



Center *for* Research Libraries
GLOBAL RESOURCES NETWORK

The Center for Research Libraries scans to provide digital delivery of its holdings. In some cases problems with the quality of the original document or microfilm reproduction may result in a lower quality scan, but it will be legible. In some cases pages may be damaged or missing. Files include OCR (machine searchable text) when the quality of the scan and the language or format of the text allows.

If preferred, you may request a loan by contacting Center for Research Libraries through your Interlibrary Loan Office.

Rights and usage

Materials digitized by the Center for Research Libraries are intended for the personal educational and research use of students, scholars, and other researchers of the CRL member community. Copyrighted images and texts may not be reproduced, displayed, distributed, broadcast, or downloaded for other purposes without the expressed, written permission of the copyright owner.

Center for Research Libraries

Identifier: bf0f2bf7-b4fd-4c38-94c0-3f0bdd871f9c

Range: Scans 001 - 086

Downloaded on: 2022-05-21 14:27:48

Class C.

CORRESPONDENCE

ON

THE SLAVE TRADE

WITH

FOREIGN POWERS,

PARTIES TO TREATIES AND CONVENTIONS,

UNDER WHICH

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

From January 1 to December 31, 1846, inclusive.

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

LONDON:
PRINTED BY T. R. HARRISON.

Class C.—1846.

LIST OF PAPERS.

AUSTRIA.

No.	Date. 1846	Receipt. 1846	SUBJECT.	Page
1 Mr. Magenis to the Earl of Aberdeen ..	Feb. 12	Feb. 19	Proposed accession of Belgium, Hanover, and Greece, to the Treaty of December 20, 1841	1

PRUSSIA.

	1846	1846		
2 The Earl of Westmorland to the Earl of Aberdeen	Jan. 14	Jan. 20	Proposed accession of Belgium, Hanover, and Greece, to the Treaty of December 20, 1841	3
3 The Earl of Westmorland to the Earl of Aberdeen	Jan. 28	Feb. 4	Proposed accession of Belgium, Hanover, and Greece, to the Treaty of December 20, 1841	3

RUSSIA.

	1846	1846		
4 Mr. Bloomfield to the Earl of Aberdeen .. One Enclosure	Jan. 19	Feb. 4	Proposed accession of Hanover, and Greece, to the Treaty of December 20, 1841	5
5 Mr. Bloomfield to the Earl of Aberdeen .. Two Enclosures	Feb. 2	Feb. 16	Ditto	6

FRANCE.

	1846	1846		
6 Lord Cowley to the Earl of Aberdeen ..	Jan. 26	Jan. 28	Proposed accession of Belgium, Hanover, and Greece, to the Treaty of December 20, 1841	9
7 Count Ste. Aulaire to the Earl of Aberdeen .. One Enclosure	Feb. 7	Feb. 8	Convention of May 29, 1845. Delivering up of warrants. Documents proving nationality of British merchant-vessels ..	9
8 The Earl of Aberdeen to Lord Cowley .. Six Enclosures	Feb. 10	..	Views of the Hanse Towns with respect to the Convention of May 29, 1845	10
9 Count Ste. Aulaire to the Earl of Aberdeen ..	Mar. 5	Mar. 6	Visit of French vessel "Chateaubriand" by Her Majesty's ship "Sappho" outside of the limits of the right of search ..	11
10 The Earl of Aberdeen to Lord Cowley .. One Enclosure	Mar. 17	..	Modification of Equipment Article of the Convention with Hanse Towns	11

LIST OF PAPERS.

No.	Date. 1846	Receipt. 1846	SUBJECT.	Page
11	Count Ste. Aulaire to the Earl of Aberdeen ..	Mar. 18	Mar. 19	Preparation of instructions for the French squadron under the new Convention 13
12	Lord Cowley to the Earl of Aberdeen ..	Mar. 23	Mar. 25	Views of the Hanse Towns on the Convention of May 29 .. 13
13	The Earl of Aberdeen to Count Ste. Aulaire	Apr. 2	..	Visit of "Chateaubriand" by Her Majesty's ship "Sappho" .. 13
14	The Earl of Aberdeen to Lord Cowley .. Three Enclosures	Apr. 3	..	Slave Trade in the Gaboon .. 14
15	Count Ste. Aulaire to the Earl of Aberdeen .. Nine Enclosures	Apr. 11	Apr. 13	Treaties concluded by the French with Native Chiefs on the West Coast 15
16	Lord Cowley to the Earl of Aberdeen .. One Enclosure	Apr. 13	Apr. 16	Slave Trade in the Gaboon .. 25
17	The Earl of Aberdeen to Count Ste. Aulaire	Apr. 28	..	Documents proving nationality of British merchant-vessels .. 25
18	The Earl of Aberdeen to Count Ste. Aulaire	Apr. 30	..	Acknowledges note of April 11. Treaties with Native Chiefs .. 26
19	Count Ste. Aulaire to the Earl of Aberdeen .. Two Enclosures	May 19	May 20	Complaint against Captain Bosanquet of Her Majesty's ship "Alert." Gaboon 27
20	The Earl of Aberdeen to Count Ste. Aulaire	June 27	..	Rights of the French in the Gaboon 31
21	The Earl of Aberdeen to Lord William Hervey .. Ten Enclosures	June 27	..	Convention of May 29, 1845. Correspondence between British and French senior officers on the West Coast 33
22	The Earl of Aberdeen to Lord William Hervey .. One Enclosure	June 27	..	Complaint of French Government against Captain Bosanquet's proceedings in the Gaboon 40
23	Lord Cowley to the Earl of Aberdeen ..	July 6	July 8	Slave Trade in the Gaboon .. 41
24	Viscount Palmerston to Count Jarnac ..	Aug. 11	..	Slaves shipped in 1843 by the British vessel "Sampson" at the Comoro Islands 41
25	Count Jarnac to Viscount Palmerston ..	Aug. 14	Aug. 17	Ditto 42
26	Viscount Palmerston to the Marquis of Normanby .. Two Enclosures	Sep. 2	..	Negro eunuch slaves carried to Tangier in a French steamer of war 42
27	Viscount Palmerston to Count Jarnac ..	Oct. 12	..	Visit of "Chateaubriand" by Her Majesty's ship "Sappho" .. 42
28	Viscount Palmerston to the Marquis of Normanby .. One Enclosure	Oct. 16	..	French flag employed in Slave Trade on the East Coast .. 43
29	The Marquis of Normanby to Viscount Palmerston .. One Enclosure	Oct. 30	Nov. 1	French flag employed in Slave Trade on the East Coast .. 44
30	Viscount Palmerston to Count Jarnac .. One Enclosure	Nov. 4	..	Slave Trade at Algiers .. 45
31	Count Jarnac to Viscount Palmerston ..	Nov. 5	Nov. 7	Ditto 45
32	Count Jarnac to Viscount Palmerston .. One Enclosure	Nov. 14	Nov. 16	Ditto 46
33	Viscount Palmerston to the Marquis of Normanby .. Three Enclosures	Nov. 23	..	French National schooner "Souris" visited by Her Majesty's ship "Ferret" .. 46
34	Viscount Palmerston to Count Jarnac ..	Nov. 27	..	Slave Trade at Algiers .. 48
35	Viscount Palmerston to the Marquis of Normanby .. One Enclosure	Dec. 7	..	2000 slaves beheaded by the Chief of Lagos 48
36	The Marquis of Normanby to Viscount Palmerston ..	Dec. 10	Dec. 13	Ditto 49
37	Count Ste. Aulaire to Viscount Palmerston .. Two Enclosures	Dec. 10	Dec. 13	Slaves shipped in 1843 by the British vessel "Sampson," at the Comoro Islands 50
38	Viscount Palmerston to Count Ste. Aulaire ..	Dec. 16	..	Ditto 52

DENMARK.

39	Count Reventlow to the Earl of Aberdeen ..	1846 April 7	1846 April 8	Penal Law against Slave Trade projected by Denmark .. 53
40	The Earl of Aberdeen to Count Reventlow ..	May 21	..	Ditto 53

SARDINIA.

No.	Date.	Receipt.	SUBJECT.	Page
	1845	1846		
41	Mr. Abercromby to the Earl of Aberdeen .. One Enclosure	Dec. 29	Jan. 4	Case of the "Sansone" .. 55
		1846		
42	Mr. Abercromby to the Earl of Aberdeen ..	Feb. 14	Feb. 22	Case of the "Sommariva" .. 56
43	Mr. Abercromby to the Earl of Aberdeen .. One Enclosure	Feb. 19	Feb. 28	Ditto. Vessel and crew acquitted 56
44	Mr. Abercromby to the Earl of Aberdeen ..	April 11	April 19	Case of the "Sansone" .. 59
45	The Earl of Aberdeen to Mr. Bingham .. One Enclosure	June 24	..	Ditto 59

TUSCANY.

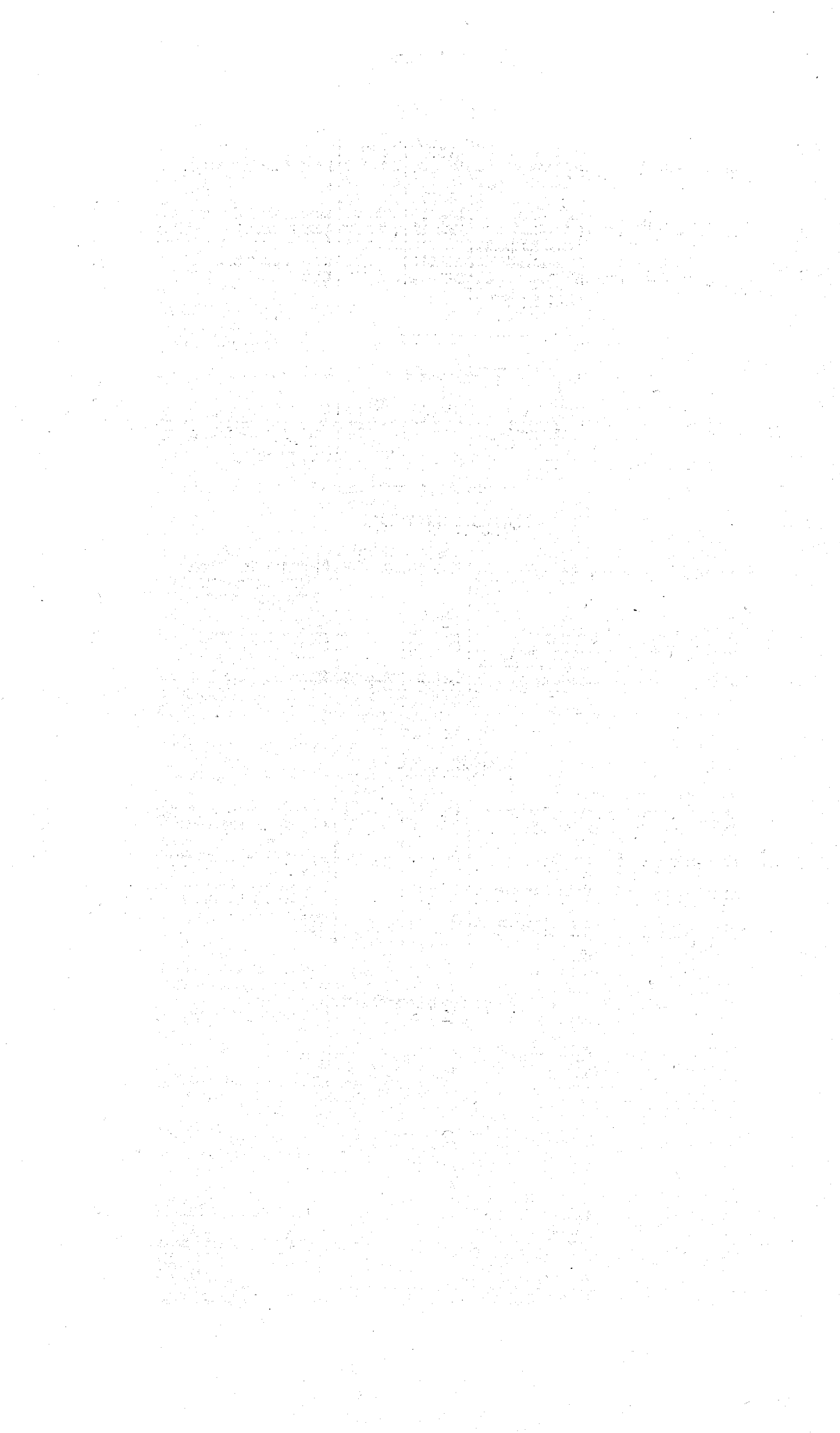
	1845	1846	
46	The Earl of Aberdeen to Sir G. Hamilton .. One Enclosure	June 30	.. Tuscan pass granted to a slave- vessel by the Tuscan Consul at Monte Video 61

HANSE TOWNS.

	1845	1846	
47	Mr. Colquhoun to the Earl of Aberdeen .. One Enclosure	Dec. 31	Jan. 3 Modifications required by the Hanse Towns to the Slave Trade Conventions 63
		1846	
48	The Earl of Aberdeen to Mr. Colquhoun ..	Feb. 9	.. Ditto 68
49	The Earl of Aberdeen to Colonel Hodges .. Six Enclosures	Mar. 20	.. Ditto 71
50	Mr. Colquhoun to the Earl of Aberdeen ..	May 26	May 27 Ditto 73

VENEZUELA.

	1846	1846	
51	Mr. Belford Wilson to the Earl of Aberdeen ..	Jan. 19	Feb. 21 Fund for manumission of slaves 77
52	Mr. Belford Wilson to the Earl of Aberdeen ..	June 12	July 21 Law against importation of slaves not passed 77
53	Mr. Belford Wilson to the Earl of Aberdeen ..	June 13	July 21 Report of slaves manumitted in 1845 78
54	Viscount Palmerston to Mr. Belford Wilson ..	Aug. 13	.. Non-enactment of law against importation of slaves .. 79
55	Mr. Belford Wilson to Viscount Palmerston ..	Oct. 8	Nov. 21 Ditto 79



Class C.

CORRESPONDENCE

WITH

FOREIGN POWERS.

AUSTRIA.

No. 1.

Mr. Magenis to the Earl of Aberdeen.

Vienna, February 12, 1846.

(Received February 19.)

My Lord,

I LOST no time upon the receipt of your Lordship's despatch, marked Slave Trade, of the 30th of December, last, in addressing to Prince Metternich a note, informing him that Her Majesty's Government had deemed it advisable not to delay any longer giving effect to Article XVII of the Treaty for the final abolition of the Slave Trade, ratified on the 19th of February, 1842, between Great Britain, Austria, Prussia, and Russia, and had, in consequence, instructed Her Majesty's Ministers in Belgium, Greece, and Hanover, to invite the Governments of those countries to become partners to that compact; and I requested the Imperial Government, in accordance with the engagement contracted in the above-mentioned Treaty, to instruct the Austrian Representatives at those Courts to support Her Majesty's Ministers, and to make a similar invitation on behalf of their Government.

I have not as yet received a written answer; but I have been assured by Baron Ottenfels, to whose department of the Chancery of State affairs of that nature belong, that instructions have already been forwarded to the Austrian Representatives in Belgium and Greece, to invite the Governments of those countries to accede to the Treaty above mentioned, and that similar instructions to the Austrian Representative in Hanover have only been delayed until they have ascertained precisely whether such an invitation should be addressed directly to the Government of Hanover, or whether, as a member of the Germanic Confederation, it ought not to pass through the Diet at Frankfort.

I have, &c.

(Signed)

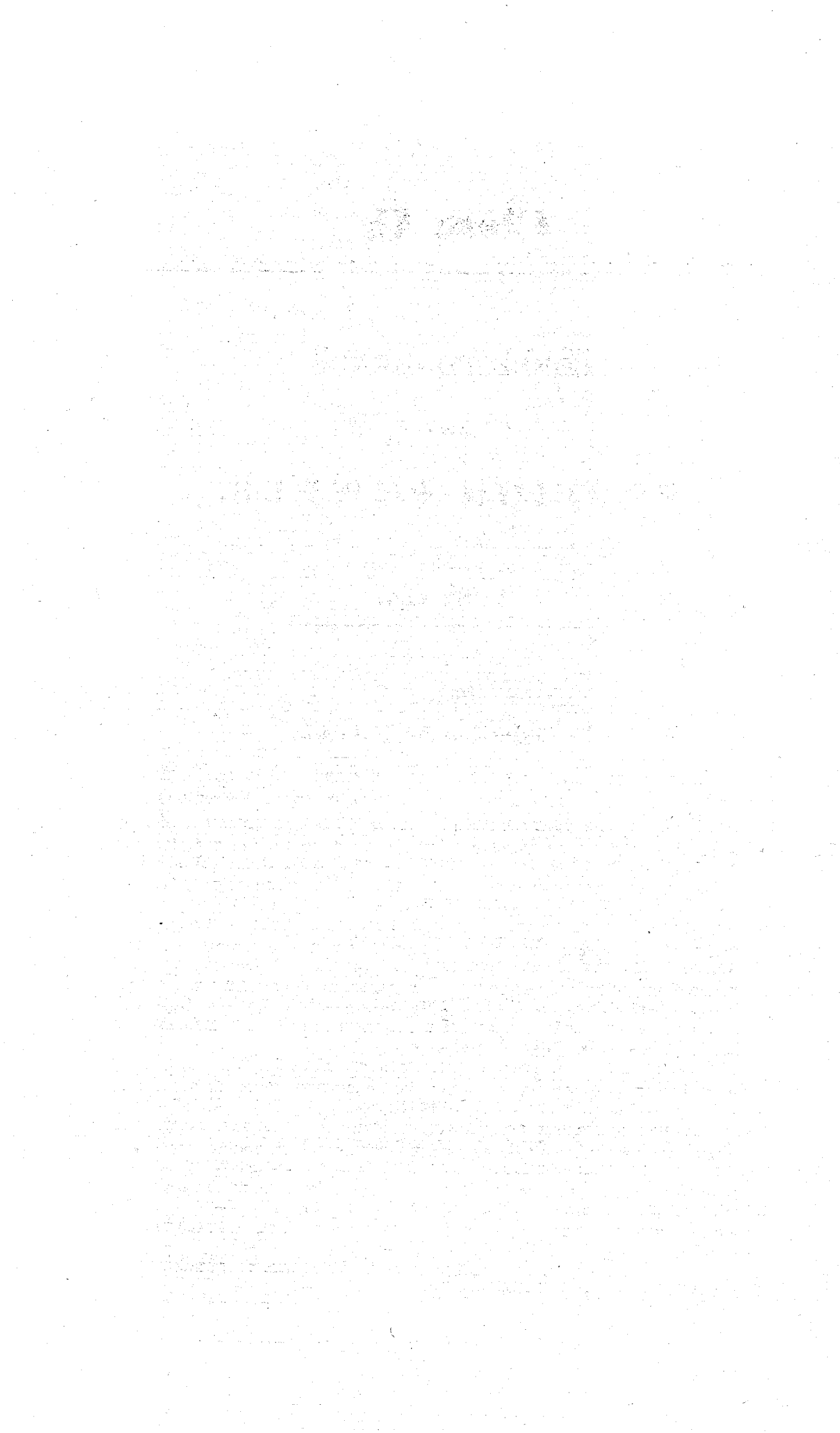
ARTHUR C. MAGENIS.

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

&c.

&c.

&c.



PRUSSIA.

No. 2.

The Earl of Westmorland to the Earl of Aberdeen.

Berlin, January 14, 1846.

(Received January 20.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch marked Slave Trade, of the 30th ultimo, enclosing a copy of an instruction addressed to Her Majesty's Ministers at the Courts of Brussels, Athens, and Hanover, directing them to move the Governments to which they are accredited to join in the invitation to the Maritime Powers of Europe who have not yet concluded Treaties for the abolition of the Slave Trade, to accede to the Treaty ratified in London, between Great Britain, Austria, Prussia, and Russia, on the 19th of February, 1842.

I have communicated the substance of this despatch to Baron Canitz, who has assured me of his readiness to conform to your Lordship's desires, as therein expressed.

I have, &c.

(Signed)

WESTMORLAND.

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

&c.

&c.

&c.

No. 3.

The Earl of Westmorland to the Earl of Aberdeen.

Berlin, January 28, 1846.

(Received February 4.)

My Lord,

IN reference to the assurances of General Canitz, that he was ready to conform to your Lordship's desires, with respect to an invitation to the Cabinets of Belgium, Hanover, and Greece, to accede to the Treaty for the abolition of the Slave Trade, which I reported to your Lordship in my despatch marked Slave Trade, of the 14th instant, I have now to state, that the necessary directions towards the attainment of that object, have been forwarded to the Prussian Ministers at those Courts, and that Baron Canitz entertains from them the expectation of a favourable result.

I have, &c.

(Signed)

WESTMORLAND.

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

&c.

&c.

&c.

RUSSIA.

No. 4.

The Hon. J. Bloomfield to the Earl of Aberdeen.

St. Petersburg, January 19, 1846.

(Received February 4.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch marked Slave Trade, of the 30th ultimo, with its several enclosures.

In conformity with your Lordship's instructions, I have this day addressed a note to Count Woronzow Daschkaw, calling the attention of the Russian Government to the stipulations of Article XVII of the Treaty for the final abolition of the Slave Trade, ratified on the 19th of February, 1842, between Great Britain, Austria, Prussia, and Russia, and have the honour to enclose a copy of the same herewith.

I have, &c.

(Signed)

J. A. D. BLOOMFIELD.

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

&c.

&c.

&c.

Enclosure in No. 4.

The Hon. J. Bloomfield to Count Woronzow Daschkaw.

St. Petersburg, January 7th, 1846.

THE Undersigned, &c., has the honour to acquaint his Excellency Count Woronzow Daschkaw, that he has been instructed to call the attention of the Imperial Government to Article XVII of the Treaty for the final abolition of the Slave Trade, ratified on the 19th of February, 1842, between Great Britain, Austria, Prussia, and Russia, by which the High Contracting Parties agree to invite the Maritime Powers of Europe which have not yet concluded treaties for the same object, to accede to that compact.

Her Majesty's Government are not aware that up to this time any step has been taken by the Russian Government in fulfilment of the above engagement. They are, however, of opinion that this should not longer be delayed, in as much as the cause of the abolition of the Slave Trade may be materially furthered, and a beneficial influence exercised upon public opinion out of Europe, by showing to the world that there is not, in this quarter of the globe, a single Christian State whose flag is known upon the seas, that has not openly and formally condemned the traffic, and, so far as lies in its power, guarded that flag from being abused for the protection of the lawless men who embark in the Slave Trade.

With this view a despatch has been addressed to Her Majesty's Ministers in Belgium, Greece, and Hanover, of which the Undersigned has the honour to communicate a copy to the Imperial Government, and to request that the Representatives of Russia at the Courts of Greece and Hanover be directed, in accordance with the engagement above referred to, to join in inviting the Governments to which they are accredited, to become parties to the Treaty ratified in 1842.

The Undersigned, &c.

(Signed)

J. A. D. BLOOMFIELD.

His Excellency Count Woronzow Daschkaw,

&c.

&c.

&c.

The Hon. J. Bloomfield to the Earl of Aberdeen.

St. Petersburg, February 2, 1846.

(Received February 16.)

My Lord,

WITH reference to your Lordship's despatch Slave Trade, of the 30th December*, I have the honour to transmit herewith the copy of a note which I have received from Count Woronzow Daschkaw, acquainting me that instructions have been forwarded to the Russian Ministers at Hanover and Athens, to invite the Governments to which they are accredited to become parties to the Treaty of 1842 for the suppression of the Slave Trade.

Your Lordship will perceive that the Imperial Government attribute their not having hitherto acted in accordance with Article XVII of the above Treaty, to their desire to allow Her Majesty's Government to take the initiative in the question.

I have therefore thought it advisable to address a note to Count Woronzow Daschkaw, of which a copy is enclosed, acknowledging his Excellency's communication.

I have, &c.

(Signed)

J. A. D. BLOOMFIELD.

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

&c.

&c.

&c.

Enclosure 1 in No. 5.

Count Woronzow Daschkaw to the Hon. J. Bloomfield.

St. Pétersbourg, le $\frac{1}{31}$ Janvier, 1846.

LE Soussigné a reçu, et s'est empressé de porter à la connaissance de l'Empereur, la note que Mr. Bloomfield, &c., a bien voulu lui adresser le $\frac{7}{19}$ Janvier, à l'effet d'inviter le Cabinet Impérial à donner suite à l'Article XVII du Traité conclu à Londres le $\frac{8}{20}$ Décembre, 1841, pour la répression finale de la Traite des Noirs.

Les Hautes Parties Contractantes étant convenues par l'Article précité, d'inviter à accéder à cette transaction, les Puissances Maritimes d'Europe qui n'ont pas encore conclu de traité pour le même objet, le Cabinet de Sa Majesté Britannique a pensé que le moment est venu où cette invitation pourrait être adressée au Gouvernement de Hanovre et à celui de Grèce.

Fidèle à ses engagements, Sa Majesté l'Empereur s'est empressé de souscrire à la proposition du Cabinet Britannique, et, sur le rapport du Soussigné, il a fait munir ses Représentans à Hanovre et à Athènes, des directions nécessaires pour les mettre à même de s'acquitter auprès de ces deux Cours des démarches prévues par l'Article XVII du Traité de 1841.

Ainsi que l'observe Mr. Bloomfield, aucune démarche de cette nature n'a eu lieu jusqu'à présent de la part du Cabinet Impérial. Ce n'est pas toutefois qu'il ait perdu de vue l'engagement contracté. Persuadé, au contraire, que toute démarche isolée aurait été aussi opposée à l'esprit de l'Article XVII qu'au but des Hautes Puissances Contractantes, le Cabinet Impérial a eu à cœur de réserver au Ministère Britannique l'initiative de cette question, ainsi que le choix du moment où il jugerait à propos d'y donner suite. Il aime à croire que les justes égards que dans cette circonstance spéciale il a voués aux convenances du Cabinet Britannique ne seront pas moins appréciés par lui, qu'ils ne l'ont été, à la haute satisfaction de l'Empereur, dans des questions plus graves auxquelles la signature du Traité du $\frac{8}{20}$ Décembre a donné lieu.

En priant Monsieur l'Envoyé de vouloir bien porter cette note à la connaissance de sa Cour, le Soussigné, &c.

(Signé)

CTE. WORONZOW DASCHKAW.

The Hon. J. A. D. Bloomfield,

&c.

&c.

Enclosure 2 in No. 5.

The Hon. J. Bloomfield to Count Woronzow Daschkaw.

St. Petersburg, ^{February 2,} 1846.
_{January 21,}

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which his Excellency Count Woronzow Daschkaw addressed to him on the $\frac{19}{31}$ ultimo, acquainting him that His Majesty the Emperor had been pleased to direct that instructions should be forwarded to his Ministers at Hanover and Athens, to invite the Governments to which they are accredited, to become parties to the Treaty of 1842, for the suppression of the Slave Trade.

The Undersigned has this day forwarded to the Earl of Aberdeen a copy of Count Woronzow Daschkaw's note, and he feels assured that Her Majesty's Government will learn with the highest satisfaction the early attention which has been given to this subject; and that they will fully appreciate the spirit which has animated the Emperor on this occasion, and the deference which His Imperial Majesty has shown to the Queen's Government, in leaving to them the choice of the moment which they might consider the most opportune for carrying into effect Article XVII of the Treaty in question.

The Undersigned, &c.

(Signed)

J. A. D. BLOOMFIELD.

His Excellency Count Woronzow Daschkaw,
&c. &c. &c.

FRANCE.

No. 6.

*Lord Cowley to the Earl of Aberdeen.**Paris, January 26, 1846.**(Received January 28.)*

My Lord,

I HAVE communicated to M. Guizot, your Lordship's despatch marked Slave Trade, of the 30th ultimo, together with those addressed to Her Majesty's Ministers in Belgium, Greece, and Hanover, with a view to invite those Powers to become acceding parties to the Treaty ratified in London on the 19th of February, 1842, between the Crowns of Great Britain, Austria, Prussia, and Russia, for the abolition of the Slave Trade.

