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III.

FURTHER PAPERS

RELATING TO

THE SLAVE TRADE:

VIZ.

CORRESPONDENCE

WITH

Foreign Powers, *and* with His Majesty's Commissioners.1821, 1822.

Ordered, by The House of Commons, to be Printed,
1 April 1822.

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III.

Further Papers relating to the Slave Trade:

VIZ.

CORRESPONDENCE

WITH

Foreign Powers, *and* with His Majesty's Commissioners.

I.—CORRESPONDENCE WITH FOREIGN POWERS.

1.—FRANCE.

N° 1.—Sir Charles Stuart to Viscount Castlereagh.

My Lord,

Paris, 22d February 1821.

I HAVE the honour to transmit to your Lordship the copy of a note I have received from Baron Pasquier, in answer to the communication which announced the capture of the slave ship, the *Louisa*, in a port of the island of Antigua.

I have the honour, &c. (signed) *Charles Stuart*.

I.
Correspondence
with
Foreign Powers.

1. France.

(Inclosure in N° 1.)

The Baron Pasquier to Sir Charles Stuart.

Monsieur l'Ambassadeur,

Paris, le 15 Fevrier 1821.

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'adresser le 9 Janvier, pour me faire connoître l'arrestation et la détention, à Antigua, du navire la *Louise*, qui paroît avoir été employé à la Traite des Noirs.

J'ai l'honneur d'informer votre Excellence que M. le Ministre de la Marine, à qui je m'étais empressé de faire part de cette communication, vient d'écrire aux administrateurs François de la Guadeloupe et de la Martinique, pour que les poursuites contre la *Louise* soient faites par les tribunaux aussitôt que ce navire aura été conduit, par ordre des autorités Angloises, dans l'une ou l'autre de ces isles.

J'ai l'honneur, etc. etc. (signé) *Pasquier*.

(Translation.)

Sir,

Paris, February 15, 1821.

I HAVE received the letter which your Excellency did me the honour to address to me on the 9th of January, to acquaint me that the *Louise*, a vessel which seems to have been employed in the Slave Trade, has been seized and detained at Antigua.

I have the honour to inform your Excellency that the Minister of the Marine, to whom I lost no time in communicating this intelligence, has written to the French authorities, both in Guadeloupe and Martinique, to cause proceedings to be instituted by the courts of justice against the *Louise*, the moment that vessel shall, by order of the English authorities, have been conducted to either of those islands.

I have the honour, &c. (signed) *Pasquier*.

N° 2.—Sir Charles Stuart to Viscount Castlereagh.

My Lord,

Paris, March 29th 1821.—(Received 1st April.)

I INCLOSE, for your Lordship's information, copies of the further correspondence which has taken place with the French government, upon the subject of the repeated infractions of the law which abolishes the Slave Trade in the territories of his most Christian Majesty.

I have the honour to be, &c. &c. (signed) *Charles Stuart*.

III.—FURTHER PAPERS RELATING TO

I.
Correspondence
with
Foreign Powers.

1. France.

(First Inclosure in N° 2.)

Sir Charles Stuart to the Baron Pasquier.

Sir,

Paris, March 23d, 1821.

I HAVE the honour to inclose to your Excellency the annexed paper*, which I am assured is the exact copy of an agreement recently concluded by certain mercantile houses in the port of Havre.

The substitution of the word *mules* for *negroes* shows the real nature of this agreement, since it is well known that there are no mules to be purchased on the coast of Africa. I feel that it is my duty to submit this document to the attention of his most Christian Majesty's government, in the hope that they may be enabled to prevent the parties from carrying their designs into execution.

I have, &c. (signed) *Charles Stuart.*

* Not transmitted to the Foreign Office.

(Second Inclosure in N° 2.)

The Baron Pasquier to Sir Charles Stuart.

Monsieur l'Ambassadeur,

Paris, le Mars 1821.

AU moment où je reçois la lettre que votre Excellence m'a fait l'honneur de m'écrire le 23 de ce mois, relativement à une spéculation qui paraît cacher un projet de traité des noirs, le Ministre de la Marine me faisait part des mêmes informations, en ajoutant, qu'il venait de prendre les mesures nécessaires pour que l'opération ne puisse s'effectuer, et pour que les spéculateurs soient recherchés et punis. Le voile dont on a cherché à la couvrir, facile d'ailleurs à pénétrer, est un motif de plus pour que le gouvernement suive cette affaire de manière à prouver à ceux qui tenteraient de nouvelles contraventions, qu'elles ne peuvent échapper à sa surveillance.

J'ai l'honneur, etc. (signé) *Pasquier.*

Sir,

(Translation.)

Paris, March 1821.

AT the moment when I received the letter which your Excellency did me the honour to write to me on the 23d instant, respecting a speculation which appears to conceal a design of trafficking in slaves, the Minister of Marine transmitted to me the same information, adding, that he had adopted the necessary measures to frustrate the execution of the plan, and to find out and punish the parties. The mystery in which they attempted to involve the transaction, though not very difficult to penetrate, furnishes an additional motive to government to take up this business in such a way as to convince every one inclined to hazard fresh infractions, that similar attempts can never elude its vigilance.

I have the honour to be, &c. (signed) *Pasquier.*

N° 3.—The Marquess of Londonderry to Sir Charles Stuart.

Sir,

Foreign Office, 8th May 1821.

I HAVE the honour to forward to you copies of several documents transmitted to me by the secretary of the African Institution*, tending to show the continuance of the illicit trade in slaves by French subjects. These papers appear to contain important information, and I have to refer your Excellency to my former correspondence on this subject, for the guidance of your conduct in the use which your Excellency may judge it expedient to make of them.

I am, &c. (signed) *Londonderry.*

* Transmitted in original.

N° 4.—Sir Charles Stuart to the Marquess of Londonderry.

My Lord,

Paris, June 11th, 1821.—(Received 14th June.)

I HAVE received in due course your Lordship's dispatch of the 8th of May, and, according to the spirit of my instructions, I have addressed the official note (of which I have the honour to inclose a copy) to Baron Pasquier; and I presume that this resolution will meet with the approbation of His Majesty's government.

I have the honour to be, &c. (signed) *Charles Stuart.*

(Inclosure in N° 4.)

Sir Charles Stuart to the Baron Pasquier.

Sir,

Paris, June 9th, 1821.

THE papers of which I inclose copies, have been transmitted to His Majesty's government from the African Institution; and as the information they contain tends

tends decidedly to prove the continuance of an illicit trade in slaves by French subjects, under circumstances which easily admit of satisfactory investigation on the part of his most Christian Majesty's government, I hope they will not only be added to the mass of communications relating to this subject which I have already submitted to your Excellency, but that they will offer additional motives for the adoption of measures to carry into effect the views his most Christian Majesty's ministers profess to entertain.

The bad success of the endeavours to root out this commerce would discourage further representations, if the assurances your Excellency has repeatedly held forth did not justify the hope of a cordial co-operation on the part of the French government.

Referring, therefore, once more to the facts which have been brought forward, I shall merely remind your Excellency, that it is to be feared the combinations I have denounced may acquire force and consistency from continued impunity, which the most vigorous exertions of the government, at a future period, will be unable to control.

I have the honour to be, &c. (signed) *Charles Stuart.*

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Correspondence
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N° 5.—The Marquess of Londonderry to Sir Charles Stuart.

Sir,

Foreign Office, June 15th, 1821.

IN reference to my former correspondence on the state of the illicit Slave Trade, as carried on under the protection of his most Christian Majesty's flag, I have the honour to transmit herewith to your Excellency extracts of two dispatches under dates of the 16th February and the 1st March 1821, from His Majesty's commissioners at Surinam, which will show to your Excellency that the practice of resorting to the French flag for the purpose of carrying on this illegal traffic is still actively and continually taking place in the West Indies, to the manifest contravention of the letter and spirit of the laws of France on this subject.

Your Excellency will take an early opportunity of laying these documents before the French minister, and of urging his Excellency to adopt such measures as may tend to repress the prostitution of the French flag to such an unworthy purpose.

