre dans le pouvoir du Gouvernement, sans entraver le cours de la justice. Bien qu'il n'est pas connu si Mr. Schenley se fera représenter, il est cependant probable que non, le Gouvernement Britannique ayant émis l'opinion que dans ce cas il n'est responsable qu'envers lui. Si l'état de la procédure le permet, le Procureur-Général devra être chargé de se constituer partie dans cette affaire, en qualité de mandataire du Gouvernement, et de prendre une conclusion tendant à ce que le tribunal se considère comme incompétent à juger un fonctionnaire étranger par rapport aux devoirs remplis à l'égard de son Gouvernement; conclusion qui pourra être corroborée par la considération que la publication des rapports de Mr. Schenley ayant eu lieu par ordre du Parlement, celle-ci ne saurait dès-lors lui être imputée.

Dans le cas que le tribunal rejetât cette exception, ou qu'il fût prononcé contre Mr. Schenley une condamnation quelconque, dont il pourra être interjeté appel pardevant la Haute Cour, cet appel devra être déclaré et poursuivi.

Le département susdit a ajouté, que comme Mr. Schenley pourrait par suite de la citation lancée contre lui, retourner à Surinam, il a été expressément enjoint à M. le Gouverneur de le protéger contre toutes les poursuites ou attaques auxquelles il pourrait être en butte.

Le Soussigné, qui se flatte que ces mesures paraîtront satisfaisantes au Gouvernement Britannique, et que Sir E. Disbrowe y verra la preuve qu'il a été par anticipation obtempéré à la demande exprimée à la fin de sa note, terminera cette réponse par le vœu que le Gouvernement Britannique voudra bien intervenir de manière à ce que ces ordres puissent avoir eu un commencement d'exécution avant l'arrivée de Mr. Schenley à Surinam.

Il profite, &c.

Sir E. C. Disbrowe,
&c. &c.

(Signé)

DE LA SARRAZ.

No. 194.

Viscount Palmerston to Sir Edward Disbrowe.

Sir,

Foreign Office, November 15, 1846.

I HAVE received your despatch, marked Slave Trade, dated the 27th ultimo, enclosing copies of your recent correspondence with the Dutch Minister for Foreign Affairs, on the subject of the actions which have been recommended against Mr. Schenley at Surinam; and I have to instruct you to convey to the Government of the Netherlands the acknowledgments of Her Majesty's Government, for the steps which they have taken to put a stop to these actions, and to protect Mr. Schenley against any other proceedings or hostile attacks to which he might be exposed, on his approaching return to his post at Surinam.

I take this opportunity of informing you that Mr. Schenley has received two months further leave of absence.

I am, &c.

Sir Edward C. Disbrowe, G.C.H.
&c. &c.

(Signed)

PALMERSTON.

No. 195.

*Sir Edward Disbrowe to Viscount Palmerston.**The Hague, November 24, 1846.**(Received November 26.)*

My Lord,

ON the 24th October I received from General de la Sarraz the note of which I have the honour to enclose a copy.

The note, as your Lordship will perceive, grants full liberty to the negroes of the "*Légère*," but with regard to those of the "*Snow*," M. de la Sarraz refers me to his preceding communication of the 29th September, 1845. I availed myself on the following day of an opportunity which offered of remonstrating with the Minister of Foreign Affairs on the tenor of this reply, which, as I showed, amounted merely to this, that as the rations of slaves had been distributed to the negroes during the period that they were worked as slaves, such food was to be considered as an indemnity for an illegal and unjust detention of twenty years.

That I was quite certain such an interpretation could never be maintained, and that I felt it my duty to point out all the circumstances of the case to him, and to add my conviction that as the negroes had been set at liberty by the Mixed Commission, it would not be possible for Her Majesty's Government to allow the matter to rest there.

His Excellency, after some further conversation, offered to call on the Government to reconsider the decision, and requested me in consequence to delay the transmission of this note, in order to allow him time to consult with his colleagues.