The Minister for Foreign Affairs informed me that he had already been apprized by Count Jarnac, of the overtures made by Her Majesty's Government to the above Powers, and that he had instructed the French Chargé d'Affaires in London to assure your Lordship that no obstacle would be opposed by the Government of France to the accession of those Powers to the Treaty in question.

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

I have, &c.
 (Signed) COWLEY.

No. 7.

*Count Ste. Aulaire to the Earl of Aberdeen.**Londres, le 7 Février, 1846.**(Received February 8.)*

My Lord,

LA note que votre Excellence a adressée à l'Ambassade du Roi le 19 Décembre dernier, et les instructions annexées de l'Amirauté Britannique au Commodore Jones, en date du 15 Décembre, ont été transmises immédiatement au Gouvernement du Roi, comme M. de Jarnac l'a annoncé à votre Excellence le 26 Décembre. Je suis chargé de la prévenir aujourd'hui, que M. le Ministre de la Marine de France, sans partager entièrement les vues du Gouvernement Britannique sur le mode proposé pour la restitution des mandats, a néanmoins adressé aux commandans des croisières Françaises des instructions analogues à celles de l'Amirauté Britannique. Les anciens mandats seront donc transmis à Paris par ceux de nos croiseurs qui en seraient encore munis, et seront restitués au Gouvernement Britannique par l'entremise de mon Ambassade. Il reste d'ailleurs entendu, que tous les mandats de cette nature doivent demeurer réciproquement sans valeur à dater du 6 Mars prochain.

L'Ambassade du Roi a également transmis à Paris les exemplaires des papiers de bord du commerce Britannique qui lui avaient été communiqués à cet effet par votre Excellence. Les différences qui existent entre ces papiers et ceux du commerce Français ont frappé le Gouvernement du Roi, qui désirerait voir établir une certaine identité entre les formalités à remplir respectivement par les deux marines marchandes. Il paraîtrait, my Lord, que,

CLASS C.

si les papiers de bord Anglais peuvent jusqu'à un certain point tenir lieu de l'acte de francisation et de congé de nos bâtimens, ils ne suppléent en aucune façon au rôle d'équipage que nos navires seront également tenus de produire. J'ai l'honneur de joindre à cette note l'extrait d'une lettre que M. le Ministre de la Marine a adressée sur ce point à M. le Ministre des Affaires Etrangères, et je serais fort obligé à votre Excellence si elle me mettait en mesure de faire connaître au Gouvernement du Roi par quels motifs l'Amirauté Anglaise ne jugerait point nécessaire la production d'un document analogue à nos rôles d'équipage, pour établir la nationalité des navires marchands Anglais.

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

Veillez recevoir, &c.

(Signé) STE. AULAIRE.

Enclosure in No. 7.

Extract of Letter from the Minister of Marine.

22 Janvier, 1846.

JE remarque que le Gouvernement Anglais mentionne comme devant être exclusivement destiné à constater la nationalité des navires de sa Marine Marchande, le certificat dont le modèle nous a été communiqué. Je me suis reporté à ce modèle, et j'y vois que d'après sa teneur il peut être considéré comme tenant lieu de deux des trois pièces, que, de leur côté, nos navires auront à exhiber pour justifier de leur qualité de Français; savoir, l'acte de francisation et le congé. Quant à la troisième des pièces dont nos bâtimens doivent être munis, savoir le rôle d'équipage, les instructions du Gouvernement Anglais ne paraissent pas admettre que les navires de cette nation aient à la produire pour la justification de leur nationalité. Il me semble qu'il devrait y avoir, sous ce rapport, identité de formalités pour les deux pavillons, et je prie votre Excellence de vouloir bien faire rechercher par notre Ambassadeur à Londres, s'il y a quelque motif pour que cette différence fût établie.

No. 8.

The Earl of Aberdeen to Lord Cowley.

My Lord,

Foreign Office, February 10, 1846.

I TRANSMIT to your Excellency herewith, for your information, and for communication to M. Guizot, copies of a correspondence, as noted in the margin, which I have held with Mr. Colquhoun, Agent and Consul-General from the Hanse Towns, on the subject for the Convention between Great Britain, France, and the Hanse Towns, of the 9th of June, 1837, relating to the Slave Trade.

This correspondence, as your Excellency will observe, has arisen out of the view which the Senate of the Hanse Towns have taken of their position with respect to the engagement recently entered into by Great Britain and France for the more effectual suppression of the Slave Trade.

I also enclose, for your Excellency's information, copies of two despatches from M. Guizot to the Count de Jarnac, dated the 24th of July and 14th of October last, with reference to the same object. These despatches were communicated to me by the Count de Jarnac.

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

I am, &c.
 (Signed) ABERDEEN.

Enclosures in No. 8.

1. *Mr. Colquhoun to the Earl of Aberdeen, July 18, 1845.*
 2. *The Earl of Aberdeen to Mr. Colquhoun, October 22, 1845.*
[See Class C, 1845, presented 1846, Nos. 359 and 367, pp. 171 and 177.]
 3. *Mr. Colquhoun to the Earl of Aberdeen, December 31, 1845.*
 4. *The Earl of Aberdeen to Mr. Colquhoun, February 9, 1846.*
[See Nos. 47 and 48, pp. 63, 68.]
 5. *M. Guizot to Count Jarnac, July 24, 1845.*
 6. *M. Guizot to Count Jarnac, October 14, 1845.*
[See Class C, 1845, presented 1846, Nos. 152 and 171, pp. 74 and 83.]
-

No. 9.

Count Ste. Aulaire to the Earl of Aberdeen.

Londres, le 5 Mars, 1846.

My Lord,

(Received March 6.)

D'APRES un rapport adressé à M. le Ministre de la Marine, il résulte qu'un navire de commerce Français, "*le Chateaubriand*," Capitaine Hardy, du port de Nantes, revenant de Bourbon en France et se trouvant par 33° 12' de latitude méridionale, et 32° 30' de longitude est, aurait été abordé et sommé d'exhiber ses papiers par le navire de guerre de Sa Majesté Britannique "*le Sappho*." Le commandant de ce bâtiment était porteur d'un mandat qui l'autorisait, aux termes des Conventions de 1831 et de 1833, à visiter les bâtimens Français; mais votre Excellence reconnaîtra sans doute qu'il ne pouvait user de ce droit dans les parages où il a rencontré "*le Chateaubriand*" puisque, aux termes de l'Article I de la Convention de 1831, le droit de visite réciproque ne peut être exercé au-delà du Cap de Bonne Espérance, que dans une zone de vingt lieues autour de l'Île de Madagascar.

Un paragraphe de cet Article autorise, il est vrai, le croiseur qui aurait aperçu un bâtiment qu'il croit suspect dans l'intérieur de ces limites, à le visiter au-delà, pourvu qu'il l'ait poursuivi sans le perdre de vue; mais il n'est guère probable que "*le Chateaubriand*" se soit trouvé dans l'hypothèse à laquelle s'applique ce paragraphe. Ce navire, parti de Bourbon le 24 Octobre et se trouvant le 5 Novembre dans le voisinage du Cap, avait évidemment fait route directement pour la France et n'avait pas approché de l'Île de Madagascar. S'il s'était, du reste, trouvé dans ce cas, l'officier qui a procédé à la visite n'aurait sans doute pas manqué de le constater sur les registres du bord.

Je suis chargé par mon Gouvernement, my Lord, de signaler ces faits à l'attention de votre Excellence, et je la prie de vouloir bien me faire connaître le résultat de l'examen auquel ils pourront donner lieu.

Veuillez recevoir, &c.

Son Excellence Lord Aberdeen

(Signé) STE. AULAIRE.

&c. &c. &c.

No. 10.

The Earl of Aberdeen to Lord Cowley.

My Lord,

Foreign Office, March 17, 1846.

WITH reference to my correspondence with the Agent and Consul-General of the Hanse Towns, of which copies were enclosed in my despatch marked Slave Trade, dated the 10th ultimo, I transmit to your Excellency herewith the draft of the instructions which I am preparing to send to the Lords Commissioners of the Admiralty, in order to carry into effect the modification of

certain provisions of the Equipment Article of the Convention with the Hanse Towns, to which Her Majesty's Government have assented, as signified in that correspondence.

Your Excellency will communicate to M. Guizot this draft of instruction, in addition to the former papers transmitted to your Excellency on the 10th ultimo.

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

I am, &c.
 (Signed) ABERDEEN.

Enclosure in No. 10.

Draft to be addressed to the Secretary to the Admiralty.

Sir,

Foreign Office, March, 1846.

I AM directed by the Earl of Aberdeen to acquaint you, for the information of the Lords Commissioners of the Admiralty, that the Senate of the Hanse Towns having expressed a desire that certain modifications should be adopted in the Instructions to Cruizers annexed to the Convention between Great Britain and France, and the Hanse Towns, signed on the 9th of June, 1837, for the suppression of the Slave Trade, Her Majesty's Government have to a limited extent assented to the desire so expressed.

The points upon which Her Majesty's Government have acceded to the wishes of the Hanse Towns, relate to the provisions of the 2nd, 5th, and 8th Sections of the 6th Article of the Convention between Great Britain and France, of 1831, embodied in the Convention with the Hanse Towns of 1837.

Upon these points, in consideration of the fact that the vessels of the Hanse Towns are frequently employed in the conveyance of emigrants, Her Majesty's Government have agreed that a supplementary instruction shall be issued to the commanders of Her Majesty's cruizers to the following effect, viz.

That if there shall be found on board a merchant-vessel of the Hanse Towns a supply of water more than sufficient for the consumption of her crew, as a merchant-vessel, or if she should be found to have more divisions or bulk heads than is necessary for vessels carrying merchandise, or a larger cooking apparatus than would be required for the use of her crew only, these circumstances alone shall not be considered as a sufficient motive to authorize the seizure and detention of the said vessel, provided the papers with which she is furnished are in all respects regular, and provided that the master shall produce a certificate from the custom-house of the place from which he cleared outwards, stating that a sufficient security has been given by the owners of such vessel, that the above-mentioned articles shall be used only for the purpose of enabling the vessel to convey emigrants.

Moreover, in order to obviate an objection which has been urged on the part of the Hanse Towns that the clauses in the Equipment Article of the Convention go literally much farther than the object by the employment of the words "or on board," and "having on board," since, if literally interpreted, they would extend even to the cargo, Her Majesty's Government have agreed that instructions shall likewise be issued to Her Majesty's cruizers, directing them to consider those clauses in the same sense, and as meaning no more than the corresponding clauses in the Treaties with the Netherlands and Spain, and other countries, in which the words "or on board," &c., are not introduced.

I am to request that you will communicate to the Lords Commissioners of the Admiralty the above-mentioned decision, and move their Lordships to issue instructions to Her Majesty's naval officers employed in the suppression of the Slave Trade in accordance therewith.

No. 11.

Count Ste. Aulaire to the Earl of Aberdeen.

Londres, le 18 Mars, 1846.

(Received March 19.)

My Lord,

LE Gouvernement du Roi prépare en ce moment les instructions de M. l'Amiral Montagnès de la Roque, Commandant de l'escadre qui doit être envoyée sur la côte d'Afrique en exécution de la Convention du 29 Mai dernier.

Comme base de ce travail, le Gouvernement du Roi désirerait consulter 1° les instructions adressées en 1827, par la Conférence de Londres, aux Commandans des Forcés Navales stationnées sur la côte de Grèce; et 2° le rapport des Avocats de la Couronne sur plusieurs questions qui se rattachent à l'exécution du Traité du 29 Mai.

Je suis chargé, en conséquence, my Lord, de solliciter de votre obligeance la communication de ces pièces, qui permettrait à mon Gouvernement d'agir dans le même sens que le Gouvernement de Sa Majesté Britannique.

De son côté, le Gouvernement du Roi s'empressera de faire parvenir au Gouvernement de Sa Majesté Britannique, son projet d'instructions, aussitôt que le Ministère de la Marine sera en mesure d'en arrêter la rédaction.

Veuillez recevoir, &c.

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

(Signé) STE. AULAIRE.

No. 12.

Lord Cowley to the Earl of Aberdeen.

Paris, March 23, 1846.

(Received March 25.)

My Lord,

WITH reference to your Lordship's despatch of the 17th instant, marked Slave Trade, enclosing the draft of an instruction to the Lords Commissioners of the Admiralty, with a view to carrying into effect the modification of certain provisions of the Equipment Article of the Convention with the Hanse Towns, I have the honour to report to your Lordship, that I have furnished M. Guizot, by his desire, with a copy of your Lordship's note to Mr. Colquhoun, under date the 9th of February, and also with a copy of the proposed instruction to the Admiralty above referred to.

M. Guizot said he should regulate, by your Lordship's note to Mr. Colquhoun of the 9th of February, his answer to the representations upon the same subject, of M. de Rumpff, the Minister of the Hanse Towns at this Court.

With respect to the instructions to be sent to the Admiralty, the Minister for Foreign Affairs concurred entirely in their propriety, and desired me to assure your Lordship, that instructions of a similar tenor should be transmitted to the French naval officers employed in the suppression of the Slave Trade.

I have, &c.

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

(Signed) COWLEY.

No. 13.

The Earl of Aberdeen to Count Ste. Aulaire.

M. l'Ambassadeur,

Foreign Office, April 2, 1846.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 5th ultimo, calling my attention to the fact of a French merchant-vessel, the "*Chateaubriand*," having been visited by Her Majesty's sloop "*Sappho*," in latitude 33° 12' south, and longitude 32° 30' east, being without the limits of the Right of Search, as prescribed by the Conventions of 1831 and 1833.

I lost no time in communicating your Excellency's representation to the Lords Commissioners of the Admiralty for enquiry, and I am informed in reply, that no account of the visit referred to has yet reached the Admiralty Office; but that the Commander of the "Sappho" would be called upon for a report of his proceedings on the occasion in question.

When this report is received, I shall have the honour of addressing a further communication to your Excellency upon this subject.

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

I have, &c.
 (Signed) ABERDEEN.

No. 14.

The Earl of Aberdeen to Lord Cowley.

My Lord,

Foreign Office, April 3, 1846.

I TRANSMIT herewith, for your Excellency's information, copies of a letter and its enclosures received from the Admiralty, by which it appears that the Slave Trade is actively carried on in the River Gaboon, it being reported, as your Excellency will see, that no less than three vessels full of slaves had sailed from that river between the 1st of October last and the 15th of the following month; that at the last-mentioned date another vessel was lying in the river with her slaves nearly ready, and another daily expected there.

Commander Bosanquet, of Her Majesty's ship "Alert," has communicated these facts to the Governor of the French settlements in the Gaboon, and it may be advisable that your Excellency should also make them known to M. Guizot.

Your Excellency will observe that the brigantine "*Boa Sorte*," one of the vessels above referred to, and which had been detained by Commander Bosanquet, had both Brazilian and French colours on board, and that the master at first produced some Brazilian papers, which he afterwards destroyed and threw overboard, declaring them to be false.

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

I am, &c.
 (Signed) ABERDEEN.

Enclosure 1 in No. 14.

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

Sir,

Admiralty, March 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 letter from Commodore Jones, dated the 30th December last, and its enclosure, reporting the detention of the slave-brigantine "*Boa Sorte*," by Her Majesty's sloop "Alert."

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

I am, &c.
 (Signed) H. CORRY.

Enclosure 2 in No. 14.

Commodore Jones to the Secretary to the Admiralty.

Sir,

"Penelope," off Cape Mount,
December 30, 1845.

I HAVE the honour to submit for the information of the Lords Commissioners of the Admiralty, the accompanying copy of a letter from Commander Bosanquet, of Her Majesty's ship "Alert," reporting that he had detained off

the River Gaboon, on the 15th November, the slave-brigantine "*Boâ Sorte*," completely equipped for the Slave Trade, which vessel had both Brazilian and French colours on board, and the master at first produced some Brazilian papers, which he afterwards destroyed and threw overboard, declaring them to be false.

Commander Bosanquet reports that three full slave-vessels have sailed from the Gaboon for the Brazils since the 1st October last, one of which was captured by the "*Alert*" on the 1st November last, without colours or papers.

I have, &c.

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

The Right Hon. H. T. L. Corry,
&c. &c.

Enclosure 3 in No. 14.

Commander Bosanquet to Commodore Jones.

Sir,

"*Alert*," off Gaboon, November 15, 1845.

I HAVE to inform you that I this day detained the brigantine "*Boa Sorte*," for being engaged in the Slave Trade, and having on board a large quantity of water-casks, farinha, &c. She had on board both Brazilian and French colours, and at first showed Brazilian papers, but on my stating that I feared it would be my duty to send her to the Brazilian Government at Rio de Janeiro for being guilty of piracy, according to the Treaty with Brazils of November 22, 1826, the master destroyed his papers, and threw them overboard, declaring them to be false. I have therefore sent her, in charge of Lieutenant Crofton, to Sierra Leone, to be placed in the Admiralty Court for adjudication.

The vessel had purchased her farinha at the Island of Annobon, to the eastward of which island she was chased by the "*Alert*" on the 5th, and part of her crew declare that she was intended to carry upwards of 300 slaves from the Gaboon to the Brazils, she having originally sailed in August last from Bahia.

I beg leave also to inform you that three full slave-vessels have sailed from Gaboon since the 1st October (one of which has been captured by the "*Alert*"), another is now lying in the river with her slaves nearly ready, and there is another vessel daily expected, and I have written to the French Governor on the subject.

I have, &c.

Commodore Jones,
&c. &c.

(Signed) C. J. BOSANQUET, *Commander*.

No. 15.

Count Ste. Aulaire to the Earl of Aberdeen.

Londres, le 11 Avril, 1846.

(Received April 13.)

My Lord,

J'AI l'honneur de vous envoyer ci-joints copies de huit [nine] traités que M. le Capitaine de corvette Baudin, commandant la station occidentale d'Afrique, a conclus avec divers chefs de la côte, pour l'abolition du Commerce des Esclaves.

Bien que ces traités ne rentrent pas dans la catégorie de ceux dont fait mention l'Article V de la Convention du 29 Mai dernier, puisque leur date est antérieure à la mise à exécution de cette intervention, je m'empresse d'en donner communication à votre Excellence, ne doutant point que le Gouvernement de Sa Majesté Britannique n'y trouve une nouvelle preuve du zèle déployé par nos officiers de marine pour concourir à la répression de la Traite des Noirs.

En priant votre Excellence de vouloir bien me renvoyer ces pièces quand elle en aura pris connaissance, je saisis, &c.

(Signé)

STE. AULAIRE.

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

Enclosure 1 in No. 15.

Treaty with Soliman, Chief of the Rio Grande.

Convention passée avec Soliman, Chef Principal du Rio Grande, d'une part, et M. A. Baudin, Capitaine de corvette, commandant le brig le "Grenadier," agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Le Chef du Rio Grande, Soliman, s'engage à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français, et à recevoir en amis les indigènes qui viendront des forts Français de la côte d'Afrique.

ARTICLE II.

Les Français qui débarqueront à Rio Grande pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage; les marchandises sauvées seront laissées ou rendues à leurs propriétaires, et les passagers naufragés seront recueillis et soignés jusqu'à ce qu'ils puissent être emmenés par un autre bâtiment.

ARTICLE III.

Le Chef du Rio Grande, Soliman, s'engage à faire venir dans la rivière, et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'or, cire, peaux, huile, ivoire, et d'autres produits du pays. Il reconnaît que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves pour l'exportation est un trafic mauvais et criminel; il déclare qu'il le prohibera, et qu'il fera tout ce qui dépendra de lui pour le faire cesser ou le prévenir dans l'étendue du pays soumis à son autorité; et à cet effet il acceptera l'assistance des officiers, soldats, et matelots du Roi des Français. Il s'oblige de plus à avertir les bâtimens Français de la présence de tout navire négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser le Chef du Rio Grande du dommage que la cessation du Commerce des Esclaves pourra lui faire éprouver, le Capitaine de corvette A. Baudin s'engage à lui faire remettre chaque année les objets portés ci-après (pendant cinq ans):

- 40 fusils à un coup.
- 50 pièces de guinée.
- 20 petits barils de poudre.
- 2 barils d'eau-de-vie.
- 50 kilogrammes de tabac.

Les dits cadeaux seront délivrés lorsqu'on aura acquis la certitude que les conventions désignées plus haut ont été exécutées.

Rio Grande, le 22 Mai, 1845.

Le Capitaine de corvette
commandant le brig le "Grenadier,"
(Signé) A. BAUDIN.

LE ROI SOLIMAN a fait sa croix ✕.

Comme témoins,

(Signé) DAVID JAMES LAURENCE POTIN, *Négociant.*

Le Capitaine du "Castor,"

A. SALOMON.

Enclosure 2 in No. 15.

Treaty with Antonio, Chief of Cagnabac.

Convention passée avec Antonio, Chef Principal de l'Île Cagnabac (Bissagots), d'une part, et M. A. Baudin, Capitaine de corvette, commandant le brig, le *Grenadier* ; agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Le Roi Antonio de l'Île Cagnabac (Bissagots) s'engage à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français, et à recevoir en amis les indigènes qui viendront des forts Français de la côte d'Afrique.

ARTICLE II.

Les Français qui débarqueront à Cagnabac pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage ; les marchandises sauvées seront laissées ou rendues à leurs propriétaires ; et les marins et les passagers seront recueillis et soignés jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Le Roi Antonio de l'Île Cagnabac (Bissagots) s'engage à faire venir à la côte et à livrer aux troqueurs Français à prix débattus, le plus grande quantité possible de bois, cire, peaux, huile, ivoire, et d'autres produits du pays. Il reconnaît que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves est un trafic mauvais et criminel ; il déclare qu'il le prohibera, et qu'il fera tout ce qui dépendra de lui pour le faire cesser ou le prévenir dans l'étendue du pays soumis à son autorité, et à cet effet il acceptera l'assistance des officiers, soldats, et marins du Roi des Français. Il s'oblige de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser le Chef de l'Île Cagnabac du dommage que la cessation du Commerce des Esclaves pourra lui faire éprouver, le Capitaine de corvette A. Baudin s'engage à lui faire remettre chaque année, pendant cinq ans, les objets portés ci-après.

- 20 fusils à un coup.
- 25 pièces de guinée.
- 10 petits barils de poudre.
- 1 barrique d'eau-de-vie.
- 25 kilogrammes de tabac.

Les dits cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions désignées plus haut ont été fidèlement exécutées.

Cagnabac (Bissagots), le 24 Mai, 1845.

Le Capitaine de corvette commandant le "Grenadier,"
(Signé) A. BAUDIN.
Le Lieutenant de vaisseau commandant le "Castor,"
SALOMON.

LE ROI ANTONIO ✕.
L'Interprète et Témoin ✕.
Le Chef NIETA ✕.

Enclosure 3 in No. 15.

Treaty with the Chiefs of the Rio Nunez.

Convention passée avec les Chefs Nalous du Rio Nunez, d'une part, et M. A. Baudin, Capitaine de corvette, commandant le brig le "*Grenadier*," agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Les Chefs Nalous du Rio Nunez s'engagent à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français, et à recevoir en amis les indigènes qui viendront des forts Français de la côte d'Afrique.

ARTICLE II.

Les Français qui débarqueront dans le pays des Nalous pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage ; les marchandises sauvées seront laissées ou rendues à leurs propriétaires, et les marins et les passagers seront recueillis et soignés jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Les Chefs Nalous du Rio Nunez s'engagent à faire venir à la côte, et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'or, cire, peaux, ivoire, et d'autres produits du pays. Ils reconnaissent que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves est un trafic mauvais et criminel ; ils déclarent qu'ils le prohiberont, et qu'il feront tout ce qui dépendra d'eux pour le faire cesser ou le prévenir dans l'étendue du pays soumis à leur autorité ; et à cet effet ils accepteront l'assistance des officiers, des marins, et des soldats du Roi des Français. Ils s'obligent de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser les Chefs Nalous du Rio Nunez du dommage que la cessation du Commerce des Esclaves pourra leur faire éprouver, le Capitaine de corvette A. Baudin s'engage à leur faire remettre chaque année, pendant cinq ans, les objets portés ci-après :

- 50 fusils à un coup.
- 50 barils de poudre.
- 1000 francs en argent.
- 25 pièces de guinée.
- 100 livres de tabac.

Les dits cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions désignées plus haut ont été fidèlement exécutées.

Rio Nunez, le 27 Mai, 1845.

Le Capitaine de corvette commandant le "Grenadier,"
 (Signé) A. BAUDIN.
Le Lieutenant de vaisseau commandant le "Castor,"
 SALOMON.

(Signé)

LE CHEF LAMINA.
 LE CHEF CAREMON.

Enclosure 4 in No. 15.

Treaty with the Chiefs of that part of the West Coast of Africa which lies between Booton and Garroway.

Conventions passées avec les chefs de la fraction de la côte occidentale d'Afrique comprise entre Booton et Garroway, par le Capitaine de corvette Auguste Baudin, agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Les chefs signataires de ces Conventions s'engagent à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français, et à recevoir en amis les indigènes qui viendront des forts Français de la côte d'Afrique.

ARTICLE II.

Les Français qui débarqueront sur cette fraction du littoral Africain pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage; les marchandises sauvées seront laissées ou rendues à leurs propriétaires, et les marins et les passagers naufragés seront recueillis, jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Les chefs de cette partie du littoral s'engagent à faire venir à la côte et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'ivoire, d'huile, de riz, et d'autres produits du pays. Ils reconnaissent que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves pour l'exportation, est un trafic mauvais et criminel; ils déclarent qu'il le prohiberont, et qu'ils feront tout ce qui dépendra d'eux pour le faire cesser ou le prévenir dans d'étendue du pays soumis à leur autorité; et à cet effet ils accepteront l'assistance des officiers, des matelots, et des soldats du Roi des Français. Ils s'obligent de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser ces différens chefs du dommage que l'accomplissement de ces conditions pourra leur faire éprouver, le Capitaine de corvette Auguste Baudin, s'engage, au nom de Sa Majesté le Roi des Français, à leur faire remettre chaque année, pendant trois ans, un cadeau dont la valeur sera facultative.

Ces cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions exprimées plus haut ont été fidèlement exécutées.

A bord du "Grenadier," le 27 Juin, 1845.

*Le Capitaine de corvette commandant la Station
Occidentale d'Afrique,*

(Signé)

A. BAUDIN.

AUGUSTE BOUET,

Officier du "Grenadier."

JACK MASSA, Chef du Petit Booton ✕.

GOMENA TOM, Chef du Grand Booton ✕.

TOM NEMENE, Roi de Broubarey ✕.

PRINCE WILL, Chef de Baddon ✕.

JACK YOUSSE, Chef des Niffons ✕.

PETER, Chef de Wappon ✕.

GEORGES, Roi des Sestros.

Enclosure 5 in No. 15.

Additional Articles to Treaty with the Chiefs of Garroway River.

Articles Additionnelles aux Conventions passées le 14 Décembre, 1838, et 7 Janvier, 1842, avec Black Will aîné et Black Will jeune, Chefs de la Rivière de Garroway.

ARTICLE I.

Les deux chefs Black Will de la Rivière Garroway s'engagent à prohiber le Commerce des Esclaves dans l'étendue des pays soumis à leur autorité, et à faire ce qui dépendra d'eux pour engager leurs voisins à renoncer à ce trafic. Ils accepteront à cet effet l'assistance des bâtimens, des officiers, des matelots, et des soldats du Roi des Français, et promettent de donner aux officiers de Sa Majesté tous les avis qui pourront les aider à chercher et à arrêter les navires négriers.

ARTICLE II.