I am, &c. (signed) *Londonderry.*

N° 6.—Sir Charles Stuart to the Marquess of Londonderry.

My Lord,

Paris, 21st June 1821.—(Received 24th June.)

I AM to acknowledge your Lordship's dispatch, inclosing two letters from the commissioners at Surinam, which contain further information respecting the continuation of the Slave Trade, under the French flag; and I have addressed the note to Baron Pasquier, which I have the honour to inclose, pointing out the bad effect these repeated infractions of the French law are calculated to produce.

Though my representations have certainly made a strong impression upon the minds of the French ministers, the opposition to every measure which can render the abolition effective in the Chamber of Deputies, appears to render it difficult to comply with my demands.

I have the honour to be, &c. (signed) *Charles Stuart.*

(Inclosure in N° 6.)

Sir Charles Stuart to the Baron Pasquier.

Sir,

Paris, June 20th, 1821.

THE reports addressed to His Britannick Majesty's government, by the commissioners employed to execute the engagements which have been contracted for the suppression of the Slave Trade, continue to represent the glaring abuses of the French flag by persons who are engaged in that commerce, under circumstances which, if correctly stated, can admit of no excuse.

In transmitting these reports to your Excellency, I cannot conceal that the result of the remonstrances I have already brought forward upon this subject, is ill calculated to give the British government and nation a full reliance upon the efficacy of his most Christian Majesty's regulations for the abolition of the Slave Trade, much less to contradict the assertions these papers contain, respecting the manifest increase of the evil.

The expectation of successive legislative enactments has, notwithstanding the various written and verbal engagements contracted by the French government to this effect, been gradually weakened, until our hopes now rest entirely upon the administrative

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administrative measures which it is proposed to adopt in the French colonies; but, as even this feeble bar to the increase of the Slave Trade still remains to be applied, I must remind your Excellency that a heavy responsibility will continue to be incurred, so long as this question shall give cause for complaint.

I have the honour to be, &c. (signed) *Charles Stuart.*

N° 7.—Sir Charles Stuart to the Marquess of Londonderry.

(Extract.)

Paris, 28th June 1821.—(Received 1st July.)

THE accompanying circular letter from a commercial house at Nantes, offers fresh and striking proofs that the French government do not prevent the continuation of the Slave Trade in the present state of their legislation upon that subject, which I think warranted a communication to Baron Pasquier, accompanied by the observations contained in the note I likewise forward.

The exclusive attention which the Chamber of Peers devote to their judicial proceedings, prevented the disclosure of what passed last week in that assembly respecting the petition against the Slave Trade; I have therefore been unable, until the present moment, to state to your Lordship, that the predictions respecting the opposition which every endeavour to check the trade would meet with, have been confirmed by the resolution of a portion of the French ministry, to vote in favour of the resolution to proceed to the order of the day, and by their complaints against the Duke de Cazes and M. de Broglie, who alone endeavoured to support the petition.

The fate of the same petition in the Chamber of Deputies has been placed beyond a doubt by the result of the digression to this subject, in the debate upon the expenses of the colonial department, which took place on Tuesday and Wednesday, when M. Portal's assertions, respecting the good faith with which the government has endeavoured to put down this trade, and his efforts to prove that the imperfect state of the legislation renders some additional enactment necessary, to enable them to attain that object, were contradicted by a discourse of M. Lainé, tending to show that the bare consideration of such a measure endangers the security of the French colonies, and that it is expedient not to touch upon that question.

(signed) *Charles Stuart.*

(First Inclosure in N° 7.)

Monsieur,

(Circulaire.)

Nantes, 18 Fevrier 1821.

DESIRANT vous faire participer dans une expédition pour la côte d'Afrique, je dispose en ce moment, et vous avoir pour co-intéressé, je vous détaille ci-après mon projet, son coût et le résultat qu'il pourra donner. Ainsi que vous le remarquerez par le contenu de la présente, on ne courra d'autre risque que celui de gagner, puisque tout sera assuré.

Je vous avoue que c'est vraiment tout ce qu'il y a de mieux à entreprendre aujourd'hui: ces sortes d'expéditions donnent de très grands avantages, et notre port en offre la preuve par la multiplicité des armemens qui s'y font journellement en destination de la côte d'Afrique.

Mon bâtiment est neuf, d'une marche supérieure, et de 70 pieds de tête en tête; il est en brick, et je doute qu'il y en ait un plus joli en ce port.

Le prix auquel s'élèvera l'armement n'excèdera pas fr. 84,000, et le détail dans lequel je vais entrer, vous convaincra que j'y ai apporté la plus grande attention, et la plus sévère économie.

Ce bâtiment du port de 145 tonneaux, se nommera la Petite Lilie, et sera commandé par le Capitaine Olivier, homme de son état connu et recommandable sous tous les rapports.

Je lui donnerai une cargaison de fr. 35,000, et je suis assuré, ainsi que le capitaine, qu'il sera possible de traiter de 250 à 300 N——, qu'on vendrait, une fois rendu, plus de fr. 2,000 chaque.

Le navire, prêt à prendre son chargement, gréé, équipé, muni d'armes, pourvu tous rechanges nécessaires pour un voyage de long cours, compris avances et vivres pour cette opération, ainsi que son doublage en cuivre, artillerie, &c. coutera

-	-	-	-	-	-	-	-	fr. 49,000
La cargaison bien assortie étant de	-	-	-	-	-	-	-	35,000

L'entier armement s'élèvera à	-	-	-	-	-	-	-	fr. 84,000
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THE SLAVE TRADE.

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Je ferai assurer la totalité de la mise hors, s'il est possible, la prime en sus, à fin de couvrir l'entier capital.

Si vous désirez un prospectus avec détail, je m'empresserai de vous en faire parvenir un, persuadé que, connaissant bien la délicatesse de ces sortes d'opérations, vous n'en ferez que l'usage le plus discret. Je vous le confierai avec plaisir et sous le sceau de l'amitié.

S'il entrerait dans vos convenances de me charger du soin d'un armement pour votre propre compte, ou celui de vos connaissances, je m'engagerais à l'exécuter avec tout le zèle, l'économie, et la célérité possible, ayant à cet égard tous les moyens à ma disposition.

Veillez, s'il vous plaît, avoir la complaisance de me fixer le plus promptement possible, sur la somme que vous désirerez prendre dans mon expédition, son départ devant avoir lieu avant la fin de Mars prochain.

En attendant votre réponse je vous offre mes services en cette ville pour tout ce qui peut vous être agréable.

J'ai l'honneur, etc. (signé) *Berthier*.

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Correspondence
with
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(Translation.)

Sir,

Nantes, 18th February 1821.

BEING desirous that you should take a share in an expedition which I am about to form for the coast of Africa, I proceed to detail to you my plan, together with its cost and probable result. You will not fail to remark, from the contents of this paper, that the only risk to be incurred will be that of profit, as every thing will be insured.

It appears to me that these are in fact the best speculations to be undertaken in the present day; these kind of adventures offer very great advantages, of which our port bears testimony, by the number of equipments which are daily fitted out there for the coast of Africa.

My vessel is new, a superior sailer, and 70 feet from head to stern; it is brig built and rigged, and I flatter myself there is not a better in this port.

The cost of its equipment will not exceed 84,000 francs, and the particulars I am about to detail, will satisfy you that I have applied to this point the greatest attention, as well as the most rigid economy.

This vessel is of 145 tons burthen; it is to be called la Petite Lilie, and will be commanded by Captain Olivier, a man very well known in his profession, and in every way worthy of being recommended.

I shall furnish him with a cargo worth 35,000 francs; and I, as well as the captain, am assured that it will be possible to purchase from 250 to 300 N— who, when once delivered, would fetch 2,000 francs each.