On the 20th instant I received the annexed note, by which your Lordship will perceive that the King of the Netherlands has directed the Minister of the Colonies to distribute the sum of 12,500 florins among the negroes, as some indemnity for their sufferings.

I hope that, under the circumstances of the case, your Lordship will not disapprove of my having detained the note of the 24th October till this period.

I have &c.

(Signed) E. C. DISBROWE.

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

&c.

&c.

&c.

Enclosure 1 in No. 195.

*General de la Sarraz to Sir Edward Disbrowe.**La Haye, le 24 Octobre, 1846.*

LE Soussigné, Ministre des Affaires Etrangères, a eu l'honneur de recevoir la note que Sir Edward Cromwell Disbrowe, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, a bien voulu lui adresser le 14 de ce mois, par rapport aux nègres provenant des navires the "*Snow*" et "*La Légère*," et les proches parens des premiers.

Ayant consulté le Département des Colonies, le Soussigné doit se permettre, au sujet de l'indemnité réclamée en faveur des nègres du "*Snow*," de se référer à sa réponse du 29 Septembre, 1845, en tant qu'elle fait connaître pour quels motifs cette indemnité devra se borner à une permission pour les parens abandonnés des nègres du "*Snow*," d'aller les rejoindre à Demerary.

Il lui est du reste agréable de pouvoir ajouter que des ordres précis ont été envoyés au Gouvernement de Surinam de délivrer sans retard des lettres de manumission, non seulement aux susdits parens des nègres du "*Snow*," moyennant lesquelles la dite permission leur sera assurée, mais aussi aux nègres de "*La Légère*" et à tous les nègres connus sous le noms d'ouvriers libres du Gouvernement, la certitude ayant été obtenue, que l'impression causée par la mise en liberté des nègres du "*Snow*," et leur départ pour Demerary, n'avait plus laissé des traces.

Aussitôt que le Département des Colonies aura reçu l'avis de l'exécution de ces ordres par suite desquels l'on se flatte que l'affaire pourra être considérée comme terminée, le Soussigné aura soin d'en prévenir la Légation Britannique. En attendant il profite, &c.

Sir Edward Cromwell Disbrowe, G.C.H. (Signé)
 &c. &c.

DE LA SARRAZ.

Enclosure 2 in No. 195.

General de la Sarraz to Sir Edward Disbrowe.

La Haye, le 19 Novembre, 1846.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de porter à la connaissance de Sir Edward Cromwell Disbrowe, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, que par suite de la proposition dont il a été dans le cas de l'entretenir verbalement, il y a peu de jours, le Roi son auguste maître vient d'autoriser le Ministre des Colonies de faire payer, pour le compte de la Colonie de Surinam, une somme de 12,500 florins au profit des nègres du navire the "Snow." D'après une évaluation moyenne, cette somme a été jugée équivaloir le salaire revenant aux dits nègres pour leurs travaux, déduction faite des frais de leurs nourriture, habillement, &c.

Le Soussigné aime à croire que cette décision royale pourra mettre un terme réciproquement satisfaisante à la correspondance dont ces individus ont été l'objet.

Il profite, &c.

(Signé)

DE LA SARRAZ.

Sir Edward Cromwell Disbrowe, G.C.H.
 &c. &c.

No. 196.

M. Schimmelpenninck to Viscount Palmerston.

Londres, le 30 Novembre, 1846.

LE Soussigné, Ministre des Pays Bas, a l'honneur de porter à la connaissance de son Excellence Monsieur le Vicomte Palmerston, Principal Secrétaire d'Etat de Sa Majesté Britannique pour le Département des Affaires Etrangères, que le Gouvernement des Pays Bas désirant donner suite à l'arrêté du Roi, par lequel Sa Majesté a daigné autoriser son Ministre des Colonies à déboursier la somme de 12,500 florins des Pays Bas en faveur des nègres provenant du navire le "Snow," vient de donner ordre au Soussigné de solliciter la coopération du Gouvernement de Sa Majesté Britannique, afin que cette exécution puisse avoir lieu sans délai.