En récompense de cet arrangement, et comme dédommagement du préjudice qu'il peut porter à leurs intérêts, le Capitaine de corvette Auguste Baudin s'engage au nom de Sa Majesté le Roi des Français, à leur faire remettre chaque année, pendant trois ans, les objets ci-après désignés :

- 10 fusils à un coup.
- 6 petits barils de poudre.
- 4 pièces d'étoffe.
- 4 chapeaux blancs.
- 2 parapluies.
- 30 kilogrammes de tabac.
- 100 pierres à fusil.

Les dits cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions stipulées plus haut ont été fidèlement exécutées.

A bord du "Grenadier," le 4 Juillet, 1845.

*Le Capitaine de corvette commandant la Station
Occidentale d'Afrique,*

(Signé)

A. BAUDIN.

AUGUSTE BOUET,

Officier à bord du "Grenadier."

BLACK WILL Aîné, Chef de Garroway ✕.

BLACK WILL Jeune, 2me Chef de Garroway ✕.

Enclosure 6 in No. 15.

*Treaty with the Chiefs of that part of the West Coast of Africa which lies between
Lahou and St. Andrews River.*

Conventions passées avec les Chefs de la fraction de la côte occidentale d'Afrique comprise entre Lahou et la Rivière St. André, par le Capitaine de corvette A. Baudin, agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Les Chefs signataires de ces Conventions s'engagent à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français, et à recevoir en amis les indigènes qui viendront des forts Français de la côte d'Afrique.

ARTICLE II.

Les Français qui débarqueront sur cette fraction du littoral Africain pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage ; les marchandises sauvées seront laissées ou rendues à leurs propriétaires, et les marins et les passagers naufragés seront recueillis jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Les chefs de cette partie du littoral s'engagent à faire venir à la côte et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'ivoire, d'huile, de bois, et d'autres produits du pays. Ils reconnaissent que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves pour l'exportation est un trafic mauvais et criminel; ils déclarent qu'ils le prohiberont, et qu'il feront tout ce qui dépendra d'eux pour le faire cesser ou le prévenir dans l'étendue du pays soumis à leur autorité, et à cet effet ils accepteront l'assistance des officiers, des matelots, et des soldats du Roi des Français. Ils s'obligent de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser ces différens Chefs du dommage que l'accomplissement de ces Conventions pourra leur faire éprouver, le Capitaine de corvette Auguste Baudin s'engage au nom de Sa Majesté le Roi des Français, à leur faire remettre chaque année, pendant trois ans, un cadeau dont la valeur sera facultative.

Ces cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions stipulées plus haut ont été fidèlement exécutées.

A bord du " Grenadier," le 6 Juillet, 1845.

Le Capitaine de corvette commandant la Station

Occidentale d'Afrique,

(Signé)

A. BAUDIN.

AUGUSTE BOUET,

Officier sur le " Grenadier."

BEN, Chef de Grand Béribi ✕.

NIMELE, Chef du Petit Béribi ✕.

GEORGES Mc AULEY, Chef de Lahou ✕.

AKRA, Chef de la Rivière St. Pedro ✕.

WILLIAMS et DADY, Chefs du Grand Drewin ✕ ✕.

GEORGES, Chef des Bassas ✕.

GEORGES, Chef de Lahou ✕.

GRAND, Chef du Petit Drewin ou Victoria ✕.

Enclosure 7 in No. 15.

Treaty with the Chiefs of that part of the West Coast of Africa which lies between the St. Andrews River and Grand Bassam.

Conventions passées avec les Chefs de la fraction de la Côte Occidentale d'Afrique comprise entre la Rivière de St. André et le Comptoir Français de Grand Bassam, par le Capitaine de corvette Auguste Baudin, agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Les Chefs signataires de ces Conventions désirent rester en paix et en rapports d'amitié avec le Roi des Français, et ils font alliance avec les Chefs et

les habitans des Etablissemens Français de Grand Bassam et d'Assinée. Ils s'engagent à laisser librement trafiquer tous les navires et tous les commerçans Français.

ARTICLE II.

Les Français qui débarqueront sur cette fraction du littoral Africain seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage; les marchandises seront laissées ou rendues à leurs propriétaires; et les marins et les passagers naufragés seront recueillis jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Les Chefs de cette partie du littoral s'engagent à faire venir à la côte et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'or, d'ivoire, d'huile, et d'autres produits du pays. Ils reconnaissent que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves pour l'exportation est un trafic mauvais et criminel; ils déclarent qu'ils le prohiberont, et qu'ils feront tout ce qui dépendra d'eux pour le faire cesser ou le prévenir dans toute l'étendue du pays soumis à leur autorité; et à cet effet ils accepteront l'assistance des officiers, des matelots, et des soldats du Roi des Français. Ils s'obligent de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser ces différens Chefs du dommage que l'accomplissement de ces conditions pourra leur faire éprouver, le Capitaine de corvette Auguste Baudin s'engage au nom de Sa Majesté le Roi des Français, à leur faire remettre chaque année, pendant trois ans, un cadeau dont la valeur sera facultative.

Ces cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions stipulées plus haut ont été fidèlement exécutées.

A bord du "Grenadier," le 10 Juillet, 1845.

*Le Capitaine de corvette commandant la Station
Occidentale d'Afrique,*

(Signé) A. BAUDIN.

A. BOUET,

Officier du "Grenadier."

(Signé)

GEORGES dit SON, Roi de St. André.

HASSE, Chef du Rio Fresco ou Francisco.

KING, SON, Roi de Picaninny Lahou.

PETER, Roi du Grand Lahou.

ANTONY, Chef d'Antony Lahou.

AKRA, Chef de Jack Lahou et des Villages jusqu'à Jack-Jack.

QUASHE, Roi de Jack-Jack ou Grand Jack, et des villages de Théa Towns et Half Jack.

TOM, Roi de Ivory Town.

WAZI, Roi de Picaninny Bassam.

Enclosure 8 in No. 15.

Treaty with King Koako of Danger River.

Conventions passées avec Koako, Roi de la Rivière Danger ou Mooney, par le Capitaine de corvette Auguste Baudin, agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Le Roi Koako de la Rivière Danger désire rester en paix et en rapport d'amitié avec le Roi des Français, et il fait alliance avec les Chefs et les habitans des Etablissements Français du Gabon. Il s'engage à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français.

ARTICLE II.

Les Français qui débarqueront dans cette rivière pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage ; les marchandises sauvées seront laissées ou rendues à leurs propriétaires ; et les marins et les passagers naufragés seront recueillis jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Le Roi Koako s'engage à faire venir à la côte et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'ivoire, de bois, de cire, et d'autres produits du pays. Il reconnaît que le seul bon commerce est celui que se fait par l'échange des produits de la terre contre d'autres marchandises, et que la Vente des Esclaves pour l'exportation est un trafic mauvais et criminel. Il déclare qu'il le prohibera, et qu'il fera tout ce qui dépendra de lui pour le faire cesser ou le prévenir dans toute l'étendue du pays soumis à son autorité ; et à cet effet il acceptera l'assistance des officiers, des matelots, et des soldats du Roi des Français. Il s'oblige de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser le Roi Koako du dommage que l'accomplissement de ces Conventions pourra lui faire éprouver, le Capitaine de corvette Auguste Baudin s'engage au nom de Sa Majesté le Roi des Français, à lui remettre chaque année, pendant cinq ans, les objets indiqués ci-après :

- 5 fusils à un coup.
- 5 barils de poudre.
- 100 pierres à feu.
- 5 pièces étoffes assorties.
- 15 kilogrammes de tabac.
- Un baril d'eau-de-vie.
- Un costume complet d'officier.
- (La première année seulement.)

Ces cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions stipulées plus haut ont été fidèlement exécutées.

A bord du "Grenadier," le 4 Septembre, 1845.

*Le Capitaine de corvette commandant la Station
Occidentale d'Afrique,*

(Signé) A. BAUDIN.
A. BOUET,

Officier du "Grenadier."

LE ROI KOAKO de la Rivière Danger ✕.

(Signé)

ANTOINE, Traitant du Gabon, comme témoin et interprète.

(Signé) KERJEAN,

Secrétaire du Commandant de la Station.

Enclosure 9 in No. 15.

Treaty with the Chiefs of Batanga.

Conventions passées avec les Chefs Imalay, Achouka, et Hontonga, des villages de Banoko ou Batanga, par le Capitaine de corvette Auguste Baudin, agissant au nom de Sa Majesté le Roi des Français.

ARTICLE I.

Les Chefs Imalay, Achouka, et Hontonga, désirent rester en paix et en rapports d'amitié avec le Roi des Français, et ils font alliance avec les Chefs et les habitans des établissemens Français du Gabon. Ils s'engagent à bien recevoir et à laisser librement trafiquer tous les navires et tous les commerçans Français.

ARTICLE II.

Les Français qui débarqueront à Banoko pour commercer, seront garantis de tous mauvais traitemens, et il leur sera rendu justice s'il s'élève des contestations sur les achats et sur les ventes.

Les navires Français qui feront naufrage sur la côte seront préservés de tout pillage ; les marchandises sauvées seront laissées ou rendues à leurs propriétaires, et les marins et les passagers naufragés seront recueillis jusqu'à ce qu'ils puissent être emmenés par un autre navire.

ARTICLE III.

Les Chefs Imalay, Achouka, et Hontonga, s'engagent à faire venir à la côte et à livrer aux troqueurs Français à prix débattus, la plus grande quantité possible d'ivoire, cire, bois, et d'autres produits du pays. Ils reconnaissent que le seul bon commerce est celui qui se fait par l'échange des produits de la terre contre d'autres marchandises ; et que la Vente des Esclaves pour l'exportation est un trafic mauvais et criminel. Ils déclarent qu'ils le prohiberont, et qu'ils feront tout ce qui dépendra d'eux pour le faire cesser ou le prévenir dans l'étendue du pays soumis à leur autorité, et à cet effet ils accepteront l'assistance des officiers, des matelots, et des soldats du Roi des Français. Ils s'obligent de plus à avertir les bâtimens Français de la présence de tout négrier qui tenterait d'enfreindre les présentes prohibitions.

ARTICLE IV.

En considération de cette résolution, et pour indemniser les Chefs de Banoko du dommage que l'accomplissement de ces Conventions pourra leur faire éprouver, le Capitaine de corvette Auguste Baudin s'engage au nom de Sa Majesté le Roi des Français, à leur faire remettre chaque année, pendant cinq ans, les objets indiqués ci-après, à chacun des Chefs :

- 5 fusils à un coup.
- 5 barils de poudre.
- 5 pièces d'étoffes assorties.
- 100 pierres à fusil.
- 25 kilogrammes de tabac.
- Un baril d'eau-de-vie.
- Un costume complet d'officier (1ère année.)
- En argent, cinq cent francs (idem.)
- Un orgue (idem.)

Ces cadeaux seront délivrés lorsqu'on aura acquis la certitude que les Conventions stipulées plus haut ont été fidèlement exécutées.

A bord du "Grenadier," le 8 Septembre, 1845.

*Le Capitaine de corvette commandant la Station
Occidentale d'Afrique,*

(Signé) A. BAUDIN.

A. BOUET,

Officier sur le "Grenadier."

KERJEAN,

Secrétaire du Commandant de la Station.

LE CHEF IMALAY ✕.

LE CHEF ACHOUKA ✕.

LE CHEF HONTONGA ✕.

ANTOINE, Chef du Gabon ✕, témoin.

No. 16.

Lord Cowley to the Earl of Aberdeen.

Paris, April 13, 1846.

(Received April 16.)

My Lord,

I HAVE the honour to enclose to your Lordship the copy of a letter which I have received from the Minister for Foreign Affairs, in reply to a note which I addressed to his Excellency on the 7th instant, transmitting to him copies of the enclosures contained in your Lordship's despatch marked Slave Trade, of the 3rd instant, relative to the Traffic in Slaves which is being carried on in the River Gaboon.

I have, &c.

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

(Signed)

COWLEY.

&c.

&c.

&c.

Enclosure in No. 16.

M. Guizot to Lord Cowley.

M. l'Ambassadeur,

Paris, le 9 Avril, 1846.

VOTRE Excellence m'a fait l'honneur de m'adresser le 7 de ce mois, une lettre accompagnée de trois annexes, et dont il résulte que la Traite des Noirs se ferait avec activité en ce moment dans la Rivière du Gabon.

Je me suis empressé de signaler ce fait à M. le Ministre de la Marine; je l'ai prié d'en écrire immédiatement à M. le Gouverneur des Possessions Françaises au Gabon, et d'inviter cet officier à adresser sans délai au Gouvernement du Roi des renseignements précis et complets sur les opérations illicites dont il s'agit.

Agréez, &c.

Son Excellence Lord Cowley, G.C.B.

(Signé)

GUIZOT.

&c.

&c.

&c.

No. 17.

The Earl of Aberdeen to Count Ste. Aulaire.

M. l'Ambassadeur,

Foreign Office, April 28, 1846.

I HAVE the honour to acknowledge the receipt of your Excellency's letter dated the 7th of February last, on the subject of the note which I addressed to the Count de Jarnac on the 19th of December last, communicating to him the instructions given to the senior officer of Her Majesty's squadron on the west coast of Africa, for his guidance in carrying into effect the Convention between Great Britain and France of the 29th of May, for the suppression of the Slave Trade; and also communicating the orders given to Her

Majesty's Naval Commanders-in-chief on various stations, with respect to the recall of the warrants which had been issued to Her Majesty's cruisers under the Treaties of 1831 and 1833.

Your Excellency, in reference to this communication, informs me that the mode proposed by Her Majesty's Government for the restitution of the warrants, did not entirely meet the views of the French Minister of Marine, but that, nevertheless, instructions corresponding with those given to Her Majesty's Naval Commanders have been furnished to the Naval Commanders of France.

Your Excellency, also, in adverting to the interchange of documents which had taken place between the two Governments respecting the proofs of nationality of British and of French vessels, observes that the French Government, who were desirous that a certain identity should be observed between the formalities required for the merchant-vessels of the two countries respectively, had been struck by the difference between the proofs of nationality required in the British service and those required in the French, and especially by the absence of so important a document as the ship's muster-roll; and your Excellency expresses a desire to receive some explanation upon this point for the information of your Government.

I regret that owing to the necessity of referring the question to the Boards of Admiralty and of Trade, and also to Her Majesty's Law Officers, I have not been sooner able to answer your Excellency's inquiry upon this subject.

I have now, however, the honour to inform your Excellency, that the result of these several references has been a confirmation of the fact already announced, that the possession of a certificate of British registry, in the form communicated to the French Government, entitles the ship bearing it to all the rights and immunities of a British merchant-vessel; and that, indeed, the possession of such certificate is the only evidence recognised by the law of Great Britain of the national character of a British vessel.

It is true, that by certain Acts of the British Parliament, muster-rolls must be kept on board of merchant-ships; but these statutory provisions were made for purposes quite unconnected with the nationality and character belonging to such vessels; and the muster-rolls being therefore created only for purposes of British municipal regulations and law, and having no reference whatever to the objects of the Treaties for the suppression of the Slave Trade, nor to the relations between Great Britain and any foreign States, Her Majesty's Government would not deem it expedient or right to require the masters of British merchant-ships to produce these documents at the instance of the commanders of any foreign Power.

I trust that this explanation will be satisfactory to your Excellency, and to your Government.

His Excellency the Count de Ste. Aulaire,
 &c. &c. &c.

I have, &c.
 (Signed) ABERDEEN.

No. 18.

The Earl of Aberdeen to Count Ste. Aulaire.

Foreign Office, April 30, 1846.

THE Earl of Aberdeen presents his compliments to the Count de Ste. Aulaire, and has the honour to acknowledge the receipt of his Excellency's letter of the 11th instant, enclosing copies of Treaties concluded by the commander of the French naval forces on the west coast of Africa with certain chiefs of that coast for the abolition of the Slave Trade.

Lord Aberdeen begs leave to thank the Count de Ste. Aulaire for the communication of these Treaties, which, in accordance with his Excellency's request, he has the honour to return herewith.

His Excellency the Count de Ste. Aulaire,
 &c. &c. &c.

No. 19.

*Count Ste. Aulaire to the Earl of Aberdeen.**Londres, le 19 Mai, 1846.**(Received May 20.)*

My Lord,

CONFORMEMENT aux instructions de mon Gouvernement, j'ai l'honneur d'entretenir votre Excellence de certains faits signalés récemment à l'attention du Ministre de la Marine par le Capitaine Baudin, commandant la station navale Française du Gabon.

Il résulte du rapport du Capitaine Baudin, que l'équipage du navire de Sa Majesté Britannique "l'Alert" aurait, d'après les ordres de son commandant, le Commander Bosanquet, procédé à la vérification et à la visite d'un bâtiment de commerce Brésilien dans les eaux du Gabon, et que le commandant Anglais se serait dispensé de saluer le pavillon flottant sur notre comptoir, bien que des représentations, lui eussent été adressées à cet égard par l'officier placé à la tête de cet établissement.

Votre Excellence reconnaîtra sans doute que la visite d'un navire étranger accomplie dans des lieux soumis à notre action propre et exclusive, et où nous ne saurions tolérer une autre police que celle exercée par notre pavillon, porte atteinte aux droits que nous avons acquis à l'embouchure du Gabon,—droits qui ont d'ailleurs été reconnus par le Gouvernement de Sa Majesté Britannique. La réclamation que je suis chargé, my Lord, de vous adresser à ce sujet a semblé à mon Gouvernement d'autant plus urgente que la conduite peu convenable du Commander Bosanquet à l'égard de notre pavillon ajoute encore à ce que le premier incident avait déjà eu de grave en lui-même. On ne peut se dissimuler, en effet, qu'un pareil écart, un oubli si manifeste des règles du droit international, s'il venait à se renouveler, donnerait probablement naissance sur les lieux à des difficultés infiniment regrettables.

Je dois faire remarquer à votre Excellence que le Commander Bosanquet, en réponse à la lettre par laquelle l'officier investi de l'autorité supérieure dans nos établissements revendiquait le respect dû à notre droit de surveillance, s'est borné à s'étendre longuement sur de prétendus faits de Traite et de piraterie accomplis par des navires Brésiliens sur la rive gauche du Gabon, et a cru devoir appeler l'attention de cet officier sur de pareils actes, en lui indiquant même des règles de conduite à suivre, de peur que la négligence dans la répression de ces actes n'encourageât leurs criminels auteurs à croire qu'ils trouveraient dans des eaux où flotte notre pavillon un refuge contre la poursuite des croiseurs Anglais employés à la répression de la Traite.

Des rapports conçus dans le même esprit et envoyés à l'Amirauté Anglaise avaient déjà amené une communication de l'Ambassadeur de Sa Majesté Britannique à Paris. Mon Gouvernement, my Lord, croit y avoir répondu d'une manière péremptoire en transmettant à Lord Cowley les documents officiels qui constatent tout ce que nous avons fait au Gabon pour y détruire la Traite. Afin de compléter cette démonstration j'ai l'honneur de vous envoyer ci-joint copie des instructions adressées au commandant du bâtiment stationnaire sur les côtes occidentales d'Afrique. Votre Excellence y verra que les officiers chargés d'exercer l'autorité suprême dans notre établissement au Gabon, loin de pécher par négligence ou par tolérance, se sont montrés rigoureux jusqu'à l'excès dans les mesures répressives qu'ils ont adoptées, et que le Ministre de la Marine, tout en approuvant le sentiment qui avait dicté ces mesures, a jugé à propos de les modifier et d'en atténuer la rigueur pour ne pas susciter des réclamations énergiques et embarrassantes que le commerce régulier et légitime, celui même des armateurs Anglais, n'aurait pas manqué de faire entendre.

En portant ces faits à votre connaissance, my Lord, je ne doute pas que votre Excellence, convaincue aussi bien que nous de la nécessité d'empêcher pour l'avenir ce qui peut avoir été un mal-entendu, ne s'empresse de faire expédier aux commandants des vaisseaux de guerre de Sa Majesté Britannique des instructions précises relativement au droit de surveillance exclusive et au salut que nous sommes fondés à exiger pour notre pavillon à l'embouchure du Gabon, comme conséquence de notre droit de souveraineté dans ces parages.

Veuillez, &c.

Son Excellence le Comte d'Aberdeen,

(Signé)

STE. AULAIRE.

&c.

&c.

&c.

Inclosure 1 in No. 19.

Instructions pour le bâtiment stationnaire dans le Gabon.

M. le Capitaine,

Gorée, le 4 Novembre, 1845.

J'AI l'honneur de vous adresser la copie d'une déclaration qui a été faite officiellement à tous les chefs de cette rivière, dans le but de leur faire connaître qu'ils doivent renoncer au Trafic des Esclaves, et aussi afin qu'ils ne puissent plus à l'avenir prétexter d'ignorance de cette prohibition, vous comprendrez sans peine que les mesures répressives dont il est question dans cette décision doivent être prises avec quelques précautions et modération. Vous aurez remarqué sans doute, que quelques unes de ces mesures touchent de près à la liberté du commerce que son Excellence prescrit de conserver dans notre nouvel établissement. Je crois donc devoir entrer dans quelques détails explicatifs sur la manière d'entendre cette déclaration et surtout sur la façon de l'exécuter.

L'Article I qui rappelle que la souveraineté du Gabon a été concédée par tous les habitants qui sont placés sous l'autorité des lois Françaises dont on leur a fait voir toute la sévérité à l'égard des coupables du Trafic des Esclaves ne peut donner lieu à aucune réclamation fondée, et a été clairement expliqué et bien compris par tous les chefs, ainsi que par les traitans Brésiliens établis chez le Chef Denis.

L'Article II n'est qu'une conséquence toute naturelle du 1er. Il ne donne lieu à aucune observation, c'est à vos soins et à ceux de M. le Commandant du Fort d'Aumale à essayer par les moyens de douceur à faire entendre à ces différents Chefs, le danger qu'il y aurait pour eux s'ils persistaient dans l'idée de continuer un trafic défendu par les lois ainsi que le Chef Denis ne l'a pas hésité à nous le déclarer pour son village. Plus tard lorsque des essais de culture auront donné des résultats satisfaisans, nous arriverons peut-être à leur faire utiliser leurs captifs au lieu de les vendre, et notre tache alors deviendra plus facile.

L'Article III, qui a pour objet le départ des traitans étrangers établis dans le Gabon, est un de ceux qui réclame toute votre attention. Les instructions de son Excellence prescrivent à M. le Commandant du Fort d'Aumale de laisser au commerce toute sa liberté et d'autoriser l'établissement des factoreries étrangères, mais sous la condition que ces factoreries seront placées sous l'autorité et la protection des lois Françaises.

Cet Article ne peut donc s'étendre qu'à celles qui sont établies régulièrement et d'après l'autorisation donnée par cet officier pour se livrer dans la rivière à un commerce licite. Il n'en est pas de même des factoreries Brésiliennes à esclaves qui existent chez le Chef Denis et qui s'y trouvent sans aucune autorisation. C'est à eux que nous avons fait connaître les nouvelles mesures adoptées pour faire cesser immédiatement cet odieux trafic dans les eaux Françaises, et tous ont reconnu notre droit sans hésiter. Vous devez donc tenir la main à ce qu'au bout des trois mois du délai accordé à ces traitans leurs factoreries disparaissent de la rivière où il ne nous est plus permis de les tolérer. Si donc à l'époque fixée ils n'étaient pas dans la disposition de quitter volontairement le pays, vous devrez les y contraindre, et je vous autorise à les transporter soit à l'Île du Prince soit au village de Langateng, entre le Gabon et le Cap Lopez.

L'Article IV est de tous celui que semble toucher de plus près à la liberté du commerce, et c'est cependant le plus important pour arriver à faire cesser le Trafic des Esclaves dans le Gabon. Il a été reconnu qu'il n'existe pas des marchandises affectées plus particulièrement que d'autres à ces trafics; aussi la question n'est-elle pas d'examiner quelle est l'espèce de produits que porte le navire, mais bien de savoir quelle en est la destination.

Il vous sera facile de reconnaître que les bâtimens Brésiliens qui viennent mouiller chez le Chef Denis n'ont pas d'autre but que d'alimenter les factoreries de cette nation établies dans ce village; vous avez mille moyens de vous assurer de l'exactitude de ce fait. Il s'agit donc rigoureusement d'empêcher le débarquement de ces marchandises et vous créerez au Chef Denis de grandes difficultés pour continuer son commerce réprouvé.

C'est là le seul moyen d'atteindre le but qui vous est sévèrement recommandé par son Excellence le Ministre de la Marine et de porter en même temps un coup à ce trafic dans les grands établissemens du Cap Lopez, dont les traitans du Gabon ne sont que des agens subalternes. Il est bien entendu que dans le cas où les agents auraient obtenu l'autorisation de se fixer dans la rivière pour un commerce licite, ces mesures devront cesser à leur égard.

Quant aux bâtimens qui vous sembleront installés pour emporter des esclaves ou disposés pour ce trafic à une époque rapprochée, vous ne devez pas hésiter à les chasser des eaux Françaises comme je l'ai fait moi-même tout récemment. Vous devez sentir que nous ne devons pas tolérer que des navires plus que suspects chassés par des croiseurs de Sa Majesté Britannique viennent chercher un abri sous notre pavillon pour se livrer ensuite tout à leur aise à leur odieuse industrie. Il ne peut pas y avoir là de doute ; seulement dans le cas où le bâtiment ne vous paraîtrait pas assez suspect pour être renvoyé de nos eaux, vous devrez toujours exercer à son égard la plus active surveillance ; il est bien entendu que si un navire sans papiers se réfugiait dans le Gabon, vous devriez le faire saisir et le faire conduire à Gorée.

Quant à l'Article V, dont l'objet est l'arrestation des pirogues et canots que font très fréquemment des voyages à Carisco et sur les différents points de la côte pour en rapporter des esclaves qui servent à payer les traitans Brésiliens établis chez Denis, son exécution présente des difficultés et demande une activité et une surveillance de tous les instans.

En attendant que son Excellence ait donné son approbation à ces diverses mesures vous agirez avec douceur à leur égard, cependant dans le cas où la visite d'une de ces embarcations vous ferait découvrir une quantité de noirs enchaînés, comme c'est l'usage à l'égard de ces malheureux, ou tout autre signe qui vous ferait reconnaître que ce sont des hommes destinés à la vente pour l'exportation, vous ne devriez pas balancer à les arrêter et à les envoyer, ainsi que le chef de l'embarcation, à Gorée, par la plus prochaine occasion.

Vous pourrez difficilement confondre les noirs destinés pour l'exportation avec ceux qui tiennent l'esclavage domestique. Le commerce de ces derniers est nul, et d'ailleurs ils sont traités avec douceur, ils ne sont jamais enchaînés pas plus dans leurs courses extérieures que dans leurs établissemens à terre.

Une bonne mesure et qui pourrait avoir des résultats avantageux à la répression de la Traite des Noirs de la rivière, serait dans vos courses au village de Denis, d'examiner avec soin les embarcations des traitans et les cases voisines, et si cet examen ou des renseignemens positifs vous permettaient de supposer avec raison que des esclaves y sont déposés, en attendant que le moment de les conduire au Cap Lopez, vous feriez dans la nuit entourer ces maisons et après avoir prévenu le Chef Denis ou en son absence son représentant, vous feriez ouvrir les portes avec beaucoup de surveillance, et si vos suppositions étaient fondées, vous vous empareriez des dits esclaves, ainsi que des propriétaires de la maison pour être également conduits à Gorée dans le plus bref délai possible.

L'Article VI fait connaître que ces mesures ne recevront leur complète exécution qu'après l'approbation du Gouvernement du Roi, mais comme les instructions de son Excellence le Ministre de la Marine sont formelles, il faut que le Trafic des Esclaves et toute transaction relative à la Traite des noirs cessent d'une manière absolue et sans délai dans le Gabon. Nous ne devons pas rester inactifs en attendant cette approbation, et c'est dans ce but que je vous indique ici les principales mesures qui peuvent être prises immédiatement, tout en appelant votre attention sur la nécessité de ne porter aucune atteinte aux droits des nations étrangères qui tolèrent encore ce trafic, objet de nos poursuites.