The vessel, when ready to receive its cargo, rigged, equipped, furnished with arms, and all the spare rigging, &c. necessary for a protracted voyage, including advances, and provisions for that purpose, as well as its copper bottoming, guns, &c. would cost

-	-	-	-	-	-	-	-	-	fr. 49,000
And a well assorted cargo, being	-	-	-	-	-	-	-	-	35,000

The whole equipment will amount to	-	-	-	-	-	-	-	-	fr. 84,000
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I shall cause the whole outlay to be insured, including, if possible, the premium, so as to cover the whole capital.

If you should wish for a prospectus in detail, I shall lose no time in forwarding one to you, being convinced that, knowing the delicacy of these proceedings, you will make use of it with the greatest discretion. I shall confide it to you with the greatest pleasure, under the seal of friendship.

Should it be agreeable to you to entrust me with the care of an equipment on your own account, or on account of your connexions, I would engage to execute it with all possible zeal, economy and despatch, having all the necessary means at my disposal.

I request you will have the goodness to state to me, at your earliest convenience, the sum which you may be willing to embark in my expedition, as it ought to sail before the end of next March.

I wait your reply; and meanwhile offer you my services in this town, in any way you may think proper.

I have the honour to be, &c. (signed) *Berthier*.

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Correspondence
with
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a. France.

(Second Inclosure in N° 7.)

Sir Charles Stuart to the Baron Pasquier.

Paris, June 26th, 1821.

Sir,
THE inclosed copy of a circular letter, which has been addressed to the principal commercial houses in this capital, offers a proof of the open infraction of the French laws for the abolition of the Slave Trade, which cannot be contested; and confirms the assertions contained in the several communications I have already addressed to your Excellency upon this subject.

Although I cannot doubt the immediate application of the existing law to this flagrant case, a permanent remedy is not to be expected until further enactments of the legislature shall provide against the recurrence of such practices.

I have the honour to be, &c. (signed) *Charles Stuart*.

N° 8.—Sir Charles Stuart to the Marquess of Londonderry.

(Extract) Paris, 2d July 1821.—(Received 5th July.)

I INCLOSE the answer, which the Baron Pasquier has just returned, to my several communications upon the subject of the illegal speculations which have been undertaken lately from French ports for the conveyance of slaves from the coast of Africa to the West Indies.

I have the honour to be, &c. (signed) *Charles Stuart*.

(Inclosure in N° 8.)

The Baron Pasquier to Sir Charles Stuart.

Monsieur l'Ambassadeur, A Paris, ce 28 Juin 1821.

J'AI reçu avec la lettre que votre Excellence m'a fait l'honneur de m'adresser avant hier, la copie d'une circulaire qui paraît avoir été envoyée à plusieurs maisons de commerce de Paris, et dont l'objet est de proposer ouvertement une expédition à la côte d'Afrique, pour la traité des nègres.

Je me hâte de transmettre cette pièce au Ministre de la Marine, et je l'invite à faire toutes les dispositions nécessaires pour rechercher et poursuivre devant les tribunaux les personnes qui osent violer si manifestement les loix de l'état.

J'ai l'honneur, etc. (signed) *Pasquier*.

Sir,

(Translation.)

Paris, 28th June 1821.

I HAVE received, inclosed in the letter which your Excellency did me the honour to write to me the day before yesterday, a copy of the circular that appears to have been sent to several commercial houses in Paris, with the view of openly proposing a voyage to the coast of Africa to trade for slaves.

I hasten to communicate this paper to the Minister of the Marine, and to request him to take every necessary step to discover and bring to justice, before the proper courts, those who so flagrantly dare to violate the laws of the state.

I have the honour to be, &c. (signed) *Pasquier*.

N° 9.—The Marquess of Londonderry to Sir Charles Stuart.

Sir,

Foreign Office, August 27th, 1821.

I HAVE the honour to inclose for your Excellency's information, the extract of a letter from Lieutenant Hagan, of His Majesty's brig *Thistle*, to Captain Kelly of His Majesty's ship *Pheasant*, relative to two French vessels engaged in the Slave Trade on the western coast of Africa; and I have to request that your Excellency will take an opportunity of communicating this intelligence to his most Christian Majesty's government.

I likewise inclose for your Excellency's information the extract of a letter from Mr. Kilbie, at the Havannah, announcing the arrival there of a French slave brig.

I have, &c. &c. (signed) *Londonderry*.

N° 10.—Sir Charles Stuart to the Marquess of Londonderry.

My Lord,

Paris, 24th September 1821.—(Received 27th Sept.)

I INCLOSE the last communication in which fresh instances of the violation of the laws abolishing the Slave Trade have been carried to the knowledge of the French government, together with a short note from Baron Pasquier, being a mere acknowledgment that it has come to hand.

I have the honour to be, &c. (signed) *Charles Stuart*.

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(First Inclosure in N° 10.)

Sir Charles Stuart to Baron Pasquier.

Paris, 6th September 1821.

Sir,

I HAVE the honour to acquaint your Excellency, that the information which has reached His Britannick Majesty's government, in the course of the last month, shows, that on the 8th November two French vessels were employed in the Slave Trade on the coast of Africa, between Sierra Leone and Cape Palmas; the one being the Catherine, seized by the order of Sir George Collier in February last (having changed her crew, except the mate, and the prize crew being supposed to have been overpowered by the French remaining on board), and conveyed to one of the West India islands for the purpose of being sent to Barbadoes, she will remain two months on the coast of Africa, and it is believed that her cargo is now on shore at the Gallinas: the name of the other schooner is the Laurette of Nantes, De la Cluse, master.

A letter from the Havannah, of the 10th June, announces the arrival, on the 6th of May, of a French brig, l'Aimable Henriette, T. A. Brint, master, with 246 negroes, consigned to Messrs. Blair, Aixpurna & Co.

I have the honour to be, &c. (signed) *Charles Stuart*.

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Correspondence
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(Second Inclosure in N° 10.)

The Baron Pasquier to Sir Charles Stuart.

Monsieur l'Ambassadeur,

Paris, 19 Septembre 1821.

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'adresser relativement à de nouvelles infractions aux lois sur la Traite, qui paraissent avoir été commises par des batimens Français. J'ai l'honneur de la prévenir, que je me suis pressé de transmettre ces informations au Ministre de la Marine.

J'ai l'honneur, &c. (signé) *Pasquier*.

(Translation.)

Sir,

Paris, 19th September 1821.

I HAVE received the letter which your Excellency did me the honour of addressing to me, relative to fresh violations of the laws against the Slave Trade, which appear to have been committed by French vessels. I have the honour to acquaint you, that I have lost no time in transmitting this information to the Minister of Marine.

I have the honour to be, &c. (signed) *Pasquier*.

N° 11.—William Hamilton, Esq. to Sir Charles Stuart.

Sir,

Foreign Office, September 28, 1821.

I HAVE the honour to transmit to your Excellency the copy of a dispatch (dated 16th April), with its inclosures, received from the British commissioners at Sierra Leone, containing some general observations and information on the present state of the Slave Trade between Sierra Leone and the Line. In communicating to your Excellency the commands of their Excellencies the Lords Justices of the kingdom, that you take an early opportunity to call the attention of the French government to this subject, I have to point out to your Excellency the very frequent infractions of the treaties for the abolition of the traffick in slaves, by vessels navigating under French colours, and to request that you will not fail strongly to impress on the minds of the French ministers the injurious and disgraceful conduct of their officers, in permitting such repeated infractions of those treaties by French subjects.

I have the honour, &c. &c. (signed) *William Hamilton*.

N° 12.—Viscount Sidmouth to Sir Charles Stuart.

Sir,

Foreign Office, 30th October 1821.

I HAVE the honour to transmit to your Excellency the copy of a letter from the colonial department, inclosing a letter from Mr. Warrington, His Majesty's consul at Tripoli, on the coast of Barbary, on the subject of the trade in African negro slaves, which appears to be there carried on under the protection of the French flag.

Although the decrees of the French government, 8th January 1817, 15th April, and 24th June 1818, on the subject of the Slave Trade are so vague, that it is difficult to say this precise trade comes within any positive prohibition which has hitherto been communicated to this government, yet, is this traffic, totally inde-

feasible,

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fensible, on the only pretence on which any exception can justly be founded; viz. the physical necessities of the colonies.