Le Gouvernement de Sa Majesté Britannique répondrait à ces intentions en se chargeant de faire payer dans la Colonie de Demerara aux titulaires mentionnés dans la liste ci-jointe (qui contient la totalité de ces individus), la somme que Sa Majesté le Roi des Pays Bas leur a destinée comme dédommagement, et en voulant autoriser un des employés coloniaux à désigner par le Gouvernement de Sa Majesté Britannique à tirer de Demerara pour le remboursement du montant des lettres de change nécessaires sur le Ministre des Colonies à la Haye, à trente jours de date, tout honneur étant réservé à ces traites.

Le Gouvernement des Pays Bas a exprimé dans la liste nominative susmentionnée le pied sur lequel il croit que la répartition de la somme pourrait se faire avec le plus de justice entre les titulaires, à raison des services rendus par eux durant les années pendant lesquelles ils ont été employés; il désirerait, à moins que le Gouvernement Britannique n'y voye quelque obstacle, que les proportions indiquées fussent gardées lors de la bonification.

Le Soussigné, se fondant sur l'obligeance reconnue de M. le Vicomte Palmerston, ne doute pas que son Excellence ne veuille accéder au désir du

CLASS B.

Gouvernement des Pays Bas, afin d'assurer à la mesure prise par Sa Majesté le Roi, une exécution qui ne saurait qu'être agréable au Gouvernement de Sa Majesté Britannique.

Le Soussigné saisit, &c.

Son Excellence Monsieur le Vicomte
&c. &c. &c.

(Signé)

SCHIMMELPENNINCK.

Enclosure in No. 196.

Liste nominative des nègres provenant du navire négrier "*The Snow*," qui ont droit à une rémunération pour leurs services à Suriname pendant vingt ans, savoir :

Hommes.

1. Socrates.
2. Nero.
3. Mars.
4. Solon.
5. Otto.
6. Caron.
7. Alexandria.
8. Cromwell.
9. Pieter.

Calculant la rémunération à 50 fl. par an, en sus de leur entretien, &c., il revient à chacun pour vingt années 1000 fl., et par conséquent à neuf individus 9000 fl.

Femmes.

1. Vesta.
2. Proserpine.
3. Helena.
4. Antonia
5. Flora.
6. Elizabeth.
7. Marianne

Calculant comme ci-dessus à 25 fl. par an, il revient à chacune pour vingt années 500 fl. et par conséquent à sept individus 3500 fl.
plus . . . 9000.

ensemble . . . 12,500

No. 197.

Viscount Palmerston to Sir Edward Disbrowe.

Sir,

Foreign Office, December 7, 1846.

I HAVE received your despatch, marked Slave Trade, of the 24th ultimo, enclosing a copy of a note dated the 24th of the preceding month, from General de la Sarraz, stating that the Netherland Government could not grant a pecuniary indemnity to the negroes of the "*Snow*," for their forced labour in Surinam; but that precise orders had been sent to the Governor of Surinam, to deliver letters of manumission to their relatives, who would be permitted to join their families in Demerara. General de la Sarraz further stated that letters of manumission would also be delivered to the negroes of the "*Légère*," and to the whole class of negroes denominated Government free labourers. And he added, that he would in due time acquaint you with the execution of the orders issued on these subjects.

You report the steps which on the receipt of that note you took, to induce the Dutch Government to reconsider the determination relative to the grant of

pecuniary indemnity to the negroes of the "*Snow*," in consequence of which they took the more just and liberal decision communicated to you by General de la Sarraz, in his note of the 19th of November, a copy of which you also enclose, and granted the sum of 12,500 florins for distribution among the negroes in question.