Je n'entre dans aucun détail quant au service ordinaire de la station, les dépêches ministérielles et les diverses instructions précédentes règlent d'une manière assez complète vos obligations dans cette rivière, où d'ailleurs bien des circonstances qu'on ne peut prévoir peuvent exiger des mesures exceptionnelles, les instructions de son Excellence vous autorisent dans ce cas à agir sous votre propre inspiration et vous permettent même de lui rendre compte par toutes les occasions de ce qui vous aurez été amené à faire ; cependant je ne puis que vous engager à ne pas trop abuser de cette facilité de correspondre directement, vous ne devez en général le faire, que pour des affaires assez importantes pour mériter de fixer l'attention du Ministre.

Vous ne perdrez pas de vue que l'objet principal au commencement de l'occupation d'un pays est d'affermir autant que possible son autorité, tout en

augmentant son influence politique et commerciale. Vous devez donc comprendre qu'il est nécessaire que l'autorité de M. le Commandant du Fort d'Aumale soit de plus en plus établie et reconnue par toutes les populations de la rivière.

Le meilleur moyen pour arriver facilement à ce résultat est une bonne harmonie constante et une assistance mutuelle entre la station et le Fort d'Aumale. Quel que soit le grade de l'officier qui commande le fort, il y est le représentant de M. le Gouverneur du Sénégal et seul il commande la terre, vous ne devez donc entreprendre aucune mesure contre les populations sans sa participation, à moins que des événemens de nature à réclamer une exécution prompte et immédiate, ne viennent à se présenter ; dans ce cas seulement vous agirez seul, en prévenant plus tard M. le Commandant du Fort de ce qui aura été fait.

La station doit aide et protection à nos nouveaux établissemens du Golfe de Guinée, mais elle n'a point à se mêler de son administration ni des affaires intérieures du pays, à moins que l'autorité qui commande à terre ne réclame son concours.

Dans le cas où des arrestations de noirs esclaves auraient été faites, vous prendrez avant de les envoyer à Gorée toutes les mesures nécessaires pour régulariser cette arrestation et tous les procès-verbaux, &c. devront être adressés à M. le Gouverneur du Sénégal. Vous pourrez très facilement vous régler à cet égard sur les mesures indiquées dans nos conventions avec la Grande Bretagne pour la répression du Trafic des Esclaves, qui indiquent clairement les Etats à adresser en pareille occasion.

Inclosure 2 in No. 19.

Declaration to the Chiefs of the Gaboon.

DECLARATION faite au Chefs du Gabon dans le but de leur faire connaître que la Traite des Esclaves pour l'exportation doit complètement cesser dans la dite rivière comme sur toutes les terres, îles, et presqu'îles ou caps qu'elle baigne, et dont la souveraineté pleine et entière est concédée à Sa Majesté le Roi des Français.

ARTICLE I.

La souveraineté pleine et entière du Gabon ayant été concédée à Sa Majesté le Roi des Français, tous les pays que baigne cette rivière sont placés sous l'autorité et la protection de la France et soumis à ses lois ; chacun doit donc comprendre et bien se persuader que le Trafic des Esclaves pour l'exportation regardée comme infâme par toutes les nations civilisées, ne peut pas être toléré à l'abri du Pavillon Français, pas plus que les transactions commerciales qui n'ont évidemment pour but que le dit trafic.

ARTICLE II.

En conséquence de ce qui précède, les chefs des divers villages doivent prendre des mesures sévères pour faire cesser ou prévenir ce commerce dans toute l'étendue du pays soumis à leur autorité ; ils seraient coupables envers la France s'ils ne le faisaient pas, et le Commandant du Fort d'Aumale ainsi que les bâtimens de guerre seraient dans la nécessité de les y contraindre.

ARTICLE III.

Les traitants étrangers qui sont établis dans les villages du Gabon et qui n'ont pour seul but que le Trafic des Esclaves doivent comprendre aussi qu'à moins d'avoir démontré à M. le Commandant du Fort d'Aumale qu'ils ont l'intention de cesser ce trafic et de le remplacer par un commerce licite, ils devront quitter le Gabon, où leurs factoreries ne peuvent plus être tolérés. Cependant comme ces divers traitants font depuis un grand nombre d'années ce commerce avec la persuasion qu'il n'était pas défendu par une décision, il leur est accordé un délai de trois mois à compter de ce jour, pour qu'ils puissent

rentrer dans les avances considérables qu'ils ont faites aux habitants du pays, mais de nouvelles marchandises pour alimenter leurs factoreries n'y seront plus reçues.

ARTICLE IV.

Les bâtimens étrangers qui apporteront des marchandises pour alimenter les factoreries à esclaves établies dans ce moment dans la rivière y seront reçus si leurs papiers sont en règle, pour y faire de l'eau, de bois, &c., mais une garde sera placée à bord par les soins du bâtiment stationnaire, et aucun colis ne pourra être mis à terre. Il est bien entendu que si une visite rigoureuse démontre à n'en pouvoir douter, qu'ils sont complètement équipés pour emporter ces esclaves, ils seront immédiatement chassés de la rivière et dans le cas où ils auraient essayé de se livrer à ce trafic dans les eaux Françaises, ils seront arrêtés et conduits au Sénégal pour y être jugés conformément aux lois Françaises.

ARTICLE V.

Toutes les embarcations, pirogues, &c. qui entreront dans la Rivière du Gabon seront visitées autant que possible, et si elles contiennent des esclaves reconnus pour être destinés à l'exportation, elles seront arrêtées et saisies. Il sera fait à leur égard comme pour les négriers dont il est parlé à l'Article précédent.

ARTICLE VI.

Les diverses conditions stipulées dans cette déclaration ne recevront leur complète exécution que lorsqu'elles auront été approuvées par le Gouvernement du Roi des Français ou par M. le Gouverneur du Sénégal; il est bien entendu cependant que les instructions de son Excellence le Ministre de la Marine et des Colonies prescrivent de faire cesser immédiatement d'une manière absolue dans les eaux Françaises, toute exportation d'esclaves et toute transaction relative à la Traite des Noirs; toutes les mesures seront prises pour arriver à ce résultat le plus tôt possible et par tous les moyens qui paraîtront justes et réguliers.

A bord du "Grenadier," le 19 Octobre, 1845.

Le Capitaine de corvette commandant la Station Occidentale d'Afrique,
(Signé) BAUDIN.

Le Commandant du Fort d'Aumale,
(Signé) BRESSET.

No. 20.

The Earl of Aberdeen to Count Ste. Aulaire.

M. l'Ambassadeur,

Foreign Office, June 27, 1846.

I HAVE the honour to acknowledge the receipt of the letter which your Excellency addressed to me on the 19th ultimo, relative to certain proceedings on the part of Commander Bosanquet of Her Majesty's ship "Alert," in the River Gaboon, which have been brought to the notice of the French Government by Captain Baudin, Commandant of the French naval station in that river.

Your Excellency observes that it results from the report of Captain Baudin, that the crew of Her Majesty's ship "Alert" had, by order of Commander Bosanquet, proceeded to the verification and search of a Brazilian merchant-vessel in the waters of the Gaboon; and that the English Commander omitted to salute the flag which was flying on the French factory in that river, although representations on the subject had been addressed to him by the officer placed at the head of that establishment.

Your Excellency further observes that I shall no doubt admit that the act of searching a foreign vessel in places under the proper and exclusive juris-

diction of your Government, and where they cannot tolerate any other police than that which is exercised under their own flag, is to trench upon the rights which they have acquired to the mouth of the Gaboon,—rights besides, your Excellency observes, which have been recognized by the Government of Her Majesty; and your Excellency then adverts to the difficulties and deplorable consequences to which a repetition of the conduct complained of might give rise.

Your Excellency further states that Commander Bosanquet, in reply to the letter in which the officer invested with the superior authority of the French establishments, claimed the respect due to their right of superintendence, confined himself to a lengthened statement of alleged acts of Slave Trading and piracy carried on by Brazilian vessels on the left bank of the Gaboon; and deemed it his duty to call the attention of that officer to such acts, even pointing out to him the rules of conduct to be observed, lest negligence in the suppression of those acts should encourage their criminal authors to believe that they would find in the waters where the French flag floated, a refuge against the pursuit of English cruizers employed in the suppression of the Slave Trade.

Your Excellency proceeds to state that reports conceived in the same spirit, and transmitted to the British Admiralty, had lately been the subject of a communication from Her Majesty's Ambassador at Paris, upon which occasion the French Government conceived that they had replied in a conclusive manner, by transmitting to Lord Cowley the official documents, showing what the French Government had done to destroy the Slave Trade in the Gaboon; and your Excellency, in order to complete this exposition, incloses copies of the instructions addressed to the Commander of the vessel stationed in the Gaboon, from which, your Excellency observes, I shall see that the officers charged with the supreme authority in the French establishments in that river, far from transgressing by negligence or by tolerance, have shown themselves vigorous to excess in the measures of repression which they have adopted; and that the Minister of Marine, whilst approving the sentiment which had dictated those measures, judged it proper to modify them and to mitigate their rigour, in order to avoid those energetic and embarrassing complaints which the regular and legitimate commerce, that even of English merchants, would not fail to make heard.

Your Excellency concludes by stating, that in conveying these facts to my knowledge, you doubt not that, convinced like yourself of the necessity of preventing for the future that which may have been a misunderstanding, I shall hasten to dispatch to the Commanders of Her Majesty's ships of war precise instructions with respect to the right of exclusive superintendence, and with respect to saluting the French flag at the mouth of the Gaboon, which is expected as a consequence of the French right of sovereignty in those parts.

I beg leave to assure your Excellency, in reply to this representation; that no time shall be lost in calling upon Commander Bosanquet for a report of his proceedings on the occasion to which your Excellency refers; and that such instructions shall be issued as will prevent the possibility of any disrespect being shown to the flag of France on the part of any officer in Her Majesty's service, or of any undue interference with any rights which the French Government may have acquired in the River Gaboon.

In the meantime, however, I must state to your Excellency, that the only information hitherto received by Her Majesty's Government, having any reference to the subject of your Excellency's complaint, is that contained in a letter from Commander Bosanquet, dated off Gaboon, the 15th of November, 1845, and forwarded to the Admiralty in a letter from the late Commodore Jones, dated off Cape Mount, the 30th of December,—copies of which letters were transmitted by me to Lord Cowley, on the 3rd of April last, for communication to M. Guizot,—and which I presume are the reports referred to by your Excellency as having been lately made the subject of communication to your Government by Her Majesty's Ambassador at Paris.

But this report from Commander Bosanquet merely mentions the detention by him of a slave-vessel called the "*Boa Sorte*" off the Gaboon; stating, however, at the same time, that no less than three vessels full of slaves had sailed from that river between the 1st of October and the 15th of the following month; that at the last-mentioned date another vessel was lying in the river with her slaves nearly ready, and another daily expected there; and further stating that

he had communicated these facts to the Governor of the French settlements in the Gaboon.

Your Excellency will see that in this report there is no mention made of any refusal to salute the French flag, nor anything to lead Her Majesty's Government to suppose that any cause whatever had been given by Commander Bosanquet for the present complaint against that officer on the part of the French authorities; and, therefore, until a further report is received from him, in explanation of his proceedings, your Excellency must permit me to suspend my final judgment upon his conduct.

But, waving for the moment the question of Commander Bosanquet's recent proceedings, I cannot forbear from expressing to your Excellency my confident hope that the French authorities in the River Gaboon will be instructed to receive, in a friendly spirit, any information which the commanders of Her Majesty's cruisers may have the means and may be desirous of imparting to them on the subject of the slave-vessels which are said to be harboured in that river; and that they will be enjoined not to allow any undue susceptibility on their part to interrupt the cordial intercourse and co-operation between the two services, and thereby to interfere with the great object which the two Governments have so earnestly at heart of rooting out this detestable traffic in slaves whenever it may be found to exist or receive encouragement.

With respect to the question of the rights acquired by France in the River Gaboon, it is perhaps unnecessary for me to make any further observation. Your Excellency is doubtless aware of the correspondence which passed last year between Her Majesty's Ambassador at Paris and the Minister for Foreign Affairs upon this subject; and your Excellency will admit that Her Majesty's Government have acted towards the Government of France in this matter with the most perfect frankness and unreserve; and when Her Majesty's Government considered it to be their duty to send a ship of war to that quarter for the protection of British rights and interests, the Commander was enjoined to carry out that object with a due regard to the rights acquired by other Powers upon parts of the coast which are not under British jurisdiction.

I beg leave, in conclusion, to thank your Excellency for the communication of the instructions of the French authorities in the Gaboon which accompany your Excellency's letter.

I have, &c.

(Signed) ABERDEEN.

His Excellency the Count de Ste. Aulaire,
&c. &c. &c.

No. 21.

The Earl of Aberdeen to Lord William Hervey.

My Lord,

Foreign Office, June 27, 1846.

I TRANSMIT to your Lordship herewith, for your information, a copy of a letter from the Admiralty Board, enclosing copies of a correspondence between the late Commodore Jones and Rear-Admiral de la Roque, commanding the French naval forces on the west coast of Africa, with reference to the combined proceedings of the British and French squadrons under the Convention of the 29th May, 1845.

I am, &c.

Lord W. Hervey,
&c. &c.

(Signed) ABERDEEN.

Enclosure 1 in No. 21.

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

Sir,

Admiralty, June 16, 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 and Rear-Admiral Montagnès de la Roque, commanding the French naval forces on the west coast of Africa.

I am, &c.

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

(Signed) W. A. B. HAMILTON.

Enclosure 2 in No. 21.

*Rear-Admiral Montagnès de la Roque to Commodore Jones.**"Caraiïbe," en Rade de Gorée,
4 Janvier, 1846.*

M. le Commodore,

J'AI l'honneur de vous informer que pour conformer aux ordres de mon Gouvernement et aux prescriptions de l'Article III de la Convention du 29 Mai, 1845, sur la répression de la Traite des Noirs, je quitterai cette rade au plus tard le 12 du courant, pour, suivant toutes les probabilités, être rendu au mouillage de Clarence (Fernando Po) vers le 20.

Je saisis avec empressement cette occasion, Monsieur le Commodore, pour vous témoigner combien je suis heureux, dans une mission qui intéresse aussi vivement les deux Hautes Parties Contractantes, d'avoir à en conférer avec un officier d'une expérience aussi distinguée, et vous offrir d'avance mon loyal et sincère concours en tout ce qui pourra contribuer à en assurer le succès.

Veuillez, &c.

*Le Contre-Amiral, &c.*Commodore Jones,
&c. &c.

(Signé)

MONTAGNES DE LA ROQUE.

Enclosure 3 in No. 21.

Commodore Jones to Rear-Admiral Montagnès de la Roque.

Sir,

Fernando Po, February 3, 1846.

I HAD the honour to receive yesterday the letter which your Excellency was pleased to address to me on the 4th ultimo, and I sincerely regret that your commands did not reach me sooner, that I might have hastened to meet your wishes, and to await them at the rendezvous which you appointed.

But, Sir, the unpleasant fact is, that I am up to this date without instruction from my Government on the subject of the Convention of the 29th of May although the general notoriety of the fact has led me to expect them with great anxiety for some time. This circumstance deprives me of the advantages of acting under existing circumstances with that full confidence which is so desirable, especially with respect to your Excellency, to whom I am anxious to give the most unqualified assurance of my readiness to meet your views, and to arrange without delay the details of the co-operation prescribed in the Convention of the 29th May. With, therefore, the sole reservation that whatever I may now undertake, or assent to, must on my part be subject to such modification as may be prescribed to me by the instructions which I am in daily expectation of receiving, I hasten to offer your Excellency all the respectful co-operation in my power. I shall forthwith address myself to the various points to which you have directed my attention, and proceed to give the necessary instructions to the cruizers under my orders. I shall be happy to obey whatever suggestions you may be pleased to offer for my guidance.

In acting thus promptly I am giving your Excellency the strongest and best proof in my power, of that high personal respect and esteem for yourself with which I am prepared to carry out the intentions of my Government in accordance with the spirit of the new bond of amity which allies it to your own. I shall earnestly endeavour to merit your approbation by the fidelity with which I shall emulate your example in the sacred cause in which we are so happily combined.

I have, &c.

(Signed)

W. JONES, Commodore, &c.

Rear-Admiral Montagnès de la Roque,
&c. &c.

Enclosure 4 in No. 21.

Rear-Admiral Montagnès de la Roque to Commodore Jones.

M. le Commodore,

"Caraïbe," *Fernando Po*,
Baie de Clarence, 5 Février, 1846.

J'AI l'honneur de vous adresser ci-joint un exemplaire des signaux dont convention a été passée hier, et qui seront échangés dorénavant entre les croisières Anglaises et Françaises. Je profite de cette occasion, M. le Commodore, pour vous remercier de cœur de l'obligeance avec laquelle vous voulez bien mettre à ma disposition du charbon de terre à l'Ile du Prince et à St. Paul de Loando, ainsi que du suif et de l'huile à Accra. Permettez-moi de vous rappeler que les magasins de ma station seront toujours au service des bâtimens de votre escadre, heureux de saisir toutes les occasions qui s'offriront de vous donner des preuves de ma vive et sincère reconnaissance pour votre bienveillant accueil.

Veillez, en attendant, M. le Commodore, compter toujours sur ma franche coopération pour l'accomplissement de la cause sacrée qui nous réunit, et agréez,
&c.

(Signé)

MONTAGNES DE LA ROQUE.

Commodore Jones,
&c. &c.

Enclosure 5 in No. 21.

Commodore Jones to Rear-Admiral Montagnès de la Roque.

Sir,

"Penelope," *Gorée*, March 31, 1846.

I HAVE the honour to acknowledge the receipt of your letter of the 7th instant, informing me of the necessary change in the arrangements previously agreed upon respecting the commissions of the respective Governments authorizing the cruizers to search, in consequence of subsequent dispositions of his Excellency the Minister of Marine, in reference to those documents, I beg leave to acquaint you that I had received, a few days before, corresponding directions from the British Government; so that the commissions which I had collected to send to your Excellency, about half of the whole number remain in my hands. They will be added to the rest, when I receive them, and forwarded to the Admiralty by the first opportunity; I did not fail to issue the most immediate and precise instructions, to all the cruizers under my command, to adopt forthwith, for their guidance, the provisions of the Treaty of the 29th May, I have every reason to believe, that the most distant of our cruizers would receive, and act upon that order, long before the 4th of March.

I have also to thank your Excellency for the amended code of signals, which shall be immediately brought into use by the British cruizers.

Being on my way to Boa Vista, where there is said to be a famine, with some supplies of provisions for that island, contributed by the Governor and people of Sierra Leone, I have felt it my duty to call at Gorée, in order to pay my respects to your Excellency, and to receive your commands, in whatever relates to the happy alliance in the execution of which I have the distinguished honour to cooperate with you.

Accept, &c.

(Signed)

W. JONES, *Commodore*, &c.*Rear-Admiral Montagnès de la Roque*,
&c. &c.

Enclosure 6 in No. 21.

*Rear-Admiral Montagnès de la Roque to Commodore Jones.**“Caraiïbe,” Rade de Gorée,
7 Avril, 1846.*

Mon cher Commodore,

JE ne veux pas laisser partir le “Styx,” sans vous témoigner tous les regrets bien sincères que j’éprouve de notre prochaine séparation, lorsqu’elle a surtout pour cause une santé chère à tous ceux qui ont le bonheur de vous connaître.

Votre bienveillant et amical accueil de notre première entrevue, mon cher Commodore, était pour moi l’assurance que nous marcherions toujours avec cet accord cordial qui est la plus sûre garantie du succès de notre mutuelle et importante mission, et j’aime à me persuader que mes vœux joints à tous ceux de vos amis, seront exaucés, et qu’après quelque temps de repos au pays natal, vous reviendrez à cette station, pour la continuer ensemble et m’aider de votre expérience et de vos bons conseils.

Soignez-vous donc bien, mon cher Commodore, et soyez bien persuadé que personne ne sera plus heureux que moi en apprenant votre retour à la santé et à la station.

Recevez, &c.

*Le Contre-Amiral commandant-en-chef,
MONTAGNES DE LA ROQUE.*Commodore Jones,
&c. &c.

(Signé)

Enclosure 7 in No. 21.

*Commodore Jones to Rear-Admiral Montagnès de la Roque.**“Penelope,” Porto Praya, St. Jago,
April 9, 1846.*

Sir,

I HAVE the honour to acquaint your Excellency that the disease under which I have for some time laboured, continues its progress in such a manner as, in the opinion of my medical advisers, to render an immediate departure for a cold climate urgent and indispensable.

I have therefore decided on leaving my charge of this station with Captain Mansel, of Her Majesty’s ship “Actæon,” for the present, and I shall forthwith proceed to Madeira, and then probably to England.

My regret at having to make this communication is greatly enhanced by the reflection that the important duties entrusted to me, however much above my capacity to meet them, would have been so much facilitated in their performance by having to carry them out in co-operation with your Excellency: even the short time which has already elapsed since I have had the honour of acting with you, has removed all apprehensions from my mind, of not being able to merit your favour, by the manner in which I should zealously endeavour to meet your indulgence. But my natural concern at being thus removed from a position, so advantageous, so flattering, and honourable to myself, carries with it the consolation, that I feel well assured of the same condescending kindness and good-will with which your Excellency has honoured me, being continued to my successors, so that the service of our August Sovereigns will not in any degree suffer from my absence.

I beg leave very respectfully to avail myself of the last opportunity which I may have of troubling your Excellency with representations on a point which is almost the only one on which I feel any remaining anxiety, under our existing arrangements.

Your Excellency will recollect that I gladly availed myself of your obliging readiness to undertake with the French squadron, the more particular surveillance of that part of the coast which is included within the subdivision of Cape Verde and Bissagos, and which, being within the immediate vicinity of your head-quarters and the principal French possessions on the coast, renders the arrangement at once convenient, and obviously the most proper one. Permit

me to remind you, Sir, that I have in consequence one small English cruizer stationed to watch, not only the Cape Verd Islands, but also the vicinity of Bissagos, which is notoriously the resort and the residence of persons connected with the Slave Trade.

In like manner, your Excellency's assurance to me, that the British Government had fully acquiesced in the occupation of the River Gaboon, which was now admitted to be "des eaux Françaises" in full sovereignty, induced me to receive very thankfully your consent to take under the supervision and care of your squadron, that part of the coast which extends from the Bight of Biafra to Cape Lopez. I need not remind you, Sir, that a considerable amount of Slave Trade has been recently carried on within these limits, and some of it from the River Gaboon itself; but I feel satisfied of the decisive effect of your measures under the new system, although I am persuaded that in proportion to the success of the British cruizers against the great slave-marts of Lagos and Cabenda will be the endeavours of the slave-dealers to evade the vigilance of the French cruizers who are stationed on that part of the coast, which is beyond the sphere of our observation.

Your Excellency's assistance in taking under the almost exclusive superintendence of your squadron the sections of the coast above referred to, will be of the most important value towards the accomplishment of our common object. It will enable me to strengthen the number of the British cruizers off the great slave-marts of Lagos and Cabenda and their vicinity, where the first efforts of the Slave Trade dealers appears to be concentrated, and against whom, as they sail chiefly under Spanish and Brazilian colours, the powers of the French cruizers are necessarily more limited, by the absence of the reciprocal Treaties authorizing the right of visit and search.

If I may trespass so much further on the indulgence of your Excellency, as to request you to station one of your steamers between Cape Mount and Seabar, for the next few months, until I receive reinforcements of that kind from England, I think I shall have nothing left to desire or suggest for the completeness of arrangements which you have already sanctioned and approved.

It only remains for me to repeat my grateful acknowledgments for all the obliging proofs of good-will with which you have already honoured me, and to assure you, &c.

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

Rear-Admiral Montagnès de la Roque, &c.

Enclosure 8 in No. 21.

Commodore Jones to the Commanders of Her Majesty's ships on the West Coast of Africa.

(General Memorandum, No. 54.)

"Penelope," at sea, March 28, 1846.

IT is my direction that the sheet of "Conventional Signals" agreed upon between his Excellency Rear-Admiral Montagnès de la Roque and myself, for the use of the combined French and English cruizers be adopted, and be forthwith carried into effect by the British cruizers in their interviews with vessels of the French squadron.

The commanders of such division will receive herewith a copy of this sheet of signals, which they will take care is correctly and minutely copied by the ships of their respective divisions. A separate journal of all the conventional signals made, is to be kept by every ship of this squadron, a copy of which is to be transmitted with the other quarterly returns, to the senior officer in command of this station.

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

The respective Captains and Commanders on the West Coast of Africa.

Enclosure 9 in No. 21.

Commodore Jones to the Commanders of Her Majesty's ships on the West Coast of Africa.

(General Memorandum, No. 55.)

"Penelope," Porto Praya, April 7, 1846.

THE Convention signed at London on the 29th of May, 1845, between the Governments of France and Great Britain, for the more especial suppression of the Slave Trade, having by the arrival of the French squadron on this coast, come into full operation, and the warrants previously in force from the respective Governments authorizing the mutual right of search, having on the 6th of March, been wholly withdrawn, and ceased to have further force and effect, the captains and commanders of the cruizers composing the British squadron are hereby reminded thereof, and required and directed to conform strictly to all the provisions of the said Treaty, and each in his station to exert himself to fulfil its meaning with zeal and diligence.

The French squadron, being divided into subdivisions in conformity with those of the British cruizers, will aid in the prevention of slaves being embarked, as well as the removal of any in-vessels abusing the French flag for that purpose. But the commander of Her Majesty's vessels are not to expect that the valuable assistance thus afforded to them can be carried to the same extent to which they are themselves authorized to go, by Treaties with the Powers whose colours are generally abused for that purpose.

France having no reciprocal Treaties to the same effect, the extent of her aid is necessarily limited, and the amount of it must be left entirely to the discretion of the French officers, who will judge how far they can act, and such measure of assistance as they can give, will be in each case thankfully received.

The cordiality and good will with which the French Commander-in-chief and his officers have entered on the duties of the new alliance, present the best guarantee for the loyal and faithful execution of its several provisions, and the British Commodore has been too long indebted to the zeal and intelligence of the officers under his command, not to feel assurance that they will, in a corresponding spirit, carry out the object of their Sovereign and her august ally.

The Commodore calls upon all the officers of the squadron to vie with each other in every office of kindness and good-will towards their French allies, to discourage and avoid all untoward misunderstanding; and where cases may unhappily occur of supposed injury, they are strictly enjoined never to take upon themselves the redress of their own wrongs, which are in every case to be submitted to the consideration of superior authority. The officers may be assured that their due attention to these injunctions will be noticed in every instance and reported to the Lords Commissioners of the Admiralty.

(Signed)

W. JONES, *Commodore, &c.*

*The respective Captains and Commanders in the
West Coast of Africa.*

Inclosure 10 in No. 21.

EXTRAIT des Divisions et Stations de l'Escadre Française employée sur la Côte Occidentale d'Afrique sous le commandement du Contre-Amiral Montagnès de la Roque, Commandant-en-chef.