Your Excellency will take an early opportunity of laying these papers before the government of his most Christian Majesty, and move them to institute such inquiries into the facts alleged as may lead to the effectual prevention of such improper and illegal trade for the future.

I am, (signed) *Sidmouth.*

(First Inclosure in N° 12.)

Henry Goulburn, Esq. to William Hamilton, Esq.

Sir,

Downing-street, 9th October 1821.

I AM directed by Earl Bathurst to transmit to you for the information of the Marquess of Londonderry, the accompanying copy of a letter from His Majesty's consul general at Tripoli, inclosing certain documents, from which it appears that an illegal traffic in slaves is carried on from that regency under the French flag.

I have the honour, &c. (signed) *Henry Goulburn.*

(Second Inclosure in N° 12.)

Hanmer Warrington, Esq. to Earl Bathurst.

My Lord,

Tripoli, 10th July 1821.

A CIRCUMSTANCE has this morning transpired, which I consider my duty to inform your Lordship.

Spiro Andonopolo has many years resided at and enjoyed the protection of the British flag in Tripoli.

I regret to find he has been trafficking in black slaves, and I lament that any one here would encourage a fellow subject of mine in such illegal acts, and would promote the said traffic by embarking those unfortunate creatures on board a French vessel.

This affair being of the greatest importance, I have made every inquiry, and sorry am I to say, that the French flag continually conveys black slaves under the name of passengers, which in itself denotes a conscious knowledge of the impropriety of the act. I beg to refer your Lordship to the accompanying paper produced at my office.

Carrying slaves for sale, I am aware, is not tolerated nor sanctioned by various governments; I therefore take the earliest opportunity of making the same known to your Lordship.

I have, &c. (signed) *Hanmer Warrington.*

(Third Inclosure in N° 12.)

Declaration of Spiro Andonopolo.

Tripoli, 10th July 1821.

THE British consul general having this 10th of July 1821, refused to legalize a certain document, because twelve black slaves are specified in it, I am particularly anxious to clear my conduct, and assure the said consul general of my having been ignorant that the English laws prohibit the traffic in negroes in the Mediterranean. I had shipped the said twelve blacks on board a French "bombarde," the French consul having desired the slaves to be embarked as passengers, assigning as a reason, that if they were embarked under the denomination of merchandize, the master would not be responsible for their death, though the French consul was fully aware that the said slaves were purchased by me and embarked in the French "bombarde" to be sold at Navarino. That the above is the truth, I declare in my justification, in the presence of the under-signed witnesses.

(signed in the Greek characters) *Spiro Andonopolo.*

Witnesses to the declaration and signature, (signed) *{ Angelo Keri,
J. P. Chatten.*

N° 13.—Sir Charles Stuart to the Marquess of Londonderry.

(Extract.) Paris, 22d November 1821.—(Received 25th November.)

I HAVE not failed to make known to the French minister the circumstances connected with the infraction of the Slave Trade, to which your Lordship's several instructions have adverted, by addressing to the Baron Pasquier the notes under date of the 6th September (transmitted to your Lordship in my dispatch of the 24th September)

THE SLAVE TRADE.

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September) and of the 2d October, of which I inclose a copy, calling upon the government to give effect to the existing laws against the Slave Trade, or to make the supplementary enactments which are necessary to complete the suppression of that commerce; and it is only within these few days that I have received the accompanying answer.

(signed) *Charles Stuart.*

I.
Correspondence
with
Foreign Powers.

1. France.

(First Inclosure in N° 13.)

Sir Charles Stuart to the Baron Pasquier.

Sir,

Paris, 2d October 1821.

THE papers I have the honour to inclose are extracted from the correspondence of the commissioners His Britannick Majesty's government have charged with the execution of the treaties for the abolition of the Slave Trade, and they contain the revolting description of the enormities at this moment practised upon the coast of Africa, which calls so loudly for the interference of the several governments under positive engagements to abolish the traffic, that I consider it my duty to lose no time in placing the subject under your Excellency's view.

Among the vessels which are stated in this narrative to be employed on the coast, your Excellency will observe that the speculations of the slave traders in Nantes and St. Malo bear a conspicuous part, and that their operations are described with circumstances of detail, which appear to bring the offenders within the range of the existing legislation.

As the custom house books in those ports afford the means of verifying these statements, I flatter myself that his most Christian Majesty's government will take advantage of the opportunity, to prove to the world their determination to enforce the law, and that by acting up to the spirit as well as the letter of their engagements, these facts may enable them to make those further regulations which appear necessary, completely to prevent future infractions.

I have the honour to be, &c. (signed) *Charles Stuart.*

(Second Inclosure in N° 13.)

The Baron Pasquier to Sir Charles Stuart.

Monsieur l'Ambassadeur,

Paris, 16 Novembre 1821.

J'AI reçu avec la lettre que votre Excellence m'a fait l'honneur de m'adresser le 2 Octobre dernier, les documens relatifs à la Traite des Noirs qui s'y trouvaient joints, et que je me suis empressé de transmettre à M. le Ministre de la Marine.

Après y avoir donné toute l'attention convenable, M. le Ministre de la Marine vient de me répondre, que ces documens, qui n'indiquent nominativement qu'un seul navire Français, ne semblent pas justifier le soupçon que les navires armés à Nantes et à St. Malo, fassent une partie remarquable de ceux employés à la Traite des Noirs.

Votre Excellence m'avait fait également connaître, par sa lettre du 5 Septembre dernier, que les navires la Laurette et l'Aimable Henriette de Nantes, étaient soupçonnés d'avoir fait le même trafic. M. le Ministre de la Marine, après avoir fait faire des recherches à cet égard, m'annonce qu'elles ont conduit à reconnaître, que le navire mentionné dans la lettre de votre Excellence sous le nom de la Laurette, était la Levrette de Nantes, capitaine de l'Ecluse; et que des poursuites judiciaires sont dirigées en ce moment contre l'armateur de ce bâtiment.

Quant à l'Aimable Henriette, ce navire est de même l'objet de recherches sevéres, pour constater s'il a été employé à la Traite des Noirs.

J'ai l'honneur d'être, etc. (signé) *Pasquier.*

Sir,

(Translation.) Paris, November 6th, 1821.

I HAVE received, with the letter which your Excellency did me the honour to address to me on the 2d of October last, the documents relative to the Slave Trade which were inclosed therein, and which I lost no time in transmitting to the Minister of Marine.

After having paid all proper attention thereto, the Minister of the Marine has just replied to me that these documents which point out only one French vessel by name, do not appear to justify the suspicion, that the vessels equipped at Nantes and at St. Malo, form any conspicuous part of those engaged in the traffic in slaves.

Your Excellency also informed me, in your letter of the 5th of September last, that the vessels la Laurette, and l'Aimable Henriette, were suspected of having

carried

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Correspondence
with
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carried on the same traffic. The Minister of Marine having caused inquiries to be made in this respect, informs me that they have enabled him to ascertain that the vessel mentioned in your Excellency's letter under the name of la Laurette, was la Levrette of Nantes, captain de l'Ecluse; and that legal proceedings are at present instituted against the fitter out of that vessel.

With regard to the l'Aimable Henriette, this vessel is also the subject of a strict examination, in order to ascertain whether she has been engaged in the traffic in slaves.

I have the honour to be, &c. (signed) *Pasquier*.

N° 14.—Sir Charles Stuart to the Marquess of Londonderry.

My Lord, Paris, 21st December 1821.—(Received 27th December.)

EVERY proof of a sincere desire, on the part of the French government, to give effect to the enactments of their legislature upon the subject of the Slave Trade, being a matter of interest to His Majesty's government, I inclose a paper containing the particulars of the proceedings which have taken place against an individual at Marseilles, who has been convicted of the infraction of the law against that crime.

I have the honour to be, &c. (signed) *Charles Stuart*.