I entirely approve of the zeal and discretion which you have shown in bringing this matter to so satisfactory a conclusion; and I have to desire that you will present a note to General de la Sarraz, expressing the great satisfaction with which Her Majesty's Government have learnt the acquiescence of the Government of His Netherland Majesty in the measures so earnestly pressed upon it by that of Her Majesty, on behalf of the negroes above referred to. And you will express the confident hope of Her Majesty's Government that the orders issued to the Governor of Surinam, respecting those negroes, will be promptly carried into effect, in the same spirit of humanity and justice in which they have been framed.

Sir Edward C. Disbrowe, G.C.H.
 &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 198.

Sir Edward Disbrowe to Viscount Palmerston.

The Hague, December 4, 1846.
(Received December 7.)

My Lord,

THE Minister of the Colonies, as well as General de la Sarraz, have drawn my attention to an article in the Dutch newspapers, stating that Mr. Schenley had been condemned by the Courts at Surinam in July last. Their purpose in doing so was to add, that the series of despatches from the Governor of Surinam go down to the middle of September, that they in no way allude to the affair, and that, notwithstanding the details entered into by the public prints, they believe the report to be unfounded.

I have engaged their Excellencies to be kind enough to communicate to me any intelligence which they may receive on the subject.

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

No. 199.

Viscount Palmerston to M. Schimmelpenninck.

Foreign Office, December 11, 1846.

THE Undersigned, &c., had the honour to receive the note addressed to him, on the 30th ultimo, by M. Schimmelpenninck, &c., announcing that the Government of the King of the Netherlands had come to the decision of granting the sum of 12,500 florins for distribution amongst the survivors of the negroes of the slave-vessel "*Snow*," in consideration of the labour performed by them in Surinam during a period of 20 years.

Her Majesty's Government has learned, with great satisfaction, this just and liberal determination of the Netherland Government; and Her Majesty's Minister at the Hague has been instructed to convey to the Netherland Government the acknowledgments of Her Majesty's Government thereupon. The Undersigned has, therefore, only to acquaint M. Schimmelpenninck, for the information of his Government, that orders will be issued to the Governor of Demerara to draw upon the Colonial Minister at the Hague, in the manner proposed by M. Schimmelpenninck, for the sum granted to the negroes in question, to be distributed, in accordance with the wishes of the Netherland Government, amongst those persons.

The Undersigned, &c.
M. Schimmelpenninck,
 &c. &c.

(Signed) PALMERSTON.

No. 200.

Sir Edward Disbrowe to Viscount Palmerston.

My Lord,

The Hague, December 12, 1846.
(Received December 16.)

I FEEL great satisfaction in acknowledging the receipt of your Lordship's despatch, marked Slave Trade, of the 7th instant, and I beg to enclose the copy of a note which I have, in consequence, addressed to his Excellency General de la Sarraz.

I have, &c.

(Signed)

E. C. DISBROWE.

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

&c.

&c.

&c.

Enclosure in No. 200.

Sir Edward Disbrowe to General de la Sarraz.

Monsieur le General,

The Hague, December 12, 1846.

I BEG to inform your Excellency that I transmitted to my Government the copies of the two notes which you were kind enough to address to me on the subject of the negroes taken on board the "*Snow*" and the "*Légère*," and I have great satisfaction in adding, that I have been instructed by Lord Palmerston to convey to your Excellency the thanks of the British Government for the grant of 12,500 florins as an indemnity to the negroes of the "*Snow*" as well as for the acquiescence in other measures suggested by the British Government relative to those negroes.

It is with the greatest satisfaction that I fulfil these instructions, in the full conviction that the Governor of Surinam will have carried into effect without any further delay the orders he has received in the same spirit of humanity and justice in which they have been framed.

I beg leave to renew, &c.

(Signed)

E. C. DISBROWE.

His Excellency General de la Sarraz,

&c.

&c.

SWEDEN.

No. 201.

Mr. Gordon to the Earl of Aberdeen.

Stockholm, February 27, 1846.

(Received March 9.)

My Lord.