	Divisions et Limites.	Commandant de Division.	Noms		Nombre		Total.	Observations et Remarques.
			des Bâtimens.	des Commandans.	de canons.	d'hommes.		
1	Cap Verd et Bisagots, jusqu'aux Iles de Loss.	Philippe de Kerallet, Lieutenant de vaisseau.	Amaranthe ... Jonquille ...	Philippe de Kerallet ... Girardin de Mongerald ...	4 4	98 58	2	
2	Sierra Leone et Cap des Palmes.	Guilbert, Capitaine de corvette.	Aleyone ... Bougainville ... Hirondelle ... Narval, vapeur ...	Guilbert ... Chaigneau ... Bellequin ... Sulra ...	4 4 6 4	88 88 69 90	4	Le Narval fera le service de la 1ère et 2e division.
3	Golfes de Benin et de Biafra jusqu'au Cap Lopez.	Chiron Du Brossay, Capitaine de corvette.	Abeille ... Surprise ... Cigogne ... Fidèle ... Espadon, vapeur ...	Chiron du Brossay ... Gouris de Refuge ... Gouge ... Ritt ... Rolle ...	18 4 4 4 6	120 88 88 88 120	5	
4	Congo. Depuis le Cap Lopez jusqu'à St. Paul de Loanda.	Ollivier, Capitaine de corvette.	Comète ... Papillon ... Fine ... Australie, vapeur ...	Ollivier ... Grassin ... Baron Darricau ... Le Gallie de Kerisonet ...	4 6 6 4	88 23 60 90	4	
5	Benguela. Depuis St. Paul de Loanda jusqu'au Cap Negro.	Condien, Capitaine de corvette.	Camille ... Léger ... Kossignol ...	Condien ... Taffard de St. Germain ... Masson ...	20 6 4	120 93 88	3	
6	Gorée.	De Chastenef, Lieutenant de vaisseau.	Adour ...	De Chastenef ...	—	—	1	Magasin et dépôt.
7	Côte Occidentale d'Afrique.	Bouët-Willamez, Capitaine de vaisseau. De Foget, Capitaine de corvette. Malmanche, Lieutenant de vaisseau. Bourdon Grammont, Capitaine de corvette. De Gasquet, Capitaine de corvette.	Caraihe, vapeur ... Indienne ... Infatigable ... Elan, vapeur ... Catman, vapeur ...	Cte. Bouët-Willamez ... Cte. De Foget ... Bourdon Grammont ... Malmanche ... De Gasquet ...	10 10 10 6 6	330 108 88 120 120	5	Direction générale. Corvette de 380 tx. portant des vivres et des rechanges aux choiseurs. Ces deux bâtimens, ainsi que le "Phoque", à son retour, doivent repartir sur les points de la côte faisant la traite : lorsque les dépôts de charbon seront pourvus ils serviront aussi à établir les relations entre les deux centres de station, Covo et le Gabon.
8	Mission.	Simon, Capitaine de corvette. Baudin, Capitaine de corvette.	Phoque, vapeur ... Grenadier ...	Simon ... Baudin ...	6 20	120 110	2	
9	Gabon.	Mignet, Lieutenant de vaisseau.	Aube ...	Mignet ...	—	—	1	Magasin et dépôt.

Le 4 Février, 1846.

Le C. A. Commandant-en-chef la station des Côtes Occidentales d'Afrique, MONTAGNÈS DE LA ROQUE.

The Earl of Aberdeen to Lord William Hervey.

My Lord,

Foreign Office, June 27, 1846.

I TRANSMIT to your Lordship herewith, for your information, a copy of a letter, dated the 19th ultimo, which I have received from the Count de Ste. Aulaire, and of my reply thereto, on the subject of a two-fold complaint on the part of the French Government against the conduct of Commander Bosanquet, of Her Majesty's ship "Alert," to the effect, first, that he had searched a Brazilian merchant-vessel within the French territorial waters of the Gaboon; and secondly, that he had omitted to salute the French flag in that river.

I also transmit a copy of a communication which I have directed to be addressed to the Admiralty in consequence of this complaint.

I think it right, in transmitting these papers to your Lordship, to notice that the official documents showing what had been done by the French Government to destroy the Slave Trade in the Gaboon, which are mentioned in the Count de Ste. Aulaire's letter to me, as having been transmitted to Lord Cowley by the French Government, do not appear to have been communicated by his Excellency to this Department.

Lord William Hervey,
&c. &c.

I am, &c.
 (Signed) ABERDEEN.

Enclosure in No. 22.

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

Sir,

Foreign Office, June , 1846.

I AM directed by the Earl of Aberdeen to transmit to you, for the information of the Lords Commissioners of the Admiralty, a copy of a note, with its inclosures, received from the Count de Ste. Aulaire, the French Ambassador at this Court, and of Lord Aberdeen's reply thereto, on the subject of a two-fold complaint, on the part of the French Government, against the conduct of Commander Bosanquet, of Her Majesty's ship "Alert," to the effect, first, that he had searched a Brazilian merchant-vessel within the French territorial waters of the Gaboon; and secondly, that he had omitted to salute the French flag which was flying on the French factory in that river; and that although representations upon the subject had been made to him by the officer placed at the head of that establishment, he confined his answer to a statement of alleged facts of Slave Trading and Piracy carried on by Brazilian vessels in that neighbourhood.

I am to request that in laying these papers before the Lords Commissioners of the Admiralty, you will move their Lordships to call upon Commander Bosanquet for a detailed report of his proceedings in the Gaboon on the occasion to which the present complaint refers; and that you will at the same time state to their Lordships the desire of the Earl of Aberdeen that such instructions should in the meanwhile be forwarded to Her Majesty's naval commanders on the west coast of Africa, as will prevent a recurrence of complaints similar to that which is the subject of the French Ambassador's present representation.

Lord Aberdeen wishes it to be clearly understood, that Her Majesty's Government have no right to prevent, or object to, the formation of settlements by France in unsettled parts of the Coast of Africa; nor to her obtaining by treaty the power of forming settlements in other parts, provided no English acquired rights be thereby violated.

The French settlement on the Gaboon comes under this latter denomination; and although the mode of obtaining the Treaty under which the French rights in that quarter are exercised has been objected to, the fact of the Treaty nevertheless exists; and Her Majesty's Government do not consider that they possess any right to call the French Government to account for the means which they may have employed to obtain that Treaty.

Lord Aberdeen therefore suggests that Her Majesty's naval commanders should be reminded, that while protecting the rights and interests of British

subjects in the Gaboon and elsewhere, it is their duty to be careful that they carry out that object with a due regard to the rights acquired by other Powers.

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

I am, &c.
 (Signed) G. S. SMYTHE.

No. 23.

Lord Cowley to the Earl of Aberdeen.

Paris, July 6, 1846.

(Received July 8.)

My Lord,

WITH reference to your Lordship's despatch of the 27th ultimo, marked Slave Trade, I lose no time in stating that I have not received any official documents, or any communication whatsoever from the Minister for Foreign Affairs, "showing what has been done by the French Government to destroy the Slave Trade in the Gaboon."

Had any such communication reached me it would of course have been transmitted to your Lordship without delay.

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

I have, &c.
 (Signed) COWLEY.

No. 24.

Viscount Palmerston to Count Jarnac.

M. le Comte,

Foreign Office, August 11, 1846.

I BEG leave to refer you to a despatch which M. Guizot addressed to the Count de Ste. Aulaire on the 22nd of June, 1845, and which in his Excellency's absence was communicated by you to the Earl of Aberdeen, on the 5th of the following month.

In this despatch, M. Guizot, after acknowledging as satisfactory, certain explanations which Her Majesty's Government had given to the Government of France, with respect to some negroes who were supposed to have been kidnapped from Madagascar, and imported into the Island of Mauritius, mentioned the case of some other negroes said to have been taken from the Comoro Islands, at the end of the year 1843, by the British ship "*Sampson*," a circumstance, which it was observed, had been notified to the British Government; and the Count de Ste. Aulaire was instructed to call the attention of Lord Aberdeen to the case, as one injurious to the character of Her Majesty's subjects in the Mauritius.

Lord Aberdeen, in a note to the Count de Ste. Aulaire, dated the 19th July, 1845, in answer to the above-mentioned communication, stated that he did not find that any communication had been made by the French Government to Her Majesty's Government, respecting the embarkation of negroes at the Comoro Islands, on board the British vessel "*Sampson*," in 1843, which could enable Her Majesty's Government to investigate that matter. The only occasion upon which it was found that any such circumstance had been brought to the notice of Her Majesty's Government, was in the despatch of M. Desages to Count Ste. Aulaire, dated the 28th May, 1844, which had been communicated to Lord Aberdeen on the 17th of June, and there the subject was only alluded to in a cursory manner, without giving any particulars.

Lord Aberdeen therefore requested the Count de Ste. Aulaire to furnish Her Majesty's Government with the particulars of the affair, which it appeared from the letter of the Minister of Marine, were in possession of the French Government.

As no reply has been returned to Lord Aberdeen's note, I take the liberty of reminding you of this fact, and of requesting that you will have the goodness to call the attention of your Government to this subject, in order that Her Majesty's Government may be furnished with the means of investigating the matter and of taking such ulterior steps as the case may be found to call for.

The Count de Jarnac.
 &c. &c.

I have, &c.
 (Signed) PALMERSTON.

No. 25.

Count Jarnac to Viscount Palmerston.

Londres, le 14 Août, 1846.

(Received August 17.)

My Lord,

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'écrire le 11 de ce mois, pour appeler mon attention sur des communications que l'Ambassade du Roi a faites au Gouvernement de Sa Majesté Britannique en 1844 et 1845, au sujet d'un certain nombre de Noirs embarqués en 1843 aux Iles Comores, et transportés à l'Île Maurice sur le bâtiment Anglais "*Sampson*."

Les recherches que je viens de faire dans les archives de l'Ambassade établissent que la lettre adressée par Lord Aberdeen, le 19 Juillet, 1845, à M. le Comte de Ste. Aulaire, a été envoyée à Paris le 24 du mois. L'Ambassade du Roi n'ayant reçu jusqu'ici du Ministre aucune réponse à ce sujet, je m'empresse de réclamer aujourd'hui de mon Gouvernement les renseignements que votre Excellence désire recevoir et que j'aurai l'honneur de lui transmettre dès qu'ils me seront parvenus.

Son Excellence le Vicomte Palmerston,

&c.

&c.

&c.

J'ai l'honneur, &c.

(Signé)

JARNAC.

No. 26.

Viscount Palmerston to the Marquis of Normanby.

My Lord,

Foreign Office, September 2, 1846.

I HEREWITH transmit to your Excellency copies of two despatches from Her Majesty's Agent and Consul-General at Tangier, reporting that seven negro eunuch Slaves, destined to serve in the Harem of the Emperor of Morocco, had been brought into that port by the French steamer of war "*Ætna*," and had been subsequently conveyed from thence to Mogadore on board the French steamer of war "*Cayman*."

I have to desire that your Excellency will communicate the substance of these papers to M. Guizot.

I am, &c.

(Signed)

PALMERSTON.

His Excellency the Marquis of Normanby, K.P.

&c.

&c.

Enclosures in No. 26.

1. *Mr. Drummond Hay to the Earl of Aberdeen, June 12, 1846.*
2. *Mr. Drummond Hay to the Earl of Aberdeen, June 17, 1846.*

[See Class D, Nos. 47 & 48, pages 69 & 70.]

No. 27.

Viscount Palmerston to Count Jarnac.

Foreign Office, October 12, 1846.

THE Undersigned, &c., has the honour to refer Count Jarnac, &c., to the letter addressed on the 5th of March last by Count Ste. Aulaire to the Earl of Aberdeen, calling his attention to the fact, that the French vessel "*Chateaubriand*," of Nantes, while on her way from the Isle of Bourbon to France, had been visited by Her Majesty's sloop "*Sappho*," in latitude 33° 12' south, and longitude 32° 30' east, being outside of the limits of the Right of Search prescribed by the Conventions of 1831 and 1833, and requesting enquiry into the matter.

Her Majesty's Government, having now received a report stating the result of the enquiry, which, in pursuance of the desire of Count Ste. Aulaire was made into this case, the Undersigned has the honour to acquaint Count

Jarnac, that Commander Gambier, the officer under whose orders the visit was made, being, on the 5th of November, 1845, in latitude 33° 16' south, and longitude 36° 52' east, on his passage from Simon's Bay to the Mozambique Channel, in the direct track of slave-vessels, fell in with a vessel which hoisted French colours; that it being almost calm he despatched a lieutenant to board her, in order to ascertain if she were really French, and he desired the lieutenant, in case she were so, to quit her immediately.

Commander Gambier adds, that it is the common practice of slave-vessels to hoist false colours, and it was therefore necessary for him, under the circumstances above stated, to ascertain the real nationality of the vessel in question, although out of the limits of the right of search; and the more especially as the last slave-vessel which had been captured by his ship had a French flag on board ready to be hoisted if occasion or circumstances had permitted.

With respect to the mode in which the visit was conducted, Lieutenant Burrows, the officer to whom this service was entrusted by Commander Gambier, has reported that on coming up to the suspected vessel, which turned out on enquiry to be the "*Chateaubriand*," he asked the master if he had any objection to show his papers; that the master made no objection whatever to do so, nor did he complain of being thus visited. Lieutenant Burrows states, indeed, that he did not detain the vessel a single moment, and that he has a particular recollection of the civil behaviour of the master, and of the absence of any appearance of dislike to his (Lieutenant Burrows') proceedings.

The Undersigned does not doubt that the statement will be perfectly satisfactory to the French Government; and that it will agree with Her Majesty's Government in opinion, that in the manner of performing the duty of verifying the nationality of the "*Chateaubriand*," both Commander Gambier and Lieutenant Burrows showed due respect to the flag of France and proper courtesy to the subjects of the French nation.

The Undersigned, &c.

The Count de Jarnac,
&c. &c.

(Signed)

PALMERSTON.

No. 28.

Viscount Palmerston to the Marquis of Normanby.

My Lord,

Foreign Office, October 16, 1846.

I TRANSMIT to your Excellency herewith, 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, from which your Excellency will perceive that strong suspicions exist that the flag of France has on more than one occasion been criminally employed in the prohibited traffic between that part of Africa and Brazil.

I have to instruct you to communicate the enclosed paper to M. Guizot, and to suggest to him the expediency of taking measures for preventing the abuse of the French flag on the east coast of Africa for purposes of Slave Trade.

I am, &c.

(Signed)

PALMERSTON.

His Excellency the Marquis of Normanby, K.P.

&c.

&c.

Enclosure in No. 28.

Her Majesty's Commissioners at Cape Town 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 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 upon this subject, (of the 15th of October, 1845,) we have learned that slaves have been carried off principally from Ibo and Pomba, and other places to the northward of Quillemane.

It is with great regret that we have learned that equipments for slave-vessels are brought to the East Coast in vessels under the flag of France.

One recent instance is that of the French brig "*Maria*."

This vessel having brought 157 emigrants from Dunkirk to Rio de Janeiro, was chartered for six months by a Brazilian, formerly resident at Quillemane, and well known as a slave-dealer there, for a voyage from Rio to Quillemane by Ibo. At Ibo she landed equipments for two slavers, and thence proceeded to Quillemane, where, according to our informant, she was to have assumed a Brazilian character, the necessary documents for which were on board. Off Quillemane, however, she was met by Her Majesty's ship "*Sappho*," when the master stated that she was going up to trade at that place; but being warned that he could not legally trade there without first touching at Mozambique, he alleged that he was only going there for wood and water. Upon arriving at Quillemane, the authorities, whose attention had been drawn to the suspicions attached to her by Captain Gambier of Her Majesty's ship "*Sappho*," refused her permission to do more than complete her water.

It was reported at Quillemane, that she had on board upwards of 30,000 dollars, and, as above stated, Brazilian colours and papers; and her undoubted purpose of shipping a cargo of slaves was only prevented by the presence of Her Majesty's ship "*Sappho*," and the interference of Captain Gambier.

We understand that one other vessel which came to the coast last year under the French flag, succeeded in carrying off a cargo of slaves to Rio de Janeiro.

We would suggest, for your Lordship's consideration, that, under the international arrangements existing between Great Britain and France, unless the East Coast is visited by ships of war belonging to that Power, the slave-dealers will most assuredly avail themselves of the flag of France to convey to the scene of their operations, equipments, and the means of purchasing, and ultimately carrying off their human cargoes, and will thus complete one important part of their nefarious undertaking, secure from interference or interruption on the part of the cruizers employed in the Slave Trade suppression service.

No. 29.

The Marquis of Normanby to Viscount Palmerston.

Paris, October 30, 1846.

(Received November 1.)

My Lord,

WITH reference to your Lordship's despatch Slave Trade, of the 16th instant, enclosing extracts from the report of Her Majesty's Commissioners at the Cape of Good Hope, respecting the Slave Trade carried on under the French flag on the eastern coast of Africa, I have the honour to enclose to your Lordship a copy of the note which I have received from M. Guizot, in reply to that which I addressed to his Excellency on that subject, on the 20th instant.

I have, &c.

(Signed) NORMANBY.

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

&c.

&c.

&c.

Enclosure in No. 29.

M. Guizot to the Marquis of Normanby.

Monsieur le Marquis,

Paris, le 26 Octobre, 1846.

J'AI reçu avec la lettre que votre Excellence m'a fait l'honneur de m'écrire le 20 de ce mois, l'extrait d'un rapport des Commissaires de Sa Majesté Britannique au Cap de Bonne Espérance, contenant des détails sur le Commerce d'Esclaves qui s'est fait dans le courant de l'année dernier sur la côte orientale d'Afrique, et d'après lequel le pavillon Français aurait servi plusieurs fois à couvrir des opérations de traite entre cette partie de l'Afrique et le Brazil.

Je me suis empressé de communiquer ce document à M. le Ministre de la Marine, d'appeler sa plus sérieuse attention sur les faits de traite, et les abus de pavillon Français qu'il signale. Je l'invite à rechercher les mesures les plus propres à les réprimer et à en prévenir le retour. J'aurai l'honneur de vous communiquer la décision prise par mon collègue, aussitôt qu'elle me sera connue.

Son Excellence M. le Marquis de Normanby,
 &c. &c.

Agréez, &c.
 (Signé) GUIZOT.

No. 30.

Viscount Palmerston to Count Jarnac.

M. le Comte,

Foreign Office, November 4, 1846.

MY attention has been drawn to a paragraph published in the "Akhbar Journal de l'Algérie," of the 13th instant, reporting that a few days before that date, a caravan had arrived at Algiers from Beni-Mzab, bringing about twenty black slaves of both sexes, who on their arrival were placed in the custody of certain functionaries for the purpose of being sold.

I beg leave to enclose a copy of the paragraph in question, and to request that you will submit it to the attention of your Government, with reference to the treaty engagements of France for the suppression of the African Slave Trade.

The Count de Jarnac,
 &c. &c.

I have, &c.
 (Signed) PALMERSTON.

Enclosure in No. 30.

Extract from the "Akhbar Journal de l'Algérie" of October 12, 1846.

IL est arrivé ici depuis quelques jours, une caravane de Beni-Mzab, qui ont amené une vingtaine d'Esclaves noirs des deux sexes, lesquels ont été déposés, les uns chez l'Amin de la nation, les autres chez le Kaïd des nègres, pour être mis en vente. La plupart sont des enfans, et le reste se compose d'adultes.

No. 31.

Count Jarnac to Viscount Palmerston.

Londres, le 5 Novembre, 1846.

My Lord,

(Received November 7.)

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'écrire hier, pour appeler mon attention sur l'article d'un journal annonçant l'arrivée d'Esclaves noirs en Algérie. Conformément au désir exprimé par votre Excellence, je me suis empressé de porter sa communication à la connaissance de mon Gouvernement.

Son Excellence le Vicomte Palmerston,
 &c. &c. &c.

J'ai l'honneur, &c.
 (Signé) JARNAC.

No. 32.

Count Jarnac to Viscount Palmerston.

Londres, le 14 Novembre, 1846.

My Lord,

(Received November 16.)

JE n'ai pas tardé à porter à la connaissance de mon Gouvernement la lettre de votre Excellence en date du 4 de ce mois, relativement à un article du journal "l'Akhbar," signalant la prétendue importation à Alger d'une vingtaine d'Esclaves noirs pour y être mis en vente. Pour répondre à la communication de votre Excellence, je suis chargé de lui adresser la copie ci-jointe d'un article du même journal, inséré dans le numéro du surlendemain, dans le but de contredire la nouvelle qu'il y avait précédemment publiée.

Son Excellence le Vicomte Palmerston,
 &c. &c. &c.

J'ai l'honneur, &c.
 (Signé) JARNAC.

 Enclosure in No. 32.
Article du Journal "l'Akhbar" du 15 Octobre, 1846.

NOUS devons rectifier un fait énoncé dans notre dernier numéro, de manière à lui donner une portée qu'il n'a pas; c'est celui relatif aux ventes de nègres qui auraient lieu à Alger. A l'époque du Rhamadan viennent souvent, des tribus du Sud, quelques nègres de différens sexes et âges, conduits par un de ces hommes qui ont l'habitude de leur servir d'interprètes vis-à-vis des familles indigènes dans la domesticité desquelles entrent ces nègres. C'est surtout dans les tribus que se font les placemens. Cette année, trois ou quatre négresses seulement sont arrivées jusqu'à Alger, mais aucune n'a été mise en vente, aucune n'a été déposée à cet effet chez le Kaïd des Nègres ou l'Amin des Mozabites, et l'autorité n'aurait jamais permis des ventes de cette nature.

No. 33.

Viscount Palmerston to the Marquis of Normanby.

My Lord,

Foreign Office, November 23, 1846.

I HEREWITH transmit to your Excellency, for your information, a copy of a letter and of its enclosures received at this office from the Admiralty, reporting the circumstances under which the French national schooner "Souris" was visited by a boat from Her Majesty's ship "Ferret."

I am, &c.
 (Signed) PALMERSTON.
 His Excellency the Marquis of Normanby, K.P.
 &c. &c.

 Enclosure 1 in No. 33.
The Secretary to the Admiralty to the Right Hon. E. J. Stanley.

Sir,

Admiralty, November 16, 1846.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, copy of a letter dated the 2nd of September last, from Commander Sprigg, of Her Majesty's sloop "Ferret," reporting the circumstances under which a French national schooner, the "Souris," was boarded and visited.

The Right Hon. E. J. Stanley,
 &c. &c.

I am, &c.
 (Signed) H. G. WARD.

Enclosure 2 in No. 33.

Commander Sprigg to the Secretary to the Admiralty.

Sir,

"Ferret," off Seabar, September 2, 1846.

I HAVE the honour to forward a statement of the particulars relative to boarding the French national schooner "Souris," M. Leger in command, of ninety tons, bound from the River Senegal to the Gaboon, with a crew of five white and seventy-three black, including the letter of Lieutenant Fisher, the boarding officer.

On the afternoon of the 27th ultimo, about 2 P.M., latitude 7° 46' north, and longitude 14° 4' west, while standing to the southward by compass S.S.E., wind W.S.W., a schooner was reported from the mast-head, standing to the north-west, and bearing right ahead of us; in less than an hour, with a strong breeze, we crossed on opposite tacks, the "Ferret" being to leeward about a quarter of a mile, having shown our colours; just at this period the schooner hoisted a French ensign and pendant.

Knowing the "Hirondelle," the only French man-of-war schooner here, and supposing this to be her, I tacked to speak her; but the schooner tacked, seemingly to avoid us; and as I thought this strange, closer observation convinced me she was much smaller than the "Hirondelle," and her decks were crowded with negroes. Instead of keeping close to the wind, the schooner steered two points free, evidently to try her powers of sailing. However, in a short time, the "Ferret," passing close to leeward, hailed him; no answer was returned, but that of his not speaking English, when a negro with a red shirt was observed to rush forward and answer in English. This was repressed immediately by the officer in uniform, who lifted up a handspike against him; I then told him my desire to send a boat to him, and having shortened sail, I directed the First Lieutenant (Mr. W. E. Fisher) to board her. This officer, on his return, having informed me that she was bound from Senegal to Goree, both of which places lay to the northward, while she was steering to the southward, I directed sail to be again made after her, and having again hailed her, the same officer again boarded.

The distinct period of sail being shortened by the schooner was

First time	-	3 55 P.M. shortened sail,	4 10 P.M. made sail.
Second time		5 5 P.M. ditto	5 20 P.M. ditto.

I have to remark that the appearance of this vessel was extremely suspicious from her movements, from her crowded negroes, from all want of respect usually shown on the quarter-deck of national vessels, and her fittings resembling a slaver in every respect more than a ship of war.

The second report of Mr. Fisher, that her destination was the Gaboon, cleared up the papers, and the schooner proceeded to the southward, notwithstanding several of our crew persisted to have recognized a prisoner that had a passage in the "Ferret," among her few whites.

I have, &c.

(Signed) GEO. SPRIGG, *Commander.*

The Right Hon. H. T. L. Corry,
&c. &c.

Enclosure 3 in No. 33.

Lieutenant Fisher to Commander Sprigg.

Sir,

"Ferret," Seabar, September 1, 1846.

IN compliance with your order of this day's date, I beg leave to furnish you with an account of the particulars respecting the boarding of the "Souris," stating herself to be a French man-of-war schooner.

I boarded in the jolly-boat of the vessel under your command, and on my arrival on deck found nothing whatever in her appearance to lead me to suppose her to be a man-of-war, or a vessel entitled to carry a pendant, not only on account of the entirely unservice-like and unwarlike appearance, but from her decks being covered with negroes, and the absence of everything like

respect supposed to be paid to the person commanding the ship, although in French naval uniform; but his being the only person on board in any uniform whatever, I considered strange, and offering to show my commission, I received his papers, examined and found them correct.

He stated himself to be a mate in the French service, and employed by his Government carrying emigrants, as I understood him, from the River Senegal to Goree.

Both places being to the northward of Sierra Leone, and he being to the southward, excited my suspicions. I however returned on board, and made you acquainted with the above particulars, and received orders from you to board again, taking with me one of our seamen (John Benyman, A. B.) who fancied he recognized a Portuguese on board the "*Souris*," who had formerly been a prisoner on board the "*Ferret*." I found upon referring to his chart he was from Senegal, bound to the Gaboon, touching at Goree and Grand Bassam, and other places on the coast, and his papers, as before, correct, I therefore returned on board, and he made sail.

I beg likewise to state, that both times I boarded I did not detain him half an hour, and conducted myself with the civility due from an officer of our nation to that of another.

G. Sprigg, Esq.
 &c. &c.

I have, &c.
 (Signed) W. E. FISHER, Lieutenant.

No. 34.

Viscount Palmerston to Count Jarnac.

M. le Comte,

Foreign Office, November 27, 1846.

I HAVE the honour to acknowledge the receipt of a letter which you addressed to me on the 14th instant, in which, in reply to my letter of the 4th instant, you enclose a copy of an article from the "*Akhbar Journal*," of Algiers, of the 15th ultimo, explanatory of an article which appeared in that journal, on the preceding day, and which notified the arrival of twenty negro slaves in Algiers for sale.

I have to express to you my thanks, M. le Comte, for this communication, but I cannot help observing to you that even this article seems to admit that negro slaves are brought periodically from the interior of Africa for sale at Algiers; though it denies that any such slaves have been put up for sale, publicly, during the present year.

The Count de Jarnac,
 &c. &c.

I have, &c.
 (Signed) PALMERSTON.

No. 35.

Viscount Palmerston to the Marquis of Normanby.

My Lord,

Foreign Office, December 7, 1846.

I TRANSMIT to your Excellency herewith, a letter from Captain Mansel, of Her Majesty's ship "*Actæon*," to the Secretary of the Admiralty, dated Ascension, the 2nd of October last, in which it is reported that the native Chief of Lagos, on finding that in consequence of the vigilance of Her Majesty's cruizers, he was unable to sell a large number of slaves which he had collected for sale, caused upwards of 2000 of these unfortunate people to be put to death, and had their heads stuck on stakes all round the town of Lagos.

I have to instruct your Excellency to communicate this intelligence to M. Guizot, and to state to him that Her Majesty's Government consider this barbarous act to be such an outrageous violation of the laws of human nature, that they think an exemplary punishment ought to be inflicted upon the Chief of Lagos, and they propose, therefore, to instruct the officer commanding the English squadron employed on the coast of Africa for the suppression of the

Slave Trade, to enter into communication with the officer commanding the French co-operating squadron, for the purpose of considering what measure can best be devised for that purpose, and to concert the arrangements for carrying any such measure into execution.