(Inclosure in N° 14.)

Extract from the French Newspaper "l'Etoile," of the 21st December 1821.

LE tribunal de police correctionnelle de Marseille a prononcé le 11 du courant, sur une cause remarquable. Il s'agissait d'une accusation portée par le ministère public, contre le Capitaine Quoniam, prevenu d'avoir participé à la Traite des Nègres. Divers interrogatoires avaient été subis par ce capitaine, soit par devant M. le Commissaire de la Marine, soit en présence de M. le Juge d'Instruction. Plusieurs témoins avaient déjà été entendus à une précédente audience; les uns avaient rétracté les dépositions qui avaient été faites par eux à M. le Commissaire de la Marine; un nègre qui avait fait partie de l'équipage du Capitaine Quoniam, fut appelé en témoignage. Il chargeait principalement ce prevenu. Hors de la prestation du serment, interrogé par M. le President sur la religion qu'il professait, il répondit, n'en avoir aucune, et n'adorer que le soleil; néanmoins il fut entendu, et le tribunal décida alors qu'on aurait tel égard que de raison à sa déposition.

M. Castellan, substitut de M. le Procureur du Roi, soutenait l'accusation. Ce jeune magistrat s'est élevé avec force contre un négoce que réprouvent la religion, et tous les droits de la nature, il a démontré combien il était utile pour l'intérêt de la société de réprimer un pareil délit. C'est ainsi, a-t-il ajouté, que ce trafic odieux est puni chez nos voisins des peines les plus sévères. Il appartient aux Français, à cette nation grande et généreuse, de montrer au monde civilisé toute la haine et l'indignation que lui inspire un commerce que rien ne peut légitimer.

M. Castellan a puisé les principales preuves dans le rôle d'armement pris au Sénégal par le Capitaine Quoniam. Sur ce rôle sont portés 12 nègres. A son arrivée à la Havanne, où le délit a été consommé, le capitaine prétendit qu'ils avaient pris la fuite. Aucune pièce ne constate les poursuites que dût diriger alors le Capitaine Quoniam. Une autre preuve, qui militait contre lui, est celle, que l'on peut trouver en ce que le Capitaine Quoniam avait rempli ses barriques d'eau pour former son lest. M. le Procureur du Roi a développé toutes les inductions que l'on pouvait tirer de ces circonstances, comme des expressions consignées dans quelques lettres qui furent séquestrées par le ministère public chez le Capitaine Quoniam. Il a conclu aux peines portées par la loi du 15 Avril 1818.

M. Massol d'André avait à défendre l'accusé. Il a combattu tour à tour les raisonnemens de M. Castellan, et attaquant ensuite la question de droit, il s'est basé principalement sur les termes de la même loi, qui attribuent la connaissance des affaires relatives à la Traite des Noirs, aux tribunaux chargés de connaître celles du commerce étranger. Il a soutenu qu'en conséquence, de même que les contraventions aux lois des douanes ne peuvent être poursuivies que sur des procès-verbaux, de même les délits résultant de la Traite des Noirs ne peuvent être constatés et poursuivis que sur des procès-verbaux, dressés par les consuls ou agens Français, au lieu où le délit a été commis; qu'en l'absence de pareilles pièces, aucune preuve légale n'était acquise.

Le tribunal, après une heure et demie de délibération, a prononcé le jugement, qui condamne le Capitaine Quoniam à la confiscation de son navire et de la cargaison, et à l'interdiction de ses lettres de capitaine.

(Translation.)

THE tribunal of correctional police at Marseilles, on the 11th instant, gave judgment in a remarkable cause. It arose from an accusation brought by the public functionaries against Captain Quoniam, charged with having engaged in the traffic in slaves. The captain had undergone several examinations, both before the Commissary of Marine, and before the Juge d'Instruction. Several witnesses had been already examined on a former hearing; some of them had retracted the depositions which they made before the Commissary of Marine, and a negro who had formed part of the crew of Captain Quoniam was called as a witness. He was the principal evidence against the accused. When the oath was about to be administered to him, on being questioned by the President as to what religion he professed, he replied, that he was of no religion, and worshipped only the sun; he was nevertheless examined, and the tribunal then decided that such credit should be given to his evidence as might be thought reasonable.

M. Castellan, who appeared for the King's Procureur, conducted the prosecution. This young officer forcibly inveighed against a traffic so hostile to religion, and to all the rights of nature, and maintained of what utility it would be to the interests of society to put a stop to such offences. Thus, he added, this odious traffic is visited, among our neighbours, with the severest penalties. It remains for the French, for that great and generous people, to evince to the civilized world all the hatred and indignation which they feel towards a traffic which nothing can render lawful.

M. Castellan drew his principal proofs from the list of the crew taken at Senegal by Captain Quoniam. Twelve negroes were borne upon this list. On his arrival at the Havannah, where the offence was completed, the captain asserted that they had made their escape. There was, however, no document to prove that the captain had made the pursuit which would, in that case, have been necessary. Another proof, which made against Captain Quoniam, was drawn from his having filled his casks with water, for the purposes of ballast. The King's Procureur fully set forth all the inferences which might be drawn from these circumstances, as well as from certain expressions contained in some letters which were seized by the public officers at Captain Quoniam's house. He prayed judgment of the penalties inflicted by the law of the 15th April 1818.

M. Massol d'André appeared in behalf of the defendant. He combated one by one the arguments of M. Castellan, and afterwards, adverting to the question of right, he principally rested upon the terms of the above-mentioned law, which gives cognizance of proceedings relative to the Slave Trade, to the tribunals to which are allotted those relating to foreign trade. He maintained, in consequence, that in the same manner as offences against the custom laws could only be prosecuted upon *procès-verbaux*, so likewise offences resulting from the Slave Trade could be prosecuted and proved only upon *procès-verbaux*, drawn up by the French consuls or agents upon the spot where the crime was committed; and that, in the absence of such documents, there could be no legal proof.

The tribunal, after an hour and half's deliberation, delivered its judgment, which sentenced Captain Quoniam to the confiscation of his vessel and cargo, and to the forfeiture of his rank of captain.

N° 15.—The Marquess of Londonderry to Sir Charles Stuart.

Sir,

Foreign Office, January 18th, 1822.

It has been in my contemplation for some time past, to instruct your Excellency to renew, with the present French government, those discussions which you have been so long engaged in with their predecessors, for the more effectual execution of his most Christian Majesty's engagements for the abolition of the Slave Trade; but I have hitherto abstained from doing so from the persuasion that we cannot reasonably hope that such an extensive subject could occupy the attention of the French government so early after its formation. As I perceive, however, that your Excellency has already held a conversation with Monsieur de Clermont Tonnerre on the subject of the colonies, I am to desire that you will lose no time in sounding his Excellency on that of the Slave Trade, pointing strongly his Excellency's attention to the inadequacy of the present law of France to repress this evil, which unfortunately appears to be carried on by French ships and subjects, as well in the colonial parts of France, as along the whole line of the African coast.

I do not feel that I can at this moment add any thing to your Excellency's existing stock of information, for the purpose of assisting you in obtaining from the

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French government satisfactory explanations upon this subject; but I beg you will, at your earliest convenience, bring the point referred to under their consideration; endeavouring in the first instance to draw M. Clermont Tonnerre's favourable attention to the matter to be discussed.

I am, &c. (signed) *Londonderry*.

N° 16.—Sir Charles Stuart to the Marquess of Londonderry.

(Extract.) Paris, January 28th, 1822.—(Received 31st January.)

I HAVE lost no time in giving effect to the wishes expressed in your Lordship's dispatch of the 18th instant; and with a view to induce the French ministers to come to some determination on the question of the Slave Trade, I have stated in the note marked (A.) the further enormities on the coast of Africa, which have come to the knowledge of his Majesty's government, and have urged that the time is now arrived when it is very expedient to manifest the sincerity of their intentions to abolish this traffic. Having also in several conversations with different members of the French government, and with M. de Chateaubriand, drawn their serious attention to the subject; I have availed myself of the opportunity to address the note I inclose (B.) to M. de Montmorency, and I am not without hopes that it may produce a favourable effect.