I HAVE the honour to inform your Lordship that the Brazilian Consul-General in this capital has published, in the official newspaper for the 21st instant, the protest of the Brazilian Minister of Foreign Affairs, Senhor Antonio Paulino Limpo d'Abreu, dated Rio de Janeiro, October 22nd, 1845, "Contre l'Acte du Parlement Britannique, sanctionné le 8 Août de l'année courante, qui déclare les navires Brésiliens s'employant à la Traite justiciables du Haut Tribunal de l'Amirauté et de tout autre Tribunal de Vice-Amirauté dans les domaines de Sa Majesté Britannique."

I have, &c.

(Signed)

G. J. R. GORDON.

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

&c.

&c.

&c.

No. 202.

Mr. Gordon to the Earl of Aberdeen.

Stockholm March 26, 1846.

(Received April 6.)

My Lord,

WITH reference to Sir Thomas Cartwright's despatch of October 18, 1844, and my despatches of April 22nd and 26th of last year, relating to the proposal of the Swedish Government afterwards sanctioned by the late Diet, for the emancipation of slaves in the Island of Saint Bartholomew, I have the honour to enclose herewith a translation which has appeared in the public journals here during the present week, of the actual transmission to the Governor of the above colony of the necessary orders and authority for carrying into effect this philanthropical measure by which the sum of 10,000 Spanish dollars yearly, for the space of three years, is placed at that functionary's disposal for the purpose in question.

I have, &c.

(Signed)

G. J. R. GORDON.

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

&c.

&c.

&c.

Enclosure in No. 202.

Extract from the "Postock Insikes Tidniugar" Newspaper of March 24, 1846.

THE SLAVES AT ST. BARTHOLOMEW'S.

(Translation.)

THE King has informed the Governor of the island of His Majesty's decision on the question of the emancipation of the slaves. From the proposition which His Majesty made during the last Diet to the States, they gathered that there was a choice between two alternatives: the one to effect at once the emancipation of all the slaves—the number of whom at the time when the Governor's report was given in was calculated at 595, but at the census of 1842 was found to have gone down to 531; for the emancipation of the former number there was required a sum of 97,320 Spanish dollars, and it was considered that this sum should undergo no reduction on account of the said diminution of the number of slaves, because means were also required for assisting the emancipated slaves in establishing themselves, and for taking care of the children and those incapable of work. The other alternative proposed the gradual purchase of the slaves at a low price; it was supposed that in this manner the emancipation would be completed at the shortest in five years, and that a sum of 10,000 Spanish dollars in each of those five years would be sufficient for that purchase.

It was made known to the States at the same time, that the emancipation of the slaves at St. Bartholomew's, could not according to existing treaties and laws, be effected on any other condition than that of giving full compensation to the owners. In their choice between these two alternatives, the States decided upon the latter, not only for the sake of economy, but also because it was to be supposed that a gradual emancipation would less disturb the present state of things, than the simultaneous emancipation of all the slaves, when many of them would fall into idleness and vagabondage; wherefore also the States proposed to His Majesty that the condition might be adopted in the emancipation, that those slaves should be first considered who could themselves contribute to it by their own savings; and the States granted 10,000 piastres annually, to be paid out of the Trade and Navigation Fund, "*Handel och Sjöfasts Fouden*," during three years, or until the next Diet was enabled to ascertain whether that sum should be increased, diminished, or continued unchanged.

The King having required the opinion of the "*Konvoy Kommissariat*," and having thereby ascertained that the "*Kommissariat*" considered itself able to pay the sums in question by way of advance during the present year, and for the future, His Majesty has determined that the said sum shall be placed by the "*Kommissariat*" at the disposal of the Governor of St. Bartholomew's during three years, to be used by him in the gradual emancipation of the slaves in the island, taking care that women and children, and also men who can themselves assist in their own emancipation should have the preference; and the Governor is bound to give in quarterly a special account to the head of the Finance Department.

URUGUAY.

No. 203.