I am, &c.

(Signed) PALMERSTON.

His Excellency the Marquis of Normanby, K.P.

&c.

&c.

Enclosure in No. 35.

Captain Mansel to the Secretary to the Admiralty.

Sir,

"Actæon," Ascension, October 2, 1846.

I REGRET that I should have to inform the Lords Commissioners of the Admiralty of the perpetration of a deed of such revolting atrocity, as, I believe, has never been surpassed in the annals of barbarism.

Commander Young, in his letter of proceedings, informs me that he has long watched, together with the "Styx," two suspicious Sardinian brigs lying at Lagos, which had at length been forced to sail from thence without cargoes.

He then proceeds to state that the native Chief of Lagos, finding he could not dispose of the numerous slaves on his hands, had caused upwards of 2000 to be slaughtered, and their heads to be stuck on stakes all round the town of Lagos.

This fact is stated upon the authority of the master of a Swedish brig, who says he was an eye-witness, and corroborated by a letter which the Captain of the French brig of war "*Flèche*," mentions to have been received at the French factory at Whydah.

However terrible in character this deliberate and calculated act of butchery, it is, I regret to state, not without parallel on the coast, as I was informed at Sierra Leone, in July last, by the Governor, who assured me it was from the highest authority, that 300 slaves had met the same fate under similar circumstances, within the last twelve months, in the neighbourhood, as I believe, of the Gallinas.

I have, &c.

(Signed) GEO. MANSEL,
Captain and Senior Officer.

The Secretary of the Admiralty,

&c.

&c.

No. 36.

The Marquis of Normanby to Viscount Palmerston.

Paris, December 10, 1846.

(Received December 13.)

My Lord,

I CALLED on M. Guizot this morning, and stated to him the substance of your Lordship's despatch of the 7th December, containing the account of the disgusting butchery perpetrated by a native chief at Lagos, upon 2000 slaves. I also expressed to M. Guizot your Lordship's desire that such an outrage should not pass unpunished, and that the officer commanding the British squadron on that coast should communicate with the officer commanding the French co-operating squadron, in order that they might combine such means as might to them appear expedient with reference to the perpetrator of this outrage.

M. Guizot fully participated in your Lordship's feelings of horror and indignation on this subject, and promised that instructions should at once be given to the Commander of the French squadron in conformity with your Lordship's wishes.

I have, &c.

(Signed) NORMANBY.

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

&c.

&c.

&c.

No. 37.

Count Ste. Aulaire to Viscount Palmerston.

Londres, le 10 Décembre, 1846.

(Received December 13.)

My Lord,

AU mois de Juin, 1845, j'ai été chargé par mon Gouvernement de présenter à Lord Aberdeen quelques observations relativement à un fait d'embarquement irrégulier de nègres Mozambiques, imputé au navire Anglais "*Le Sampson*." Votre Excellence, dans une lettre en date du 11 Août dernier, à M. le Comte de Jarnac, a exprimé le désir d'obtenir des documens plus précis sur les causes qui ont fait naître dans l'esprit des autorités de Bourbon des soupçons contre la régularité des opérations de ce navire.

J'ai l'honneur de vous transmettre, en conséquence, my Lord, l'extrait d'une lettre récemment adressée par M. le Ministre de la Marine à M. le Ministre des Affaires Etrangères, contenant des détails plus circonstanciés sur cette affaire. Votre Excellence verra, en outre, par la copie également ci-jointe d'un rapport du Commandant Supérieur de Mayotte, que des actes analogues à celui que signale le Gouvernement du Roi sont fréquemment commis par des navires Anglais dans ces parages.

Le Gouvernement du Roi pense, my Lord, qu'un examen plus approfondi de ces faits amènera le Gouvernement de Sa Majesté Britannique à les juger sévèrement et à prendre les mesures propres à en prévenir le retour.

Son Excellence le Viscomte Palmerston,
&c. &c. &c.

(Signed)

Veillez, &c.

STE. AULAIRE.

Enclosure 1 in No. 37.

Extrait d'une lettre de M. le Ministre de la Marine à M. le Ministre des Affaires Etrangères.

Paris, le 16 Octobre, 1846.

LE 6 Novembre, 1843, le trois-mats barque Anglais "*Le Sampson*," Capitaine Brown, est venu mouiller sur la rade de St. Denis (Ile Bourbon). Ce bâtiment avait à bord 125 nègres Mozambiques, recrutés à Anjouan (l'une des Comores) sous le titre d'engagés libres. Ils étaient destinés pour Maurice; mais M. Bonnifay, subrécargue du navire, qui avait le principal intérêt dans l'opération, offrit de les introduire dans la colonie Française, moyennant un droit de passage de 150 francs par individu. Cette proposition ayant éveillé les soupçons de l'autorité de Bourbon, sur l'origine et la légitimité des engagemens, M. le Gouverneur de la colonie ordonna une enquête, et cette enquête a démontré d'une manière positive :—

1. Que les noms des engagés n'étaient point inscrits sur le rôle du navire "*Le Sampson*."

2. Que la plupart ignorait la nature de leur engagement et même jusqu'au lieu où on les transportait.

3. Que plusieurs étaient des enfans au-dessous de 12 ans, non accompagnés de leurs parens.

4. Qu'il n'y avait à bord ni médecin ni une quantité de vivres en rapport avec un aussi grand nombre d'individus.

5. Que d'après leurs interrogatoires, presque tous les individus prétendus engagés avaient été amenés antérieurement à Anjouan comme esclaves; qu'ils déclaraient, à la vérité, que la mort de leurs premiers maîtres les avait rendus libres avant le moment de leur engagement, mais que cette partie de leur déposition paraissait constamment dictée par la crainte, et était mêlée de contradictions.

6. Que le nommé Songor Macona, âgé de 12 ans, s'était déclaré livré par Selim Sultan d'Anjouan, qui avait en outre gardé les trois piastres qui étaient destinés à cet indigène pour le mois qui devait lui être payé d'avance.

7. Que la seule garantie de l'état réel de liberté des immigrants au moment de leur engagement, consistait dans l'affirmation du Sultan Selim, naturellement

porté, comme tous les chefs de ces parages, à trafiquer de la personne et du travail de ses sujets.

8. Enfin qu'il n'existait aucune trace d'engagemens individuels, mais seulement une sorte d'engagement ou de compromis collectif, passé au nom des immigrants et hors de leur présence par ce même Sultan d'Anjouan, qui avait perçu un droit de trois piastres pour la sortie, et prélevé sur chaque individu une large part du mois d'avance qui leur avait été compté au moment du départ.

Je n'ai fait ressortir ici que les circonstances qui ont un caractère d'évidence incontestable, mais d'autres détails s'accordent en outre à faire penser qu'une partie au moins des passagers du "*Sampson*" n'étaient en réalité que des noirs appartenant au Sultan, au moins comme vassaux, et livrés par lui, comme travailleurs, pour un tems déterminé dans un but de spéculation.

Je ne prétends point qu'une opération de cette nature, en considérant surtout qu'elle avait lieu à destination d'un pays où l'esclavage a cessé, présente tous les caractères de la Traite, mais il m'a paru évident qu'elle s'éloignait essentiellement des principes sur lesquels sont réglés les conditions aux quelles les colonies Anglaises depuis l'émancipation, sont autorisées à se pourvoir de nouveaux bras.

Le Gouvernement Français ne serait pas, pour sa part, disposé à trouver licite un semblable mode de recrutement même pour celles de ses possessions auxquelles ne pourrait être objectée, en pareil cas, l'existence de l'esclavage dans son régime intérieur. Cependant comme nous avons nécessairement, quant à notre système d'enrôlemens coloniaux, à nous placer à la fois au point de vue de notre propre législation, et à celui du droit international, il importe de ne laisser subsister aucun doute sur l'esprit dans lequel, sous ce dernier rapport, la même question est envisagée par le Gouvernement de Sa Majesté Britannique.

Les recrutemens faits par le "*Sampson*" ne sont pas, au reste, les seuls de ce genre que j'aie eus à signaler. Dans un rapport du 1er Février, 1845, que j'ai reçu de M. le Commandant de la station navale Française de Bourbon et de Madagascar, et que je vous ai communiqué le 10 Juin suivant, cet officier supérieur s'exprime ainsi :

" Les renseignemens que j'ai pu recueillir jusqu'à ce jour sur les opérations de recrutemens de travailleurs, faites par les Anglais dans ces dernières années, concourent à prouver que tous les enrôlemens dont le navire le '*Sampson*' nous a donné un échantillon, ont été entâchés de violence et de fraudes."

Telle est aussi l'opinion exprimée par M. le Commandant Supérieur de Mayotte et dépendances, dans une lettre qui m'est récemment parvenue et dont je joins ici extrait.

Enclosure 2 in No. 37.

The Commandant of Mayotta to the Minister of Marine.

(Extrait.)

Mayotte, le 23 Avril, 1846.

IL me restait à traiter avec l'envoyé de Selim la question de travailleurs, et Saïdi Moukau l'entama le premier. Selim, jusqu'à ce jour a fourni des ouvriers à Maurice, et pour chaque engagement il recevait du capitaine qui les venait prendre une somme de 15 à 20 francs par tête. Les engagemens étaient passés pour deux, trois, ou quatre ans ; on ne s'occupait pas de savoir si les engagés étaient libres ou esclaves. Mais ils étaient introduits à Maurice comme libres, sauf à eux à reprendre la captivité à leur retour dans leur pays, ce qui a eu lieu pour le plus grand nombre. Ce que j'avance est l'exacte vérité : nous avons ici des esclaves qui ont fait un engagement de deux à trois ans à Maurice, ils sont retournés à Anjouan à l'expiration de leur engagement et puis ont été amenés ici par leurs maîtres alors qu'avant la prise de possession de Mayotte par la France, un bâtiment de guerre y stationnant avait rétabli un peu d'ordre dans ce pays. Mais ce qui prouve mieux encore que les Anglais n'y regardent pas de si près, dans l'introduction qu'ils font à Maurice de travailleurs, c'est la prière que m'a faite Saïdi Moukau d'en agir avec les engagés comme le font les Anglais : ne pas demander aux ouvriers qui seraient envoyés ici par Selim, s'ils sont libres ou esclaves. A cela j'ai répondu par la lecture de mes arrêtés en date du 18 Mars, 1846, Nos. 51 et 52.

Enfin, Saidi Moukau m'a dit que son maître nous fournirait les labou-
reurs ou manœuvres que nous lui demanderions; qu'il n'exigeait d'eux aucun
droit de sortie, mais qu'il ne refuserait pas ce qu'on voudrait bien lui donner,
et qu'il ne nous serait envoyé que des gens de condition libre.

Le Commandant Supérieur de Mayotte,
(Signé) PASSAT.

No. 38.

Viscount Palmerston to Count Ste. Aulaire.

M. l'Ambassadeur,

Foreign Office, December 16, 1846.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 10th instant, in answer to my letter to the Count de Jarnac, dated the 11th of August last, in which I requested to be furnished with more precise information on the subject of a representation which had been made by the authorities in the Island of Bourbon, respecting an alleged improper shipment of negroes on board a British vessel called the "*Sampson*," at the Comoro Islands, in the year 1843.

I beg leave to thank your Excellency for this communication, which will afford Her Majesty's Government a clue for inquiry; and I shall be glad at all times to receive from the French Government information which may be useful in enabling Her Majesty's Government to prevent or to punish practices such as those to which your communication relates.

The Count de Ste. Aulaire,
&c. &c.

I am, &c.
(Signed) PALMERSTON.

DENMARK.

No. 39.

*Count Reventlow to the Earl of Aberdeen.**Le 7 Avril, 1846.*

L'EXPERIENCE ayant prouvé au Gouvernement Danois la nécessité d'adopter des mesures plus efficaces, afin d'empêcher l'exportation des nègres des possessions Danoises sur la côte d'Afrique, nommément par l'établissement d'une loi pénale applicable à tous ceux qui font se trafic illégal, il souhaite de rendre ces lois aussi conformes que possible à celles en vigueur dans les établissemens des autres Etats de l'Europe, surtout à celles de l'Angleterre.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Danoise, se trouve par conséquent chargé par son Gouvernement de prier son Excellence M. le Comte d'Aberdeen de vouloir bien lui procurer les informations nécessaires à ce but sur les lois pénales concernant le Commerce des Esclaves, en vigueur dans les établissemens Anglais à la côte de Guinée, et de la manière dont ces lois y sont promulguées; nommément, de vouloir l'instruire si l'exécution de ces lois se fait par la voie administrative ou judiciaire.

Le Soussigné, &c.

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

(Signé)

REVENTLOW.

No. 40.

*The Earl of Aberdeen to Count Reventlow.**Foreign Office, May 21, 1846.*

THE Undersigned, &c., had the honour to receive the note addressed to him on the 7th ultimo, by the Count Reventlow, &c., announcing the intention of the Danish Government to promulgate a Penal Law, amongst other measures, for the prevention of the exportation of slaves from the Danish possessions on the coast of Africa.

Count Reventlow states that it is the intention of his Government, to render that Penal Law, so far as may be possible, conformable to those in force in the colonies of other European States, especially to those of England, and he expresses the desire of the Danish Government to obtain information relative to the laws against the Slave Trade, in force in the British settlements on the coast of Africa.

The Undersigned having caused reference to be made on the subject, to the Department of the Secretary of State for the Colonies, has now the honour to inform the Count Reventlow, that the whole of the provisions of the British law against the carrying on, by British subjects, of the Traffic in Slaves, are contained in the Act of Parliament of the 5th of George IV, cap. 113, for the amendment and consolidation of the laws relating to that traffic, which Act very fully points out the authorities by whom, and the methods by which the observance of the prohibitions is enforced.

The Undersigned encloses two copies of the Act referred to, for the information of Count Reventlow; and with reference to Count Reventlow's enquiry as to the manner in which the provisions of British law are promulgated, the Undersigned has to observe, that no promulgation takes place at all, the subjects of Her Majesty being bound by the law of England to keep themselves informed, at their peril, of such laws as may be made for their government.

The Undersigned, &c.

His Excellency Count Reventlow,
&c. &c.

(Signed)

ABERDEEN.

SARDINIA.

No. 41.

The Hon. R. Abercromby to the Earl of Aberdeen.

Turin, December 29, 1845.

(Received January 4, 1846.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 13th instant, directing me to apply for copies of all the proceedings instituted, and of the judgment delivered in the case of the "*Sansone*," and I have now the honour herewith to transmit to your Lordship copy of a note I have addressed to that effect to his Excellency Count Solar de la Marguerite, the Sardinian Minister for Foreign Affairs.

I have, &c.

(Signed) R. ABERCROMBY.

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

&c.

&c.

&c.

Enclosure in No. 41.

The Hon. R. Abercromby to Count Solar de la Marguerite.

Turin, December 22, 1845.

THE Undersigned, &c., having learnt that judgment had been pronounced by the Sardinian Court of Admiralty for Mercantile Marine at Genoa, before which tribunal the case of the Sardinian barque "*Sansone*" was under trial, for having been engaged in the unlawful Trade in Slaves, has now the honour, in compliance with instructions he has received to that effect, from his Government, to apply to his Excellency Count Solar de la Marguerite, &c., for copies of all the proceedings instituted, and of the judgment given, in this case, including the evidence and the legal reports of the Sardinian law officers having reference thereto.

The Undersigned has been instructed by the Earl of Aberdeen to ground this application to the Government of His Sardinian Majesty upon the stipulations contained in Article X of the Supplementary Convention signed at Paris on the 22nd March, 1833, between Great Britain and France, and adopted by Sardinia in the Treaty of the 8th August, 1834.

By the Article above alluded to, the Government of His Sardinian Majesty engages to communicate, free of expense, and upon application being made, copies of all the proceedings instituted and judgments given relative to vessels detained in execution of the provisions of the other articles of the Treaty; and as the present application is clearly conformable in every respect to the spirit and tenor of Article X of the Supplementary Convention of the 22nd March, 1833, the Undersigned is convinced that his Excellency Count Solar de la Marguerite will, as speedily as possible, enable him to transmit to his Government the required papers and documents connected with the judicial proceedings in the case of the Sardinian barque "*Sansone*."

The Undersigned, &c.

(Signed) R. ABERCROMBY.

His Excellency Count Solar de la Marguerite,

&c.

&c.

&c.

No. 42.

The Hon. R. Abercromby to the Earl of Aberdeen.

Turin, February 14, 1846.

(Received February 22.)

My Lord,

I HAVE the honour to inform your Lordship that judgment has been given by the Admiralty Court of Mercantile Marine at Genoa, in the case of the Sardinian polacca brig "*Sommariva*," sent up to that port for adjudication, under the Treaty between Great Britain, France, and Sardinia, of the 8th August, 1834, for the better suppression of the Slave Trade, by Commander Layton, of Her Majesty's brig "*Cygnets*."

I have not yet received from Her Majesty's Consul at Genoa, a copy of the judgment of the Sardinian Court of Admiralty, but I am informed that by sentence of the court, the "*Sommariva*," has been liberated, and ordered to be restored to her owners, the accusation against her of having been employed in the Traffic of Slaves not having been substantiated.

The court have also given it as their opinion, that grounds exist sufficient to justify the institution of a suit for damages against Commander Layton, on the part of the owners of the "*Sommariva*."

We may therefore pretty confidently expect that the owners of the "*Sommariva*" will not in this case allow an opinion so favourable to their interests to remain unattended to on their part, and that they will not hesitate to commence proceedings against Commander Layton. It remains to be seen, when the wording of the judgment of the Court of Admiralty, and the grounds upon which the "*Sommariva*" has been released and acquitted, are known, what course it may be most advisable to follow with reference to the interests of Commander Layton in the future management of this case.

I have, &c.

(Signed) RA. ABERCROMBY.

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

&c.

&c.

&c.

No. 43.

The Hon. R. Abercromby to the Earl of Aberdeen.

Turin, February 19, 1846.

(Received February 28.)

(Extract.)

I HAVE received from Her Majesty's Consul at Genoa the inclosed copy and translation of the sentence of the Sardinian Admiralty Court of Mercantile Marine, in the case of the Sardinian Polacca brig "*Sommariva*," prize to Her Majesty's sloop "*Cygnets*," Commander Henry Layton, under the Treaty of the 8th August, 1834, between Great Britain, France and Sardinia, for the suppression of the Trade in Slaves.

Your Lordship will observe that the accusations against the captain and crew of the "*Sommariva*," of having been engaged in the Traffic of Slaves, and of the fittings and cargo of that vessel being of a nature to justify her capture, have not, in the opinion of the Sardinian Admiralty Court of Mercantile Marine, been proved in the course of the proceedings before the Court, and that consequently the captain and crew have been acquitted, and the vessel and her cargo ordered to be restored to her captain and owners.

The judgment of the Court finishes by declaring Commander H. Layton to be responsible, in conformity with Article VIII of the Convention of the 22nd March, 1833, for the indemnity due to the captain, owners, shippers, of the "*Sommariva*," to be fixed in virtue of the present sentence.

It will not escape your Lordship's observation, that the first and third heads of accusation brought forward by Commander Layton, in justification of his capture of the "*Sommariva*," have been distinctly proved to be incorrect by the evidence produced in the course of the trial of this case, and I have not heard that any reasonable ground exists for impugning the opinion given by the

Sardinian Court of Admiralty with respect to the second specified accusation, which refers to the internal construction of the "*Sommariva*."

Under these circumstances I have considered that it will be an useless increase of expense to protract proceedings in this case, but I have instructed Her Majesty's Consul at Genoa, carefully to watch that no exorbitant damages are given, and to use his best endeavours to secure Commander Layton from being saddled with vexatious or unjustifiable costs.

(Signed)

RA. ABERCROMBY.

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

&c.

&c.

&c.

Enclosure in No. 43.

Sentence of the Sardinian Admiralty Court.

(Translation.)

Genoa, February 12, 1846.

In the cause of the Royal Fisco,
against

1. James Anthony Ramella, son of Joseph, born at Diano, and domiciliated at Genoa, of 42 years of age, captain in the Sardinian Mercantile Marine and master of the brig "*Sommariva*."

2. Peter Carrena, son of John, of 40 years of age, born and domiciliated at Diano, mate on board the said vessel.

3. Joseph Ronchetto, son of Stephen, of 23 years of age, born and domiciliated at Tegli, seaman.

4. Nicholas Barago, son of Joseph, of 27 years of age, born at Cagliari (Sardinia), and domiciliated at Genoa, seaman.

5. Joseph Gorziglia, son of the late Thomas, of 54 years of age, born and domiciliated at Tegli, seaman.

6. Agostino Peter Francis John Bastreri, son of the late Vincenzo, of 18 years of age, born and domiciliated in Genoa, steward.

7. John Baptist Vincenzo Tichetto, son of Domenico, of 17 years of age, born at San Francesco d'Albaro, and domiciliated in Genoa, apprentice.

8. Joseph Maria Henriquez, son of the late Emmanuel, of 24 years of age, native of Allagoaz (Brazil), extra seaman.

9. Joseph Giuliano, son of the late Anthony, of 30 years of age, native of Lisbon, (Portugal,) extra seaman.

10. Fulgenzio Soares de Oliveira, son of Anthony, of 41 years of age, native of Oporto (Portugal), extra seaman.

11. Anthony Luiz, son of Emmanuel, of 17 years of age, native of Oporto, also extra seaman,

Composing the crew of the said brig "*Sommariva*," detained in these prisons, and charged (not contested) to have fitted out the said vessel in the month of July 1845, for the Slave Trade, on her voyage from Rio de Janeiro to the coast of Africa.

The Board of Admiralty for Mercantile Shipping sitting at Genoa,

Having heard the contents of the acts, and also the opinion of the Fisco,

Say: That by the proceedings in the case, it results from the two declarations of Henry Layton, Commander of Her Majesty's sloop "*Cygnets*," that he left the roadstead of Cabenda on the 28th August, 1845; that on that day he did effect the seizure of the Sardinian brig the "*Sommariva*," commanded by Captain James Ramella, for having violated the Treaty concluded on the 8th of August, 1834, between His Majesty the King our Sovereign, France, and England, for the abolition of the Slave Trade, under the following circumstances:

1st. For an unreasonable number of water-casks; viz., fourteen on the steerage.

2nd. One half-deck for slaves, fore and aft, and beams alongside the deck, besides a spare bulkhead aft.

3rd. A cargo of merchandise on board, which upon these coasts is given in exchange for slaves, a great part of which was not on the manifest.

Whereas by the judicial proceedings, as also by the proper searches and surveys made on board the vessel in the presence of James George Budd, master's

CLASS C.

assistant, charged by the aforesaid Commander Layton to bring into the port of Genoa the brig "*Sommariva*," it results, even to evidence, that in the material building of this vessel, nothing actually exists which could lead in any way to substantiate the presumption of her having been fitted out, or that she was to be destined for the Traffic of Slaves.

That the half-deck for slaves and the spare bulkhead were nothing more than that bulkhead and steerage, the first of which being formed aft, in order to separate it from the hull, and the latter built in the same manner as usually constructed in every ship, merely destined to contain the cables, chains, hawsers, and spare rigging.

That the beams were only destined to strengthen and connect the ship, without which she could not be sufficiently solid, otherwise she might have been exposed to strain.

Whereas no boards were found on board fit to form slave-decks, and that, on the whole, the construction of the "*Sommariva*" was not different from the ordinary building of merchantmen.

Whereas, from the judicial search it results that the assertion of Commander Layton is inexact, that there were fourteen water-casks, while there were really no more than the twelve, besides the leager (benarda), and that the other two casks, undone and reduced in staves, did not belong to the crew of the "*Sommariva*," but were properly belonging to the "*Cygnnet*," which had been put on board of her after her seizure, in consequence of which James George Budd, after the judicial search and survey, has withdrawn them for the interest and on account of the "*Cygnnet*."

Whereas it has also been found, by means of judicial surveys, that the supply of water which could be contained in the aforesaid casks could not only not be looked upon as excessive, considering the crew of eleven persons, but rather scarce, considering the character of the voyage that the "*Sommariva*" had undertaken, as also for the difficulty in getting a supply of water on the coast of Africa, which very often is not only difficult to obtain in those places, but is absolutely unwholesome.

Whereas it is not in accordance with the truth, to allege that the cargo of the brig "*Sommariva*" was in great part not mentioned in the manifest, while it results from the exact verification made during the landing of the said goods that the whole of them were described in the manifest with their marks and respective numbers.

For these motives

The seizure on the 28th of August, 1845, by the commander of the British sloop "*Cygnnet*," Henry Layton, of the Sardinian brig "*Sommariva*," is declared improperly made, and without sufficient motives of suspicion, and consequently there is no ground for any criminal proceedings against Captain James Ramella and his crew, consequently they are to be released. It is accordingly ordered that the aforesaid James Ramella and the ship's company shall be released from the prison where they are detained, and that the ship, her cargo, and everything that has been seized, shall be restored, as they are ordered to be restored to the aforesaid captain.

It is further declared, that in conformity with Article VIII of the Convention of the 22nd March, 1833, the aforesaid Henry Layton is held responsible for the indemnity towards the captain, owners, and shippers, to be fixed in consequence of the present judgment before this Board.

The Rear-Admiral, Major-General of the Royal Navy, President,
(Signed) ALBINI.

The Auditore di Guerra e Marine Relatore,
(Signed) SOLDATI.
BREA, *Secretary*.

No. 44.

The Hon. R. Abercromby to the Earl of Aberdeen.

Turin, April 11, 1846.

(Received April 19.)

My Lord,

IN compliance with the instructions conveyed to me in your Lordship's Slave Trade despatch of the 13th* of December, 1845, I lost no time in applying to the Sardinian Government for copies of all the legal proceedings of the Court of Admiralty for Mercantile Marine assembled at Genoa in judgment on the case of the Sardinian, brig "*Sansone*," detained by Her Majesty's sloop "*Cygnets*," under the Treaty of the 18th of August, 1834, between Great Britain, France, and Sardinia, for the suppression of the Trade in Slaves; and I have now the honour to acquaint your Lordship, that I have received from his Excellency Count Solar de la Marguerite the above-mentioned documents. I beg, however, to remark to your Lordship that these papers are all in the Italian language, and form a volume of 1178 folio pages in manuscript.

The clerks of the Sardinian Foreign Office have been employed above three months in alone transcribing, in their native language, these papers; and to make a translation and a fair copy for your Lordship's Department, will certainly occupy the gentlemen of this Mission a very considerable time longer.

Under these circumstances, I am now anxious to learn from your Lordship how you would wish this volume to be transmitted to the Foreign Office; and also, in compliance with the instructions contained in your circular despatch of the 1st of November, 1843, to apply to your Lordship for authority to employ a regular translator for the purpose of making a translation of these papers, in which technical terms, both nautical and legal, are frequently employed.

I have, &c.

(Signed)

RA. ABERCROMBY.

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

&c.

&c.

&c.

No. 45.

The Earl of Aberdeen to the Hon. R. Bingham.

Sir,

Foreign Office, June 24, 1846.

HAVING referred to the Lords Commissioners of Her Majesty's Treasury Mr. Abercromby's despatch of the 11th of April last, relating to the documents in the case of the Sardinian barque "*Sansone*," which Mr. Abercromby, as directed by my despatch of the 13th of December last, had procured from the Sardinian Government, I transmit to you, for your information and guidance, a copy of the answer which has been returned by that Board.

You will see that, for the reasons stated in that answer, it is not considered necessary at present to incur the expense of translating the voluminous documents in question; but that in the event of any legal proceedings being carried on in any of the courts of Genoa, with the view of obtaining a decree for costs and damages, every exertion should be used to resist it, and it must then be left to the discretion of the law adviser at Genoa to select such of the documents as it may be necessary to have translated.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Bingham,

&c.

&c.

Enclosure in No. 45.

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

Sir,

Treasury Chambers, June 10, 1846.