I have the honour to be, &c. (signed) *Charles Stuart*.

(Inclosure A. in N° 16.)

Sir Charles Stuart to the Viscomte de Montmorency.

Sir, Paris, January 22d, 1822.

I HAVE the honour to inform your Excellency that a flagrant act of slave trading under the French flag, committed on the African coast, has come to the knowledge of His Britannick Majesty's government.

A vessel called the *Daphne*, supposed to be American under French colours trading in slaves, having been captured by an American schooner the *Alligator*, was taken by the crew, who had no sooner regained their liberty than they sailed back to the African coast, where a cargo of between one and two hundred negroes was taken in, the prize crew being all the time on board in confinement; and these wretched beings, having been subsequently conveyed to Guadaloupe, were there without hindrance landed for the market.

The avowed principles of the French government encourage me to hope that the disclosure of the circumstances of this transaction will induce them to adopt without delay the measures which are calculated to prevent the further abuse of their flag.

I have, &c. &c. (signed) *Charles Stuart*.

(Inclosure B. in N° 16.)

Sir Charles Stuart to the Viscomte de Montmorency.

Sir, Paris, 28th January 1822.

THE documents I have already had occasion to address your Excellency having sufficiently proved the frequent violation of the laws abolishing the Slave Trade, the feelings to which these violations have given rise on the part of the British government, will in a great measure have prepared your Excellency for the manifestation of the hope that the change which has taken place in his most Christian Majesty's councils will not be unfavourable to the efforts of those who have so long and so usefully laboured in bringing about the effectual abolition of that commerce.

Promise after promise, assurance after assurance have hitherto not only remained unfulfilled, but the national feelings in France have been abused, and a sentiment of mistrust has been created respecting the motives of every overture by which His Britannick Majesty's ministers have invited the French court to concur in the furtherance of this great work.

I am sure, however, that a cause distinguished by every principle of religion, humanity and national honour, will now meet with the more serious attention which such weighty considerations prescribe. I leave your Excellency therefore to determine whether it will best be advanced by legislative or administrative measures; and if an accurate examination into the bearings of the question should lead his most Christian Majesty's ministers to think measures of joint execution are best calculated to prevent the infraction of the laws enacted in both countries, the principle of a fair reciprocity will render my court desirous to further any reasonable arrangement which your Excellency may propose for that purpose; and in the hope that

that your Excellency's favourable opinion will carry this overture without delay to the knowledge of his most Christian Majesty, I anxiously wait an answer which shall enable me to report to my government the satisfactory determination to which it shall give rise.

I have the honour, &c. (signed) *Charles Stuart.*

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N° 17.—Sir Charles Stuart to the Marquess of Londonderry.

My Lord,

Paris, 7th February 1822.

THE French ministers assure me that the note in which I have pressed their immediate consideration of the measures which are necessary to complete the abolition of the Slave Trade, has been laid before the cabinet and favourably considered; and, in a conversation which I held with M. de Montmorency, he told me he should think it his duty to repeat to me, in writing, the assurance of his intention to meet the wishes of His Majesty's government, and accordingly the same evening I received the letter I inclose.

I have the honour, &c. (signed) *Charles Stuart.*

(Inclosure in N° 17.)

The Viscomte de Montmorency to Sir Charles Stuart.

Monsieur l'Ambassadeur,

Paris, le 3 Fevrier 1822.

J'AI reçu la lettre que votre Excellence m'a fait l'honneur de m'adresser le 28 Janvier relativement à la Traite de Nègres.

Le gouvernement de Sa Majesté Britannique sait que le Roi, qui désire franchement l'abolition complete de ce trafic odieux, a pris jusqu'ici toutes les mesures qui ont dependu de lui pour y parvenir. Ces mesures ont été executées aussi strictement que possible par les différentes autorités qui en ont eu la mission; et s'il recommet encore des infractions aux lois rendues contre la traite, le gouvernement de S. M. très Chrétienne, tout en les deplorant, peut faire remarquer que ce n'est point à ses sujets seules qu'elles doivent être attribuées. Il a toutefois à cœur de redoubler des précautions, et de faire, s'il le faut, des dispositions nouvelles pour assurer la repression de cette nature de délit.

Votre Excellence peut annoncer à son gouvernement que cette matière fait en ce moment l'objet des délibérations du conseil de sa Majesté.

J'ai l'honneur, etc. (signé) *Le Viscomte Montmorency.*

(Translation.)

Paris, 3d February 1822.

Sir,

I HAVE received the letter which your Excellency did me the honour to address to me, on the 28th of January, relative to the Slave Trade.

The government of His Britannick Majesty knows that the King, who sincerely desires the complete abolition of this odious traffic, has hitherto taken all the measures dependent upon him to obtain that object.

These measures have been carried into effect, as strictly as it was possible, by the different authorities appointed for that purpose; and if the laws made to prevent this traffic be still violated, the government of his most Christian Majesty has to observe, while lamenting the fact, that it ought not solely to be attributed to French subjects.

The French government has, however, a sincere desire to redouble the precautions; and, if necessary, to make fresh arrangements to ensure the repression of a crime of this nature.

Your Excellency may announce to your government, that this business is at this moment under the consideration of his Majesty's council.

I have the honour, &c. (signed) *Viscomte de Montmorency.*

N° 18.—Memorandum of the Comte de Caraman.

Londres, le 12 Mars 1822.

A LA suite de diverses plaintes portées l'année dernière par le gouvernement Anglois, le gouvernement de S. M. très Chrétienne avoit chargé M. le Comte de Lardenoy, gouverneur de la Guadeloupe, de faire proceder à des enquêtes sur les opérations de Traite de Noirs, imputées au pavillon François.

Cet administrateur a adressé au Ministre de la Marine divers documens qui attestent le zèle qu'il met à decouvrir et à reprimer la fraude en ce qui concerne

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ce trafic odieux. Parmi ces documens se trouve une lettre du directeur-general des douanes, au caractère de probité duquel M. le Comte de Lardenoy rend hommage.

En 1819 et 1820 cet officier eut connoissance de quatre versements de noirs qui auroient été opérés dans les quartiers du Port Louis, du Petit Canal, et du Moule. Il fut prevenu qu'on avoit vu traverser dans la campagne du Port Louis un nombre assez considérable de nègres, qui avoit été débarqués dans les environs. Il enjoignit aussitôt à son délégué au Port Louis de réquerir la force et de faire des recherches pour découvrir les esclaves. Il apprit que cet employé, au lieu d'exécuter son ordre, avoit fait prévenir la personne qui étoit intéressée dans cette introduction; aussitôt il l'accusa, et le gouverneur ayant assemblé un conseil, prononça la destitution de cet employé infidèle.

Le seconde versement qui fut également opéré au Port Louis, étoit le résultat de la baratterie d'un capitaine de negrier Espagnol; mais le directeur des douanes en ayant été informé trop tard pour s'y opposer, il ne put qu'eloigner de ce poste l'employé dont la conduite lui avoit été suspecte, et il fut en effet destitué.

D'autres rapports avoient annoncé qu'un débarquement de noirs venoit d'être effectué par de grandes pirogues au Petit Canal, et que déjà les esclaves avoient été conduits sur une habitation designée. Un détachement de soldats y fut immédiatement envoyé, avec deux employés de douanes; mais la dénonciation étoit fausse, et M. le General Fougas, commandant le quartier du Petit Canal (qui avoit lui-même assisté aux recherches faites avec toute la célérité et le zèle qu'on pouvoit désirer) adressa à M. le Comte de Lardenoy un rapport qui ne laissa aucun doute à cet égard.