*Mr. Turner to the Earl of Aberdeen.**Monte Video, April 17, 1846.
(Received June 8.)*

My Lord,

WITH reference to your Lordship's despatch, marked Slave Trade, of the 9th of September last, relative to a Tuscan pass, said to have been granted at Monte Video to a slave-vessel met with by Captain Wyvill, of Her Majesty's ship "Cleopatra," I have the honour to enclose to your Lordship a copy of a letter which I addressed to Don Antonio Nin, the Consul for Lucca at Monte Video, and a copy and translation of his reply.

I have little doubt that the pass to which your Lordship's despatch relates is the same as that referred to in Don Antonio Nin's letter, as having never been returned to his Consulate, although the period for which it had been granted had long since expired.

I have, &c.

(Signed)

ADOLPHUS TURNER.

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

&c.

&c.

&c.

Enclosure 1 in No. 203.

Mr. Turner to Don Antonio Nin.

Sir,

Monte Video, March 14, 1846.

I HAVE some reason to apprehend, from the contents of a despatch which I have received from Her Majesty's Government, that the flag of Lucca has been employed on the east coast of Africa, for the purpose of carrying on the Slave Trade with Brazil, under a pass and patent granted at your Consulate. I feel convinced that you will readily afford me every assistance in investigating this matter, and take such measures as may be in your power to prevent in future any abuses being made of papers granted by you; I have no hesitation, therefore, in requesting that you will be so good as to furnish me with all the information which you may possess, respecting the circumstances connected with the granting of licences which you may have issued to vessels to sail under the flag of Lucca.

I have, &c.

(Signed)

ADOLPHUS TURNER.

Senhor Don Antonio Nin,

&c.

&c.

Enclosure 2 in No. 203.

Don Antonio Nin to Mr. Turner.

(Translation.)

Sir,

Monte Video, March 17, 1846.

I HAVE the honour to reply to the note dated the 14th instant, which the Chargé d'Affaires has addressed to me, in virtue of despatches which he has received from Her Majesty's Government, in which he states, that he has reason to apprehend that the flag of Lucca has been employed on the east coast of Africa, with the object of carrying on the Slave Trade with Brazil, under a pass given and guaranteed at this Consulate.

This information has surprised me, and I hasten to give to the Chargé d'Affaires an explanation upon a subject so new to me, as Consul for Lucca in this capital.

Not only have the provisional licences which I had granted to the subjects of Lucca, owners of vessels, in conformity with instructions from the Government of His Royal Highness, been withdrawn by me, under instructions from the Regio Department, but from the 2nd July, 1844, I have not granted more, neither will I grant any until I receive fresh instructions from my Government; and I have to observe to the Chargé d'Affaires, that at the dates at which I did grant licences, those licences extended only to these rivers and to Brazil, with an obligation to continue the voyage direct to the port of the Duchy (Viareggio), and I have never authorised, nor guaranteed, any documents for an illicit and criminal traffic like that of the Slave Trade, a circumstance which makes the present matter more painful to me at this moment, and I can only account for the case in question by supposing a criminal abuse by the captain of the Provisional Licence, which paper may perhaps be that which has not been returned to this Consulate belonging to the brig "*Paquete de Monte Video*," which sailed from this port on the 24th of October, 1843, for Viareggio, a port in the Duchy, via Rio de Janeiro, with a provisional pass, valid only for four months, the time fixed for the vessel to reach its destination, and to avoid abuses which might be intended by captains and masters, who (as this did not appear to me a sufficient guarantee) were required to give a bond for the good use of the flag; and this was done with the vessel in question.

In the confidence inspired by these precautions I reposed, believing that as the vessel had not returned to this port, it had continued its voyage to its destination, Viareggio; and I consequently imagined that there did not exist any licence of this Consulate in navigation, having thus fulfilled the instructions of my Government by withdrawing, as I have stated, all the licences that were in navigation in the River Plate.

In concluding the present note, I protest to the Chargé, d'Affaires that I will employ all the means in my power to avoid, in future, the necessity for any further correspondence upon a subject to me of so delicate a nature.

I have, &c.

Adolphus Turner, Esq.
 &c. &c.

(Signed) ANTONIO NIN.