WITH reference to your letter dated the 24th of April last, I am commanded by the Lords Commissioners of Her Majesty's Treasury to request that you will state to the Earl of Aberdeen that as the Sardinian Government have

signified their intention not to sanction by their support, the action for damages brought forward by the owners of the "*Sansone*," and Mr. Abercromby has in consequence stopped farther legal defence of this action, it would appear that an end has been put to any claim of the owner and master of this vessel for costs and damages; and their Lordships, therefore, are of opinion that it would be unnecessary to incur the expense of translating the voluminous papers referred to.

In the event, however, of any legal proceedings being carried on in any of the courts in Genoa with the view of obtaining a decree for costs and damages, every exertion should be used to resist it, and it must then be left to the discretion of the law adviser at Genoa to select such documents as may be necessary to be translated.

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

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

TUSCANY.

No. 46.

The Earl of Aberdeen to Sir G. Hamilton.

Sir,

Foreign Office, June 30, 1846.

WITH reference to my despatch of the 30th July, 1845, to Lord Holland, on the subject of a slave-vessel met with on the east coast of Africa, by Her Majesty's ship "Cleopatra," furnished with a Tuscan pass, granted by the Tuscan Consul at Monte Video, and to Lord Holland's despatch, marked Slave Trade, of the 16th of August, in reply thereto, I herewith transmit to you, for communication to the Tuscan Government, a copy of a despatch and of its enclosures, from Her Majesty's Chargé d'Affaires at Monte Video, containing the result of the inquiry which he had been instructed to make into this matter.

I am, &c.

Sir G. Hamilton, K.C.H.

(Signed)

ABERDEEN.

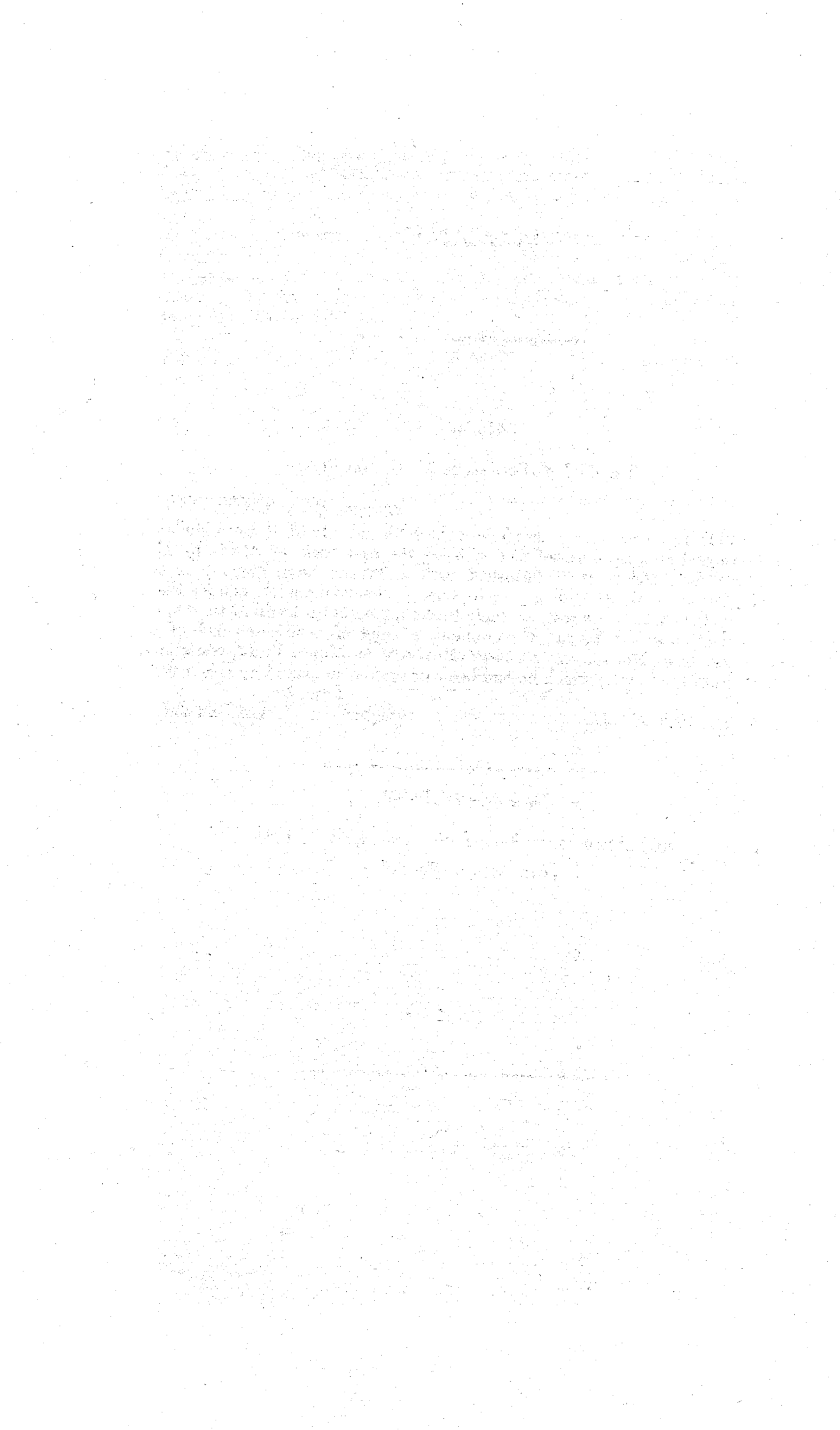
&c.

&c.

Enclosure in No. 46.

Mr. Turner to the Earl of Aberdeen, April 17, 1846.

[See Class B, No. 203.]



HANSE TOWNS.

No. 47.

Mr. Colquhoun to the Earl of Aberdeen.

*London, December 31, 1845.
(Received January 3, 1846.)*

THE Undersigned, Agent and Consul-General for the free Hanseatic cities of Lubeck, Bremen, and Hamburg, has the honour to acknowledge the receipt of the note his Lordship favoured him with on the 22nd of October last, in reply to that of the 18th July, respecting the actual position of the Hanse Towns, in consequence of the engagement recently entered into by Great Britain and France for the more effectual suppression of the Slave Trade.

His Lordship infers, from a passage occurring in the said note of the 18th July, that the Senates were only induced by the stipulation of reciprocity in matter of search, to accede to the Treaties of 1831 and 1833, and then further argues, that this reciprocity being left untouched by the recent Convention between Great Britain and France, the Hanseatic engagement remains unaltered. The Undersigned is sorry to perceive that his words have not been clear enough to prevent a construction so different from what he intended to say. After having distinctly stated the mutual right of search between Great Britain and France as the basis of the Hanseatic accession, and mentioned the faculty reserved to the Hanse Towns, of fitting out cruisers of their own with a similar authority, he thus continued, "This eventual claim of perfect reciprocity could alone justify the Senates, &c.," and then returning to the principal topic, observed, that "the fact of two great maritime Powers having reciprocally conceded to each other an anomalous right of search, must be considered as a necessary preliminary to the concession made by the acceding parties." It was asserted, in other words, that the mutual right of search then existing between France and England by virtue of their Treaties, though the true basis of the subsequent Conventions relating to them would not have justified the accession of the Senates, without the reciprocity clause in their favour.

The Undersigned ventures to add a few remarks on the subject. The Senates, in considering their Accession Treaty as absolutely sharing, in a legal view, the fate of the principal conventions, are not only moved by what is a constant rule in civil law, but still more so by the nature of the international compact itself. When they submitted to the visit to be exercised by foreign naval officers, the decisive argument which induced them to waive any scruples on that account, was the example of Great Britain and France before them. What these two nations had deemed consistent with their honour and independence, could, in their opinion, not be derogatory to the honour and independence of the Hanse Towns. In this view the fact of France and England having themselves reciprocally submitted to that right, was the essential condition of their acceding to a Treaty entirely based on it. Had the Treaties of 1831 and 1833 not contained this clause, had France in those Treaties not expressly allowed British officers to visit their merchant-vessels, and so *vice versa* the Hanse Towns had no motive at all, and would not have been invited indeed to grant to any foreign naval officer a right so widely differing from all former

notions, and so offensive in many respects to public feeling. The anomaly is softened, indeed, by the principle of reciprocity; his Lordship however will be aware, that the application of this principle to the Hanse Towns, though theoretically of the highest value to them as independent States, is, in a practical view, but a matter of international courtesy.

In thus urging the legal side of the subject, the Senates, far from desiring to withdraw their co-operation to the object itself, consider it only as supporting their claim to a revision, as hinted at in their former note. They wish for some additional securities against the misapplication of the Right of Search, and they feel themselves the more encouraged to expose, without reserve, what in their opinion is to be done, as his Lordship, in the interview the Undersigned had with him on the subject some months ago, lent him a willing ear, and was pleased to agree in consequence, to introduce some modifications in the "Instructions to Cruizers."

In this spirit, the Undersigned is directed to waive the question at issue for the present, and to submit to the visit as hitherto practised, and reciprocally granted to Hanseatic cruizers, considering as provisionally in force the stipulations of the Treaties of 1831 and 1833, subject however to the modifications to be agreed on and inserted in the instructions.

As to the details of these modifications, which are to be of equal validity with the said Treaties and that of 1845, and the reasons speaking in their favour, the Undersigned has endeavoured to embody them in the annexed memorandum.

It will not escape his Lordship's attention, when examining the different points touched in it, that the accession of the Hanse Towns was to them an unqualified sacrifice, inasmuch as they submitted to very serious restrictions, without any real benefit in exchange, in a cause in which they never had any interest but that of humanity and civilisation. That cause is a noble one, and the Hanse Towns therefore most cordially joined the great league. Anxious as they are to promote its generous object by whatever means in their power, they however trust his Lordship will readily concur in relieving them from any apprehension as to the legitimate trade of their citizens, an apprehension to which those very limited communities are infinitely more accessible than the greater maritime Powers.

The Undersigned, &c.

(Signed)

J. COLQUHOUN.

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

&c.

&c.

&c.

Enclosure in No. 47.

Memorandum on the Modifications proposed by the Hanse Towns respecting the Suppression of Slave Trade.

THE principal object the Senates have in view in proposing a revision of the engagements entered into by the Convention of 1837, is, to secure under all circumstances a fair and sober application of the Right of Search. In this respect it will, perhaps, not be superfluous to recall most forcibly to the officers commanding the cruizers the principle laid down in the Treaties as well as in the instructions annexed to them, that in visiting a vessel not belonging to their own nation they do not act in their capacity as British or French officers, but exclusively by virtue of the special warrant delivered by the respective Governments.

They may further be reminded, as an immediate consequence of the foregoing, that their line of conduct towards Hanseatic vessels does not depend on their home legislation, especially the British Acts of Parliament, but simply on the Treaties and instructions agreed by the parties concerned.

It may likewise be enforced as a corollary, that their functions are strictly limited to the cases of Hanseatic vessels having either been engaged in transporting slaves, or of actually carrying slaves, or at least of having been in that voyage fitted out for their transport, and that accordingly they have nothing to do with the question, whether any such vessel has incurred the blame of aiding and abetting the Slave Trade. A similar injunction cannot be thought superfluous, as there are not wanting instances, where the Treaties of 1831 and

1833 have been evidently confounded with the consolidated Slave Act of 1824, and arbitrarily construed by the naval officers as comprising "aiding and abetting." The indefinite phrases are not to be found in the Treaties; the Hanse Towns, therefore, never recognised them, nor can they be used against them in giving unqualified power to those officers to damage their legitimate trade.

The penal laws enacted in the Hanse Towns, it is true, are directed not only against the traffic itself, but also against aiding and abetting it by indirect means; but they never contemplated granting to foreign officers any authority on these nice questions, capable as they are to be misunderstood, and eventually conducive to the most flagrant abuses. Had the Hanse Towns intended these laws to serve as a sort of supplement to the Treaties, a perfect uniformity would have been indispensable; so that the very fact of their essentially differing on the limits of criminal assistance is the best proof to the contrary. The limits of power, then, entrusted to the said officers, are not to be found in Hanseatic legislation, but in the Treaties alone. The case of the "*Julius and Edward*" is considered as a glaring instance of the transgression of these limits; there was not the slightest suspicion of the vessel carrying slaves, or having done so, or being fitted for that purpose, but nevertheless she was seized on the pretext of having on board a slave cargo, namely, a cargo possibly intended for the purposes of Slave Trade; this, called by the captor "aiding and abetting," was the true motive of the seizure, the alleged infringement of the equipment clause being only adduced to give it a colour of right.

In this respect it is worthy of remark, that the equipment clauses in Article VI go literally much farther than the object; instead of limiting the principle to what is properly a part of the equipment, the words "or on board," in the introduction, and "having on board," in No. 3-9, extend, if literally interpreted, even to cargo. Thus they tend to mislead the officers on the station, or, what is still worse, to lend them a pretext to molest and detain merchant vessels having nothing to do with the Slave Trade. It appears, however, from the first British Convention, into which the equipment clause has been introduced, that with the Netherlands, 25th January, 1833, from the late British Treaties with Spain (1835), Chili, Uruguay, Venezuela, and Argentine Confederation (1839), Bolivia (1840), and Mexico (1841), as well as from the Act of Parliament of 24th of August, 1839, clause 4, and even from the instructions delivered to the British cruisers in consequence of the Hanseatic Treaty, that the Contracting Parties in consenting to Article VI considered only the equipment or outfit.

The clause being of course, as to its object and meaning, the same in the British Treaty with France, of 1833, to which the Hanse Towns have acceded, as in those with the Netherlands, &c., the words should also be the same.

In consequence of that unhappy mistake a number of large glass bottles, sent for sale to the African market, has been changed into "vessels for holding water," as related in No. 6; and some boxes of tin wares, dippers, &c., forming part of the cargo, have been qualified as "mess-tubs and kids," in No. 7, though the words "a greater quantity than requisite for the use of her crew" leave no doubt on the true purport of the clause.

These, and the like mistakes, would be prevented by a positive instruction to the officers commanding the cruisers, that Article VI of the Treaty of 1833 has no other meaning than the corresponding stipulations in the said Conventions with the Netherlands, Mexico, &c., that it only relates to the vessel, and that as far as the cargo is concerned, they have but to ascertain this quality, and thus to prevent any articles really belonging to the outfit of the vessel being introduced under this disguise.

As to the objects enumerated in Article VI it is suggested that these specifications are not exempt from the danger of misapplication, which may be obviated by way of instruction.

No. 2. "Having more divisions or bulkheads in the hold or on deck than necessary for trading-vessels."

No. 3. "Having on board spare planks," &c.

The rule expressed in this unconditional form does not well agree with the recent state of our navigation. Most of the Hanseatic vessels employed in the American trade, and making two or three outward voyages in a year, carry a considerable number of emigrants from Germany

to those parts. They are of course provided with bulkheads, &c., to a much greater extent than is usual in vessels only destined for taking goods on board. It may be objected, indeed, that they do not want these articles on their return voyages; but were they to sell them on landing, the emigrants renewing them on each outward voyage, it would involve great and un-called-for sacrifices. The modification, then, should be, that these extra fittings should not render the vessel liable to suspicion, if she had carried out passengers, unless corroborating circumstances connected with her papers or otherwise, led to the conviction that she was to be used as a slaver.

No. 5. "Having on board a supply of water more than sufficient for the consumption of her crew as a merchant-vessel."

No. 6. "Having on board an unreasonable number of water-casks," &c.

No. 7. "Having on board a greater quantity of mess-tubs or kids than requisite for the use of her crew as a merchant-vessel."

No. 8. "Having on board two or more copper boilers, or even one, evidently larger than requisite for the use of her crew as a merchant-vessel."

As to No. 5, it is rather dangerous to leave the question of what may be deemed more than sufficient for consumption to the uncontrolled discretion of a man evidently interested in extending the cases of seizure as far as possible, and in palliating his arbitrary proceeding in some way or other. This is the more so, as the standard of water provisions in Hanseatic vessels materially differs from that prevailing in the British navy, in consequence of the German sailors consuming much more vegetables than the English. It might have been, therefore, preferable to suppress the whole No. 5 with respect to Hanseatic vessels, as forming no just ground for detaining them. As the matter stands the officers commanding the cruisers ought to be made acquainted with the above particulars, and accordingly instructed to proceed with the utmost caution on so ambiguous a test.

The same remark, more or less, applies to Nos. 6, 7, and 8.

As to No. 6 "water casks" in specie, it is, moreover, to be observed, that whenever the vessels bringing out emigrants choose to keep the whole of their water casks for their next outward voyage they will have, for that very reason on their return voyages, a great many more of such casks on board than requisite for the crew, or for any trade in that same voyage. At all events a certificate from the authority delivering the sea papers produced for that purpose, should protect the ship against any inferences being drawn from the number of such casks or vessels, in the same manner as this is the case with the custom-house certificates mentioned in No. 6 respecting their use for the reception of palm-oil, or for any other lawful trade.

Should these different precepts not be altogether dispensed with as obnoxious to the legitimate trade, the object may be obtained by a general clause thus expressed:

"Except in cases where the vessels have been used for passengers in the outward voyage, or are equipped and fitted up as vessels of the Hanse Towns usually are."

In order to serve as a guide to the visiting officer, and to prevent as much as possible any mistake from his side, the Undersigned is directed, moreover, to propose that a certificate furnished to Hanseatic vessels trading to the African coast, from the Lubeck, Bremen, or Hamburg authorities, as the case may be, declaratory of the *bond fide* legal object of the voyage, shall be a *prima facie*

evidence of the purity of its intentions. The trust claimed in favour of these certificates does not appear to be misplaced, if his Lordship will please to consider that the question is of very small communities, where the transactions of this kind are carried on under close inspection of the magistrates, who certainly have no motive to favour a traffic equally prohibited by law and branded by public opinion, or even to wink at it. The Undersigned, therefore, has no doubt but the proposed document will in reality prove a security against Hanseatic citizens venturing on that traffic, or foreigners abusing the Hanseatic flag, more efficacious than any other precautions.

The Senates do not urge the above modifications (and the suppression of the clauses and words referred to) without just grounds, founded on injuries received, which pecuniary compensation has not and cannot redress, the very detention under such a charge implying a moral taint, while the sending the Hanseatic vessels home for adjudication seems to countenance a presumption that sufficient proof has been afforded to ensure condemnation. The cases of the "*Louise*" of Hamburg, and the "*Julius and Edward*," of Bremen, are painful and costly evidences to the owners of the oppressive and vexatious operation of these clauses, when injudiciously interpreted and acted upon. Nor would these vessels have been interfered with at all, except under the false impression that certain citizens of Hamburg were fitting out vessels in their ports for the Slave Trade on the African coast, and were consequently compromised in that traffic—the fact being that vessels were at that time fitting out by a Portuguese in the port of Altona for the African trade under doubtful circumstances; information, however, was conveyed to the British civil and naval authorities at Brazil, which led to Hanseatic vessels being dealt with as suspicious; hence the grievous annoyance to which their trade has subsequently been subjected.

Lastly, the Undersigned begs to propose two additional measures as a further security against the abuses of which he has complained.

1st. Article I of the "Instructions to Cruizers" declares, that the officer, after exhibiting his authority to the captain of the merchant-vessel, if her papers be regular and her voyage lawful, shall permit her to continue her course. In all future cases of visit it is submitted, that the visiting officer having satisfied himself on the points required by his instructions, shall give a certificate or pass-avant, which being exhibited to any English or French officers, shall be deemed a sufficient proof of the legality of the voyage, so that a vessel once visited is not to be exposed to a repeated search in the same voyage.

2nd. Before the grave decision shall have been come to of sending a Hanseatic vessel home for adjudication, it would be very desirable that some authority besides that of the seizing officer should be required. Where, then, the latter feels himself called upon to do so he should be obliged to send her with an officer of proper rank to state the case to the commanders of the squadron to which his vessel belongs, and be governed by his decision; this course, however, can only become necessary in suspicious cases, and would not apply to vessels having slaves on board.

The objects, then, submitted to his Lordship's consideration may be summed up as follows:

1. The officers commanding the cruizers to be reminded that, in their relations to Hanseatic vessels, the Treaties, and the instructions annexed to them, as well as those which may hereafter be agreed upon by the Contracting Parties, ought to form the only basis of their conduct.

2. The right of detaining Hanseatic vessels to be distinctly limited to the cases (a) of their being fitted out for the transport of slaves, (b) of having actually slaves on board, (c) of having been employed in the same voyage in carrying slaves.

3. A certificate from the authorities of that Hanseatic Republic under whose flag the vessel is sailing, to be admitted as *prima facie* evidence of the legality of the voyage.

4. The clauses in Article VI of the Convention of March 22, 1833, to be modified as aforesaid, and applied only to the equipment of the vessel.

5. Hanseatic vessels not to be visited more than once during the same voyage.

6. No Hanseatic vessel to be sent home for adjudication without a special order from the commander of the squadron.

*The Earl of Aberdeen to Mr. Colquhoun.**Foreign Office, February 9, 1846.*

THE Undersigned, &c., has the honour to acknowledge the receipt of a note from Mr. Colquhoun, &c., dated the 31st of December last, in which Mr. Colquhoun replies to a communication from the Undersigned of the 22nd of October last, relating to the position of the Hanse Towns, in consequence of the engagement entered into on the 29th of May, by Great Britain and France, for the more effectual suppression of the Slave Trade.

Mr. Colquhoun considers, that in the above-mentioned communication the Undersigned has misapprehended the meaning of Mr. Colquhoun's previous note of the 18th of July; and the point upon which Mr. Colquhoun imagines this misapprehension to have taken place, is the bearing which the concession to each other by Great Britain and France of the Right of Search, and the concession of the same right by those two Powers respectively to the Hanse Towns, has upon the obligations of the Hanse Towns, as recorded in the Treaty of the 9th of June, 1837. And Mr. Colquhoun explains the position assumed in his previous note, by stating that it asserted, that the mutual Right of Search then (before 1837) existing between Great Britain and France, by virtue of their Treaties, though the true basis of the subsequent Convention relating to them would not have justified the accession of the Senates without the reciprocity clause in their favour.

The Undersigned does not believe that, upon examination, his note of the 22nd of October will be found to imply any misconstruction of the views so expressed; on the contrary, that note fully admits that the Right of Search is a right which no Power can be expected to concede to another, except upon terms of strict reciprocity; and it does not deny, what indeed it would be impossible to dispute, that the Treaties concluded in 1831 and 1833, between Great Britain and France, and by which those Powers conceded to each other the mutual Right of Search, were the basis of the Treaty afterwards concluded by them with the Hanse Towns.

The only point upon which there appears to be any difference of opinion in the views of Mr. Colquhoun and of the Undersigned, is, as to how far the Treaty of Accession of 1837 must, in the words of Mr. Colquhoun, share the fate of the principal conventions. Now the fate of those conventions is, that upon certain conditions laid down in the Convention of the 29th of May of last year, they are about to be suspended for a specified time; the consent of the two Governments who are parties to them will be necessary before they can be again called into operation, but they are not definitively abrogated.

Undoubtedly if the Senate of the Hanse Towns should see fit to comply with the conditions above referred to, they may justly claim that a like suspension of the Treaty of 1837 should take place. This the Undersigned has already signified to Mr. Colquhoun, but the Undersigned cannot admit that anything short of such compliance will give the Hanse Towns a title to claim any relaxation of the obligations which the Treaty of 1837 imposed upon them.

The Undersigned has thought it necessary, in consequence of the remarks made by Mr. Colquhoun in his last note, to say thus much in elucidation of his former statement; but he is quite willing, as proposed by Mr. Colquhoun, to waive the consideration of this question for the present, and to proceed to examine, with every desire to meet the views of the Hanse Towns, the modifications which Mr. Colquhoun suggests for insertion in the instructions annexed to the Convention of 1837. Mr. Colquhoun, after explaining at length the grounds upon which these modifications are desired by the Hanse Towns, sums up the objects in view under six heads, and the Undersigned will follow the same order in his reply.

1. It is suggested under the first head, that the officers commanding Her Majesty's cruizers should be reminded, that in their relations with the Hanseatic vessels the Treaties and the instructions annexed to them, as well as those which may hereafter be agreed upon by the Contracting Parties, ought to form the only basis of their conduct.

The Undersigned begs leave to inform Mr. Colquhoun, that this object is

already fully and specifically provided for in the first paragraph of the General Instructions, under which the commanders of Her Majesty's ships employed in the suppression of the Slave Trade are now acting. These instructions, which bear date the 12th June, 1844, will be found at length in the volume which the Undersigned transmits herewith, for Mr. Colquhoun's fuller information. Mr. Colquhoun will see it therein stated, that although the Slave Trade has been denounced by all the civilized world as repugnant to every principle of humanity, Her Majesty's naval officers are nevertheless to bear in mind, that Great Britain claims no rights whatever with respect to foreign ships engaged in that traffic, excepting such as the law of nations warrants, or as she possesses by virtue of special treaties and conventions with particular States.

2. The second object mentioned by Mr. Colquhoun as a corollary to the first, is that of limiting the right to detain Hanseatic vessels, to the cases of vessels being fitted out for the transport of slaves, or having actually slaves on board, or having been employed in the same voyage in carrying slaves; in other words, of limiting the right to the stipulations laid down by Treaty, and not extending it to cases arbitrarily interpreted as "aiding and abetting" the Slave Trade.

Mr. Colquhoun in urging this point, states, that there are not wanting instances where the Treaties of 1831 and 1833 have been evidently confounded with the consolidated Slave Act of 1824, and arbitrarily construed by the naval officers as comprising "aiding and abetting;" and he quotes the case of the "*Julius and Edward*," as what he is pleased to call a glaring instance of the transgression of these limits; asserting that "aiding and abetting" was in that case the true motive of the seizure, and the alleged infringement of the Equipment clause adduced only to give a colour of right.

The Undersigned is by no means prepared to admit the construction which Mr. Colquhoun puts upon the motives of the captor in this case, although in the course of his declaration of the grounds of the seizure, the captor does undoubtedly state amongst other things his belief that the cargo of the vessel was intended to "aid and abet" the Slave Trade.

To return however to the point in question, it will doubtless be satisfactory to Mr. Colquhoun, and to the Senates of the Hanse Towns, to see that the object which they have in view on this as on the first head is equally provided for in the General Instructions before mentioned; which leave as little latitude as possible to the judgment of the officer commanding the cruizer, and prescribe in the very words of the Treaty under which he is to act the sole grounds upon which he is justified in detaining a vessel.

That this is the case as regards Hanseatic vessels, and that there is no question of giving to the commander of the cruizer a general discretion to decide what is or is not an "aiding or abetting" of the Slave Trade, Mr. Colquhoun may easily satisfy himself by referring to the 8th section, under one head of which the particular course to be followed in dealing with vessels of the Hanse Towns is laid down.

3. Thirdly, it is proposed that a certificate from the Authorities of the Hanseatic Republic under whose flag the vessel is sailing, should be admitted as *prima facie* evidence of the legality of the voyage; and

4. Fourthly, that the clauses in Article VI of the Convention of the 22nd of March, 1833, should in certain cases be modified, and be applied only to the equipment of the vessel.

Upon both these points Her Majesty's Government are prepared to give effect to the wishes of the Hanse Towns as far as may be safe and practicable.

With respect to the clauses which relate to "spare planks" (which according to the Treaty are not to be taken as a sign of slave-equipment unless "fitted for, or fit for readily laying," a slave-deck); and to "mess-tubs and kids" Her Majesty's Government do not think it necessary or prudent to make any change; but with respect to the "supply of water," to "bulkheads," and to the "boilers," they are willing, in consideration of the fact that the vessels of the Hanse Towns are frequently employed in the conveyance of emigrants, to issue a supplementary instruction to the commanders of Her Majesty's cruizers to the following effect, viz. :—

That if there shall be found on board a merchant-vessel of the Hanse Towns a supply of water "more than sufficient for the consumption of her crew as a merchant-vessel, or if she should be found to have more divisions or bulk-

heads than is necessary for vessels carrying merchandize," or a larger cooking apparatus than would be required for the use of her crew only, these circumstances alone shall not be considered as a sufficient motive to authorise the seizure and detention of the said vessel, provided the papers with which she is furnished are in all other respects regular, and provided that the master shall produce a certificate from the custom-house of the place from which he cleared outwards, stating that a sufficient security has been given by the owners of such vessel that the above-mentioned articles shall be used only for the purpose of enabling the vessel to convey emigrants.