Le quatrième versement fut effectué dans le quartier du Moule. M. le directeur des douanes ayant eu lieu de suspecter la conduite de l'employé detaché au Moule, du controleur, et du commis ambulant, demanda à M. le Comte de Lardenoy la punition de ces trois employés. Le premier étoit soupçonné d'avoir souffert le versement, et même d'avoir reçu un cadeau; les deux autres qui avoient fait, peu de jours après le débarquement, une tournée dans le quartier du Moule, étoient censés ne pas l'ignorer, et ils étoient fautifs de ne pas en avoir informé l'autorité. Ils furent tous les trois éloignés de leurs fonctions.

Après avoir disculpé les autorités de la Guadeloupe des reproches de negligence portés contre elles, l'attention des ministres de S. M. B. se fixera sans doute sur un fait qui a déjà été porté à leur connoissance,—la fabrication de faux papiers François dans les isles de St. Thomas, de St. Barthelemy, et de St. Eustache.

Il paroît évident, après une lettre de M. de Ligny, agent François à St. Thomas, qu'il se fabrique dans cette isle de faux papiers revêtus de la signature contrefaite du gouverneur de la Guadeloupe, ou de celle de M. le Comte Douzelot, gouverneur de la Martinique; et à la faveur des quels, des spéculateurs étrangers rejettent sur le commerce François l'odieux d'un trafic illicite.

Depuis le commencement de la guerre de la révolution, cette horrible pratique a existé dans ces îles, dites *ports libres*, et il est très difficile de découvrir les auteurs de ces crimes. C'est surtout à St. Thomas qu'ils se commettent le plus fréquemment: il n'y a pas longtems que M. de Ligny a été obligé de demander au gouverneur de faire tirer sur son bâtiment, qui étoit entré le matin sous pavillon Danois, et qui sortoit le même jour sous pavillon François.

Si l'on compare les recensemens faits à la Guadeloupe en 1810 et 1820, et si l'on admet que les naissances remplacent à peu-près les decés, on aura encore une preuve de l'exagération des rapports qui ont été faits au gouvernement Anglois. En 1810 la population noire étoit, d'après les dits recensemens, de 102,939; en 1820 elle étoit 88,397; ce qui offre un difference en moins de 14,542: et cependant la Traite des Noirs a été permise jusqu'en 1815, et l'on a pu jusqu'à cette époque, introduire des Africains dans la colonie sans la moindre opposition.

Le gouvernement Anglois doit être bien convaincu que les autorités François n'ont pas cessé un instant de surveiller et de s'opposer à la fraude qui a pu être tentée. Si malgré tous leurs soins, on est parvenu en trompant leur vigilance à introduire quelques noirs sur la côte, c'est un malheur qu'elles n'ont pu éviter, pas plus que l'introduction par fraude d'une grande quantité de marchandises prohibées. Ils ont poussé leur sollicitude jusqu'à repousser des expéditions directes non seulement pour les établissemens François de Gorée et du Sénégal, mais encore pour les îles du Cap Vert; et les instructions données par le procureur-général d'après les ordres du gouverneur de la Guadeloupe, dont copie est çï-jointe, seront une

une nouvelle preuve du zèle qu'elles mettent à séconder les intentions de leur gouvernement.

Au surplus, M. le Vicomte de Chateaubriand, qui est attendu incessamment, sera sans doute chargé de donner au gouvernement de S. M. Britannique les explications ultérieures qu'il pourroit désirer.

(Translation.)

London, 12th March 1822.

IN consequence of the various complaints made last year by the British government, his most Christian Majesty's government charged the Count de Lardenoy, governor of Guadaloupe, to cause inquiries to be made as to the facts, relative to the Slave Trade, imputed to the French flag.

This administrator has addressed to the Minister of the Marine several documents, attesting the zeal manifested by him to discover and repress any fraud in what concerns this odious traffic. Amongst these documents is a letter from the director-general of the customs, whose character for probity the Count de Lardenoy can vouch for.

In 1819 and 1820 this officer had intelligence of four disembarkations of slaves, said to have taken place in the neighbourhood of Port Louis, of the Petit Canal, and the Moule. He was informed that a considerable number of slaves had been seen crossing the country near Port Louis, who had been landed in the neighbourhood. He immediately ordered his deputy at Port Louis to get assistance and endeavour to discover these slaves. He learnt however that this individual, instead of obeying his orders, communicated his instructions to the person interested in this transaction: he immediately accused him of this, and the governor having called a council, this faithless agent was dismissed.

The second disembarkation, which also took place at Port Louis, was in consequence of a fraud committed by the captain of a Spanish slave vessel. The director of the customs having obtained this information too late, he could only remove the agent on the ground of his conduct appearing suspicious, and he was dismissed accordingly.

Other reports announced that a disembarkation had just taken place from some large canoes at Petit Canal, and that the slaves had already been conducted to a house which was pointed out. A detachment of soldiers was immediately sent there, with two persons employed in the custom house; but the accusation was false, and General Faugas, commanding the district of the Petit Canal (who had himself assisted in the search which was made, with all the celerity and zeal that could be wished), addressed to the Count de Lardenoy a report which removed all doubt on the subject.

The fourth disembarkation was effected in the district of the Moule. The director of the customs, having had reason to suspect the conduct of the agent dispatched to the Moule, of the comptroller, and of the landwaiter, applied to Count Lardenoy to have these three individuals punished. The first was suspected of having permitted the landing, and even of having received a bribe; the two others having gone their rounds in the district of Moule, a few days after the landing, were looked upon as not ignorant of the fact, and were therefore culpable in not having given the information to the proper authority. They were all three dismissed.

The authorities of Guadaloupe being thus exculpated from the reproaches of negligence advanced against them, the attention of the ministers of His Britannick Majesty will no doubt be directed to the circumstance already made known to them,—the fabrication of false French papers in the islands of St. Thomas, St. Bartholomew, and St. Eustache.

It appears evident by a letter from M. de Ligny, a French agent in St. Thomas's, that false papers are fabricated in that island, either with the forged signature of the governor of Guadaloupe, or that of Count Douzelot, governor of Martinique; and that by this means foreign speculators have been enabled to throw the odium of this illicit traffic upon the commerce of France.

Since the commencement of the war of the revolution, this horrible practice has existed in those islands called *free ports*; and it is very difficult to discover the authors of these crimes. It is particularly in St. Thomas's where they are most frequently committed: it is not long ago that M. de Ligny was obliged to apply to the governor to order a vessel to be fired at, which had entered in the morning under Danish colours, and departed the same day with the French flag.

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If a comparison be made of the census taken in Guadeloupe in 1810 and 1820, and if it be admitted that the births are nearly equal to the deaths, a further proof will appear of the exaggeration of the reports made to the British government. In 1810 the black population was, according to the said census, 102,939, and in 1820 it was 88,397, which gives a difference at least of 14,542; and yet the Slave Trade was allowed to continue till 1815, and up to that period African slaves might have been introduced into that colony without the least opposition.

The British government must be well convinced that the French authorities have not ceased an instant to watch and oppose the frauds that may have been attempted. If, however, notwithstanding all their care, persons have, by escaping their vigilance, succeeded in landing some black slaves on the coast, it is a misfortune which they could no more prevent, than the introduction, by fraud, of a great quantity of prohibited merchandize. They have carried their exertions so far as to prevent any expeditions direct, not only to the French establishments of Goree, and of Senegal, but also to the islands of Cape Verd; and the instructions given to the solicitor-general by order of the governor of Guadeloupe, of which the inclosed is a copy, will afford a fresh proof of the zeal they show to second the wishes of their government.

Moreover, the Viscount de Chateaubriand, who is immediately expected, will no doubt be charged to give to the government of His Britannick Majesty any ulterior explanations it may desire.

(First Inclosure in N° 18.)

Report of Mons. Le Comte de Lardenoy.

Monsieur,

Basse-Terre, le 12 Juin 1821.

JE vous transmets, avec la lettre de M. le Gouverneur, copie de plusieurs lettres qui lui ont été adressées par S. E. le Ministre de la Marine, dans la vue d'assurer l'exécution des dispositions prohibitives de la Traite des Nègres.

Les dépêches vous feront voir quelle haute importance le ministre attache à la répression de la traité.