Furthermore, in order to obviate the objection which Mr. Colquhoun urges to the effect that the clauses in the Equipment Article go literally much further than the object, by the employment of the words "or on board" and "having on board," since, if literally interpreted, they would extend even to the cargo, Her Majesty's Government are quite willing to instruct the commanders of British cruizers to consider those clauses in the same sense, and as meaning no more than the corresponding clauses in the Treaties with the Netherlands, and Spain, and the other countries mentioned by Mr. Colquhoun, in which the words "or on board," &c., are not introduced.

5. With respect to the fifth head, wherein it is proposed that Hanseatic vessels should not be visited more than once during the same voyage, the Undersigned begs to state that this proposition is deemed by Her Majesty's Government to be inadmissible.

By the instructions under which the commanders of cruizers act, if it be ascertained by the visit that the papers of the ship are regular, and her proceedings lawful, the officer, as Mr. Colquhoun is aware, certifies in the log-book the fact of his visit, and the special authority under which it is made, and the vessel is permitted to continue her course. This certificate cannot fail, and indeed is intended to have due weight with any other officer who may visit the same vessel at a subsequent period of her voyage, unless circumstances of suspicion, as to the previous or actual proceedings of the vessel, should have come to his knowledge, or should be suggested by some new feature in her equipment or papers.

But it must be obvious that it would be a very dangerous principle to lay down and act upon, that a vessel once visited and found to be not then liable to detention, should thereafter and therefore be exempted from further visit during the rest of her voyage. The Undersigned deems it unnecessary to enlarge upon the serious objections to which this proposition is open; a sufficient reason for rejecting it will be found in the practice which has grown up of late, of sending vessels innocently equipped, and bearing no signs of their purpose, to the coast of Africa, there to take on board the articles required to fit them for the reception of slaves; and in the success with which such vessels have frequently eluded the cruizers, and escaped with their living cargoes.

6. Upon the sixth head also, which suggests that no Hanseatic vessel should be sent home for adjudication, without a special order from the commander of the squadron, the Undersigned feels himself compelled to dissent from the proposition of Mr. Colquhoun as being, in fact, impracticable.

When it is considered that the British squadron on the whole western coast of Africa, from Cape Verd to Cape Negro, a distance of 1200 leagues, is under one commodore, it is manifest that the points at which such officer might be found at any particular moment cannot be so easily known and accessible to the commander of every cruizer who might detain a Hanseatic vessel, as to enable him to communicate with such officer, without incurring risks of delay and lengthened detention, which would, in the opinion of the Undersigned, give much juster ground of complaint and dissatisfaction than any which exists at present.

But independently of this objection, the Undersigned sees no reason to suppose that the commander of the squadron would, generally speaking, be a better judge than the seizing officer himself of the validity of the detention; and he apprehends that a case could scarcely occur in which the commander of the squadron would take upon himself to interfere with the legal proceedings of the seizing officer, who in such case acts upon his own responsibility and at his own peril, under the authority confided to him for that specific purpose; and who, moreover, as the Undersigned has already intimated, must be deemed to be, for such purpose, as competent a judge of the legality of his proceeding as the commander of the squadron could be.

In this view of the case, therefore, the Undersigned regrets that Her Majesty's Government cannot adopt this proposal; but he trusts that Mr. Colquhoun and the Senates of the Hanse Towns will admit, that in the present note the Undersigned has shown, on the part of Her Majesty's Government, an anxious desire to meet their wishes, in so far as this can be done consistently with the engagements which they have entered into, and with the security of the humane and sacred objects which those engagements are intended to carry out, and which the Undersigned is willing to believe are no less earnestly appreciated by the Hanseatic Senates than by the Governments of Great Britain and France, who are bound with them by the same inviolable obligations.

The Undersigned, in conclusion, feels constrained to notice the tenor of the last paragraph of Mr. Colquhoun's note, wherein allusion is made to the "unqualified sacrifices" which the Hanse Towns made in acceding to the Treaties of 1831 and 1833, "inasmuch as they submitted to very serious restrictions without a real benefit in exchange, in a cause in which they never had any interest but that of humanity and civilization."

The Undersigned may be permitted to remark, in answer to this observation, that if the Hanse Towns have made unqualified sacrifices in this beneficent cause, the sacrifices which Great Britain and France have made for the same end must be at least as great, and that the restrictions upon the legal trade of those two countries (if indeed any such restrictions result from the Treaties in question) are at least commensurate with those to which the less extensive commerce of the Hanse Towns has been subjected. And certainly, as regards the purity and disinterested nature of the sacrifice, Great Britain and France have not less claim to consideration than the Hanse Towns; they have neither sought nor acquired any selfish advantages: the great and noble cause of humanity and civilization has been to them the only end in view, and the attainment of that end is the only reward they look for or desire.

The Undersigned, &c.

(Signed)

ABERDEEN.

James Colquhoun, Esq.
&c. &c.

No. 49.

The Earl of Aberdeen to Colonel Hodges.

Sir,

Foreign Office, March 20, 1846.

I TRANSMIT to you herewith for your information, copies of a correspondence, as noted in the margin, which I have held with Mr. Colquhoun, Agent and Consul-General of the Hanse Towns, on the subject of the Convention between Great Britain and France and the Hanse Towns, of the 9th of June, 1837, relating to the Slave Trade.

This correspondence, as you will see, has arisen out of the view which the Senates of the Hanse Towns have taken of their position with respect to the engagement recently entered into by Great Britain and France for the more effectual suppression of the Slave Trade.

I also enclose a copy of an instruction which I have directed to be addressed to the Admiralty, in order to carry into effect the modification of certain provisions of the Equipment Article of the Convention with the Hanse Towns, to which Her Majesty's Government have assented, as signified in the above-mentioned correspondence.

I am, &c.

(Signed)

ABERDEEN.

Colonel Hodges,
&c. &c.

Enclosures in No. 49.

1. *The Earl of Aberdeen to Mr. Colquhoun, May 28, 1845.*
2. *Mr. Colquhoun to the Earl of Aberdeen, July 18, 1845.*
3. *The Earl of Aberdeen to Mr. Colquhoun, October 22, 1845.*

[See Class C, 1845, presented 1846, Nos. 352, 359, and 367, pp. 168, 172, and 177.]

4. *Mr. Colquhoun to the Earl of Aberdeen, December 31, 1845.*
5. *The Earl of Aberdeen to Mr. Colquhoun, February 9, 1846.*

[See Nos. 47 and 48.]

Enclosure 6 in No. 49.

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

Sir,

Foreign Office, March 18, 1846.

I AM directed by the Earl of Aberdeen to acquaint you, for the information of the Lords Commissioners of the Admiralty, that the Senates of the Hanse Towns having expressed a desire that certain modifications should be adopted in the instructions to cruizers annexed to the Convention between Great Britain and France and the Hanse Towns, signed on the 9th of June, 1837, for the suppression of the Slave Trade, Her Majesty's Government have to a limited extent assented to the desire so expressed.

The points upon which Her Majesty's Government have acceded to the wishes of the Hanse Towns relate to the provisions of the 2nd, 5th, and 8th sections of Article VI of the Convention between Great Britain and France of 1831, embodied in the Convention with the Hanse Towns of 1837.

Upon these points, in consideration of the fact that the vessels of the Hanse Towns are frequently employed in the conveyance of emigrants, Her Majesty's Government have agreed that a supplementary instruction shall be issued to the commanders of Her Majesty's cruizers to the following effect, viz:—

That if there shall be found on board a merchant-vessel of the Hanse Towns a supply of water more than sufficient for the consumption of her crew as a merchant-vessel; or if she should be found to have more divisions or bulkheads than is necessary for vessels carrying merchandize, or a larger cooking apparatus than would be required for the use of her crew only; these circumstances alone shall not be considered as a sufficient motive to authorise the seizure and detention of the said vessel, provided the papers with which she is furnished are in all respects regular, and provided that the master shall produce a certificate from the custom-house of the place from which he cleared outwards, stating that a sufficient security has been given by the owners of such vessel that the above-mentioned articles shall be used only for the purpose of enabling the vessel to convey emigrants.

Moreover, in order to obviate an objection which has been urged on the part of the Hanse Towns, that the clauses in the Equipment Article of the Convention go literally much further than the object by the employment of the words "or on board" and "having on board," since, if literally interpreted, they would extend even to the cargo, Her Majesty's Government have agreed that instructions shall likewise be issued to Her Majesty's cruizers, directing them to consider those clauses in the same sense, and as meaning no more than the corresponding clauses in the Treaties with the Netherlands and Spain, and other countries, in which the words "or on board," &c., are not introduced.

I am to request that you will communicate to the Lords of the Admiralty the above-mentioned decision, and move their Lordships to issue instructions to Her Majesty's naval officers employed in the suppression of the Slave Trade in accordance therewith.

I am, &c.

(Signed) G. S. SMYTHE.

The Secretary to the Admiralty.

No. 50.

*Mr. Colquhoun to the Earl of Aberdeen.**St. James's Place, May 26, 1846.**(Received May 27.)*

THE Undersigned, Agent and Consul-General for the free Hanseatic Cities of Lubeck, Bremen, and Hamburg, has duly transmitted to his Governments the note the Earl of Aberdeen had honoured him with, under date of February 9, on the Slave Trade.

According to the instructions received in consequence, he abstains from any further discussion of the point of law on which the differential views of the parties concerned have been sufficiently exposed in the former despatches. He, at the same time, feels happy to assure his Lordship, that the Senates fully appreciate the liberal and benevolent spirit in which the reply to their proposals has been conceived, and if they venture some further remarks on the subject, they only claim the continuance of the same kind disposition. The Undersigned adheres to the order followed in the former notes.

1. The general instructions mentioned by his Lordship, together with those specially relating to the Hanse Towns (pp. 43-46 of the reference volume) will, it is confidently hoped, answer the purpose. The commanders, however, ought not to overlook what has not been expressly repeated in the latter (p. 44), that the presumption of guilt, established by Article VI of the Convention of 1833, is restricted by the clause "unless proof be given to the contrary."

2. The Undersigned is perfectly satisfied that, under this head, there will be no further matter of apprehension, if the naval commanders are explicitly instructed that the Treaties in question do not treat of "aiding and abetting," and that consequently these officers have not to ascertain with respect to Hanseatic vessels, whether they may be reproached with indirectly assisting the traffic, but solely and exclusively whether they are employed in the traffic itself, that is to say, in carrying slaves. The Hanse Towns do not so much object to the arbitrary manner in which an offence so vague and indefinite in its nature as "aiding and abetting the Slave Trade" may be interpreted in any special case, as to the submitting at all that question to their scrutiny. The instructions, with respect to British vessels and to foreign vessels in British waters (sect. 3, p. 7), have the following passage:—

The term "engaged in Slave Trade," whenever used in the present instructions, is meant to express the committing of any of the acts prohibited by the 2nd and subsequent sections to the 11th inclusive (section of the acts referred to some lines before).

This passage, it is true, does not refer to foreign ships on the high seas, for which the Treaties have provided; but it is to be doubted whether naval officers will in general be aware of so nice a distinction, and whether they will not instinctively transfer the above definition of the term "engaged in Slave Trade" to those cases for which it is not intended and cannot be intended. Since the alleged passage extends the said term to the different kinds of "aiding and abetting" enumerated in the British Statutes, and especially in that of the 2nd June, 1824, they may be induced to take the term in the same sense when occurring in the Treaties with foreign States: this, however, is a perfectly gratuitous supposition. The Hanseatic Senates, when acceding to the Conventions between Great Britain and France, took the words "engaged or employed in Slave Trade," in the British text and the French, "s'être livrés à la traite ou avoir été armés pour ce trafic," in their literal and usual acceptation, and in so doing they were the more justified as they found in the whole tenor of the Conventions no indication to the contrary. Had the Contracting Parties intended to comprise "aiding and abetting" within the range of the Treaty, and to apply the anomalous right of search to the ever varying cases of this kind, Article VI of the Convention of the 22nd March, 1833, would prove utterly inadequate to the task, since out of all the particulars enumerated there under nine heads, not a single one has any relation to the accessories of the traffic, to the characteristics of what constitutes a slave-cargo, &c. The Hanseatic Governments, then, having only taken the term in its ordinary sense,

there exists no agreement at all on the cases exceeding these limits. The Undersigned may be pardoned for thus enlarging on this topic, since both Contracting Parties are equally interested that no seizure of Hanseatic vessels should possibly occur on a ground which the Hanseatic Tribunals do not consider as warranted by the Treaties, and where the consequences are no less injurious to the captor than to the owner of the vessel or cargo so seized. Should it, however, not be deemed expedient to prevent these inconveniences by way of an additional instruction, which of course would be considered as a part of that annexed to the Convention of 1833, the Undersigned takes the liberty to suggest whether the same end might not be attained by inserting in the special warrants, by virtue of which the British commanders are authorised to visit and detain Hanseatic vessels, some words limiting the term "engaged in Slave Trade" to the cases of traffic as enumerated in the the memorandum under No. 2.

3 & 4. With respect to the certificate proposed in the memorandum, the Undersigned apprehends that the extension of the certificate mentioned, Article VI, No. 6, of the Convention of 1833, to some other numbers of the same Article, as offered by his Lordship, would not sufficiently answer the purpose. The certificates, if limited to emigrant-vessels, and single numbers of the equipment clause, might endanger the undisturbed passage of all vessels, but partially destined for the transport of passengers, if the equipment should exceed the wants of the crew. It appears highly desirable, therefore, to modify the supplementary instruction as proposed in 4, by his Lordship's note bearing date the 9th February, 1846, in the following way:—

And provided that the master shall produce a certificate, from the custom-house of the place from which he cleared outwards, stating "that a sufficient security has been given by the owners of such vessels, that the above-mentioned articles, including spare planks, mess-tubs, and kits, shall only be employed in lawful trade, and not for the purpose of carrying slaves." This certificate, on a return voyage, might be legalized by a consular visa. At all events, the want of such a certificate, without any concurring grounds of suspicion as stated in the Convention, ought not be considered *per se* as a motive for detaining the vessel.

His Lordship's reply, respecting the sense of the said Article, as not relating to the cargo, is perfectly in accordance with the wishes expressed by the Senates.

As to the particulars, the Undersigned thinks that the instructions mentioned in his Lordship's note, with respect to the supply of water, the divisions and bulkheads, and the cooking apparatus, will not fail to remedy those mistakes, which originate in the circumstance that Hanseatic vessels navigating the Atlantic are by preference employed in conveying emigrants. He begs, however, to observe, that the German vessels, and those of the Hanse Towns in particular, even independently of their carrying emigrants, need, on the average, a much greater quantity of water, water-casks, and cooking implements, than British ships, in consequence of the diet of their crews consisting by preference of vegetables. A serious mistake, it is true, seems not to be apprehended on that subject, since it is obvious that the question of sufficiency or insufficiency, of reasonableness or unreasonableness, cannot be decided but by the national standard of the merchant-vessel. Notwithstanding, it is permitted, at least, to doubt whether the commanding officers will always bring this difference into due account, and it may, therefore, not be superfluous to provide against it in the further instructions.

His Lordship, in recapitulating the single heads of the said Article VI, as pointed out in the memorandum, has not expressly mentioned the water-casks, judging, no doubt, that with respect to them the certificates are already sanctioned by the Treaty itself. In this supposition, the Undersigned has nothing more to add on the subject, and he would not have adverted to it at all in the memorandum, had he been certain that the words ending No. 6, "or be employed in any other lawful trade," imply the conveying of emigrants as well as any commercial business in the ordinary sense.

5. After his Lordship's explanation, the Undersigned will not further insist on this point. In the case, however, of Hanseatic vessels having been once visited, the commanders of the cruizers might, in his opinion, be instructed, without any real danger to the object in view, to abstain from a new search,

provided it be apparent that they have not communicated with the coast since the former visit.

6. As to the special order from the commander of the squadron, the Senates concur with his Lordship, that this mode would, in many cases at least, prove inconvenient or even impracticable. They therefore desist from preferring this demand, trusting that the instructions to the cruizers, so modified and explained as above, will not fail to afford the lawful Hanseatic trade that protection which they feel bound in duty to claim on its behalf. After the courteous manner in which the British Government has been pleased to meet their wishes, they do not doubt of a satisfactory and speedy agreement.

The Undersigned, &c.

(Signed)

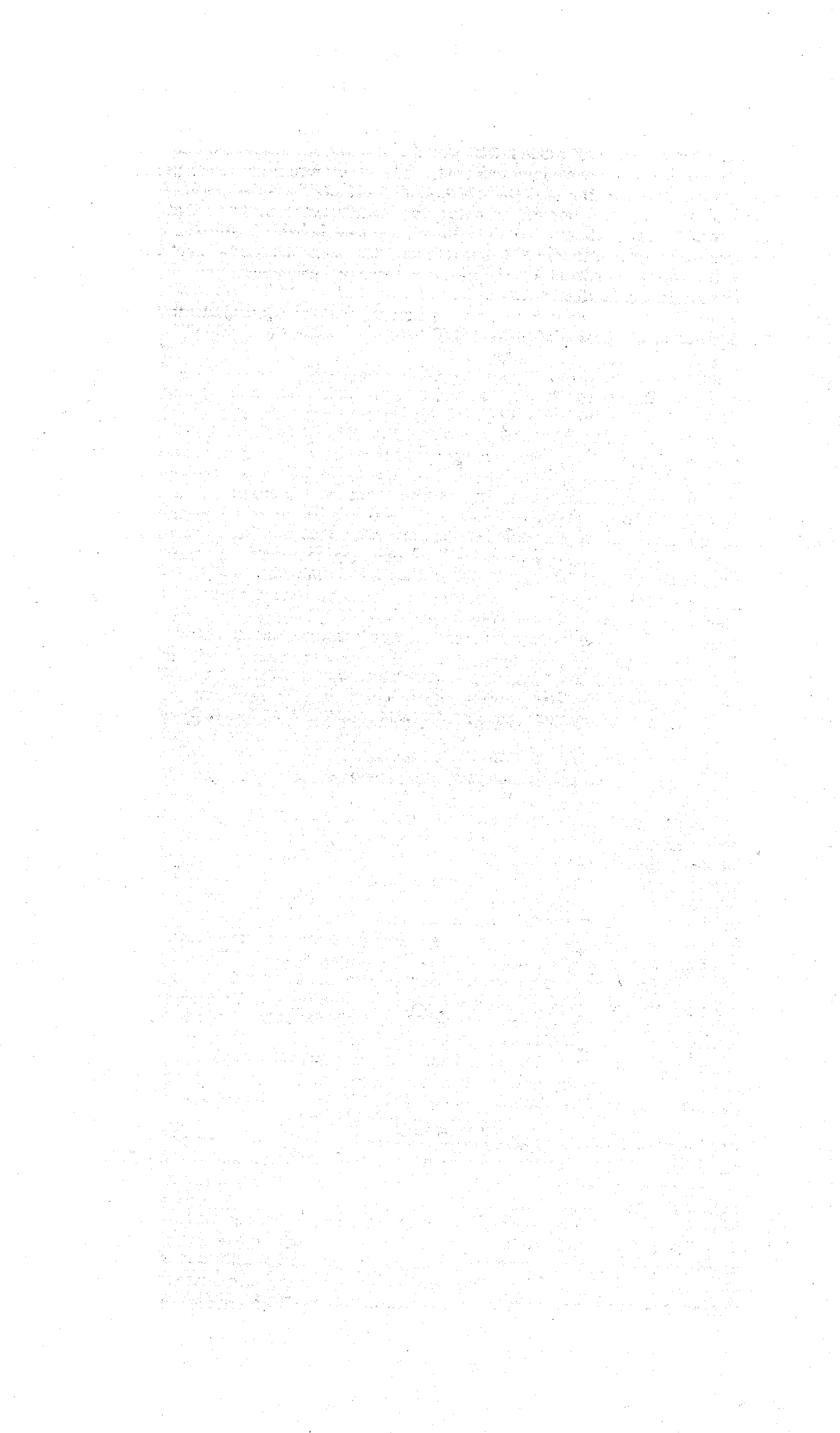
J. COLQUHOUN.

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

&c.

&c.

&c.



VENEZUELA.

No. 51.

Mr. Belford Wilson to the Earl of Aberdeen.

Caracas, January 19, 1846.

(Received February 21.)

(Extract.)

WITH reference to my despatches, marked Slave Trade, of the 1st of March, 1844, of the 31st of December, 1844, of the 1st of March, 1845, and of the 28th of July, 1845, upon the subject of the illegal delay in the payment to the Manumission Fund of the legacy duty on the estate of Mr. Chaves, who died in July, 1841, I have much pleasure in reporting, that the sum of \$20,261, at exchange of \$6 $\frac{1}{4}$ to the pound sterling to about 3,241*l.*, has at length been paid in on that account, and the amount thereof applied to the purchase of the freedom of one hundred and twenty-six slaves.

I have the assurance of Colonel William Smith, who in the character of an arbitrator has had access to the accounts, books, and other papers connected with Chaves' estate, that at the time of his death, exclusive of about \$100,000 of bad or doubtful debts, there was a net balance in his favour of \$300,000 = to 48,000*l.*; and that accordingly there was no sufficient reason, why the amount of legacy duty on that capital, namely, \$30,000, = to 4,800*l.*, at 10 per cent., the property having been bequeathed to a stranger in blood, should not then have been at once recovered by the authorities charged with the care, management, and collection of the funds designated by law for the manumission of slaves.

Therefore, as the duty has since been compounded for by them, for \$22,000 = to about 3,520*l.*, a loss to the Manumission Funds has been occasioned of \$8,000 = to about 1,380*l.*, besides the interest on the amount of duty for four years and a half, which is of considerable importance in a country in which the rate of interest charged by the banks varies from 9 to 12, and in cases of delay in payment of capital, to 24 per cent. per annum, and wherein more than one half of loan transactions are effected at the exorbitant rates of 18 to 24 and 36 per cent. per annum.

(Signed)

BELFORD HINTON WILSON.

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

&c.

&c.

&c.

No. 52.

Mr. Belford Wilson to the Earl of Aberdeen.

Caracas, June 12, 1846.

(Received July 21.)

My Lord,

IN the annual Report presented to Congress by the Secretary of State for the Home Department, on the opening of its Legislative Sessions that have

just terminated, the Minister renewed the recommendation which he addressed to that body in 1845, that it would prohibit, by a legislative enactment, the importation of slaves into Venezuela, in the only case in which they are allowed to be introduced, namely, under the legal fiction of their being domestic servants; and the Minister further supported the urgency and expediency of this prohibition, upon the ground that a demand for indemnification has been advanced against Venezuela on behalf of the Netherlands Government, arising out of a sentence pronounced in 1845 by the Venezuelan Law Courts, and by which a Dutch slave, named William, imported into Venezuela in 1836 under the provisions of the existing law as a domestic servant, was declared to be entitled to acquire his freedom by purchase, even against the will of his master, Mr. Moses of Abraham of Jacob Jesurum, and upon the payment of the price at which, according to the Venezuelan law and tariff of valuation for slaves of his age, a Venezuelan slave would have a right to purchase his freedom.

But I regret to have state to your Lordship, that Congress has closed its Sessions without taking the slightest notice of the Minister's recommendation upon this subject, therefore slaves may be continued to be imported into Venezuela under the denomination of domestic servants.

I have, &c.

(Signed) BELFORD HINTON WILSON.

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

&c.

&c.

&c.

No. 53.

Mr. Belford Wilson to the Earl of Aberdeen.

Caracas, June 13, 1846.

(Received July 21.)

(Extract.)

I HAVE to report to your Lordship that, exclusive of the 126 slaves manumitted within the Province of Caracas during the year ended the 31st of December, 1845, with the proceeds of the legacy duty paid by Mr. Chaves' estate, as explained in my despatch to your Lordship, Slave Trade series, of the 19th of January last, there were manumitted 51 slaves in the rest of the Republic, out of funds destined by law for that purpose, and of which 16 were males and 35 were females; and furthermore, that 5 other slaves received their liberty either by the gift of their masters, or else by testamentary dispositions in liquidation of the legacy duty chargeable upon property, in certain cases, and applicable to the manumission funds.

This latter practice is not unfrequent, enabling a master to grant, apparently as an act of grace and generosity, freedom to old or favourite slaves, or as a reward for long and faithful services; whereas, in fact, they do so without the slightest cost to themselves, or loss or detriment to their heirs, as the value of such slaves is deducted from the amount of legacy duty payable in certain cases by the estate of a deceased person.

This provision of the law, establishing and regulating the only tax or duty imposed (either by the Government or Municipalities) on succession to property after death, and applying its proceeds to the manumission of slaves, is therefore personally beneficial to slave-owners, furnishing them with the means of rewarding the fidelity of some of their slaves out of the proceeds of a national tax, the legacy duty, in the cases in which their estates would be liable to its payment.

Finally, I have to report that, during the year ended the 30th of June, 1845, 695 persons, the offspring of female slaves having attained the age of 18, were apprenticed to trades or occupations as field labourers until the age of 25.

Of these 343 were males and 352 were females. Practically there is no difference between the amount of labour these individuals are compelled to yield to their masters, designated as patrons, and the amount of labour required of slaves, whilst the wages allowed to them are insufficient, so that until the offspring of female slaves attain the age of 25, their labour, for the benefit of a

master, is compulsory by law, save in exceptional cases, and although they have legal rights and advantages over slaves, in reality they are dealt with as slaves.

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

No. 54.

Viscount Palmerston to Mr. Belford Wilson.

Sir,

Foreign Office, August 13, 1846.

HER Majesty's Government regret to learn from your despatch marked Slave Trade, dated the 12th of June last, that the Venezuelan Congress has closed its session this year without having taken into consideration the renewed recommendation made by the Government to that body, to pass a legislative enactment, prohibiting the importation of domestic slaves into Venezuela, a recommendation which it appears was conveyed in the Report of the Minister for the Home Department at the opening of the session.

You will nevertheless take an opportunity of expressing to the Venezuelan Minister, the pleasure which Her Majesty's Government have derived from learning that the Venezuelan Government have proposed a measure which does them so much honour; and you will at the same time assure him, that the passing of that measure into a law would tend greatly to increase and strengthen the friendly feelings entertained by the British nation for the Republic of Venezuela.

I am, &c.
 (Signed) PALMERSTON.
B. H. Wilson, Esq.
 &c. &c.

No. 55.

Mr. Belford Wilson to Viscount Palmerston.

Caracas, October 8, 1846.
(Received November 21.)

(Extract.)

I BEG to report that, in the execution of your Lordship's instructions, contained in your Lordship's despatch, Slave Trade series, of the 13th of August last, I have taken an opportunity of expressing to the Venezuelan Government the pleasure which Her Majesty's Government have derived from learning that the Venezuelan Government have proposed to Congress to pass a legislative enactment prohibiting the importation of domestic slaves into Venezuela, a measure which does so much honour to the Venezuelan Government; and I have, at the same time, assured the President and the Ministers for Foreign Affairs, and for the Home Department, that, in the opinion of Her Majesty's Government, the passing of that measure into a law would tend greatly to increase and strengthen the friendly feelings entertained by the British nation for the Republic of Venezuela.

This communication seemed to be gratifying to the several members of the Government, more especially to the President, and to the Minister for the Home Department, by whom the measure was more immediately promoted; and I will not fail, before the meeting of Congress in January next year, again to urge the subject on the attention of this Government.

(Signed) BELFORD HINTON WILSON.
The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