Vous distinguerez dans les instantes recommandations de S. E. à cet égard trois objets.

Le premier est de prévenir et empêcher par toutes les mesures de surveillance possibles toute introduction dans la colonie de Nègre de Traite.

Le second est de vérifier si les importations dénoncées ont effectivement eu lieu; si des Africains ont récemment été introduits en aussi grand nombre qu'on le suppose.

Le troisième est enfin de poursuivre et de faire punir s'il y a lieu ceux qui ont amené ou reçu à la Guadeloupe des Africains en contravention aux dispositions prohibitives de la traité.

Ce dernier objet des dépêches de S. E. regarde spécialement le ministère public, et vous impose l'obligation de faire dans votre ressort les recherches les plus actives et les plus exactes, pour me mettre à même de fuyer s'il y a lieu de diriger efficacement des poursuites contre les individus désignés comme ayant participé dans votre ressort au trafic prohibé et aidé à consommer les contraventions dénoncées.

Si les renseignements que vous voudrez bien soigneusement recueillir sont assez précis et assez certains, vous aurez à requérir contre les delinquances la peine portée par la loi du 19 Avril 1818. Cette peine consiste dans la confiscation du bâtiment et de le cargaison. Ces bâtimens ont disparu immédiatement après avoir effectué les débarquemens sur plusieurs points indiqués, et s'ils reparoissent l'administration s'empresseroit sans doute de les faire saisir. Mais ce à quoi vous devez incessamment appliquer, c'est de tâcher de decouvrir dans quelles mains sont passés les nègres provenant des cargaisons énoncés dans les dépêches du ministre au gouverneur, les quelles cargaisons étoient destinés aux négocians dénoncés dans ces dépêches. Je ne me dissimule pas combien cette decouverte est difficile; elle n'est par néanmoins impossible, et l'administration joignant ses efforts aux nôtres, nous pourrons y parvenir. Il ne paroît pas douteux que des Nègres de Traité n'ayant été en assez grand nombre amenés et disséminés dans la colonie par des moyens illicites: il est facile de distinguer les nègres nouveaux des anciens. Ceux en la possession desquels ils se trouvent seront bien obligés de declarer comment ils les possèdent, et de qui ils les ont achetés; nous parviendrons par là à connoître les coupables, je veux dire ceux qui auront pris une part plus ou moins active à la traité. Je ne connois pas d'autre manière d'exécuter la loi, et il la faut absolument exécuter. C'est bien là le sens des
dépêches

THE SLAVE TRADE.

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dépêches de S. E. le Ministre de la Marine, et nous devons nous y conformer; je m'assure donc que vous seconderez mes intentions ainsi que celles de M. le Gouverneur.

Du reste, vous savez que ces affaires doivent être instruites et jugés, ainsi que les contraventions aux lois et reglemens concernant le commerce étranger, conformément aux dispositions de l'arrêté du 12 Vendemaire, an 11 (Art. 2 de l'ord. roy. du 22 Novembre 1819.)

Déjà vous devez avoir reçu avec la lettre que M. le Gouverneur m'a adressée, copie d'une autre dépêche relative au navire le Felix (le Rodeur) Capitaine Boucher, ayant en vue le même objet.

Recevez, etc. (signé) *Le Comte de Lardenoy.*

I.
Correspondence
with
Foreign Powers.

1. France.

(Translation.)

Basse-Terre, 12 June 1821.

Sir,

I SEND you, with the letter from the Governor, copies of several letters which have been addressed to him by his Excellency the Minister of the Marine, with a view to ensure the execution of the arrangements for the abolition of the Slave Trade.

These dispatches will show you the high importance the Minister attaches to the suppression of this traffic: you will distinguish amongst the pressing recommendations of his Excellency on this subject, three objects:

The first is, to anticipate and prevent, by all possible measures of vigilance, all introduction of the Slave Trade into the colony.

The second is, to ascertain whether the importations made known have actually taken place; whether the Africans have been recently imported to the great amount that is supposed.

The third is, in short, to prosecute and to punish, if necessary, those who may have landed or received in Guadeloupe, Africans, in opposition to the prohibitory regulations against such traffic.

The last object of the dispatches of his Excellency, regards specially the public ministry, and imposes upon you the obligation to make, in your district, the most active and most exact researches to enable me to judge whether it will be proper to prosecute the individuals designated as having participated, within your district, in the illicit traffic, and as having aided in accomplishing the contraventions imputed.

If the information, which you will take particular care to collect, be sufficiently precise and certain, you will then inflict upon the delinquents the punishment prescribed by the law of the 19th April 1818. This punishment consists in the confiscation of the vessel and cargo. The vessels have disappeared after having effected their disembarkation at the various places indicated; but if they should ever reappear the authorities will, without doubt, use every exertion to have them seized. But what you should most particularly apply yourself to, is, to endeavour to find out into whose hands have fallen the blacks composing the cargoes mentioned in the despatches of the minister to the governor, and which cargoes were destined for the merchants named in these despatches. I am well aware how difficult is this discovery, but still it is not an impossibility; and by the authorities uniting their efforts to ours we may ensure success. It does not appear doubtful that slaves, to a considerable number, have been imported and dispersed in the colony by illegal means. It is easy to distinguish the new from the old slaves; and those who possess them should be made to declare how they came by them, and of whom they bought them. We shall by that means be able to discover the guilty, I mean those who have taken more or less an active part in the traffic: I cannot conceive any other method of fulfilling the law, and fulfilled it must absolutely be. This is in fact the meaning of the dispatches of his Excellency the Minister of the Marine, and we must conform ourselves to it; I am persuaded then that you will second my intentions as well as those of the Governor.

For the rest, you know that these affairs are to be regulated and judged, as well as the contraventions of the laws and regulations concerning foreign commerce, according to the arrangements of the decree of the 12 Vendemaire, an 11 (Art. 2d of the royal decree of 22d November 1819.)

Already you must have received, together with the letter which the governor addressed to me, a copy of another dispatch relative to the vessel Felix (le Rodeur) Captain Boucher, having the same object in view.

Receive, &c. (signed) *Count de Lardenoy.*

(Second Inclosure in N° 18.)

I.
Correspondence
with
Foreign Powers.

1. France.

M. Pellerin, Procureur-General, à M. le Comte de Lardenoy.

Monsieur le Gouverneur,

Basse-Terre, le 12 Juin 1821.

J'AI reçu avec votre lettre du 10 de ce mois, N° 939, copie des dépêches adressées à votre Excellence, en vue d'assurer l'exécution des dispositions prohibitives de la Traite des Nègres.

Pour en remplir l'objet autant qu'il peut dependre de moi, je viens de transmettre le tout à mes substituts avec mes observations.

Vous trouverez çï-jointe la copie de la lettre que je leur adresse.

Je doute que tout en réunissant nos efforts nous ne puissions parvenir à decouvrir et à faire punir les coupables.

Je désire que V. E. puisse trouver dans sa sagesse les moyens de faire cesser le desordre dont il s'agit. La fraude qui n'est pas arrêtée à l'instant même devient de jour en jour plus difficile à réprimer. En général, je ne puis agir d'après des renseignemens positifs; et je dois m'abstenir de toute poursuite quand il m'est démontré qu'elles ne feroient que grever le trésor sans amener aucun resultat.

Du reste, sur ces nouvelles dépêches, comme sur la précédente, relative au navire le Felix, autrefois le Rodeur, Capitaine Boucher, je me suis mis en devoir de me procurer tous les renseignemens désirables, et j'ai engagé mes substituts à proceder incontinent à des enquêtes selon l'intention du Ministre.

Je suis, etc. (signé) *Pellerin*.

(Translation.)

Sir,

Basse-Terre, 12th June 1821.

I HAVE received, with your letter of the 10th of this month, N° 939, copies of the dispatches addressed to your Excellency, with the view of insuring the execution of the measures for the abolition of the Slave Trade.

To accomplish this object, as much as it may depend upon me, I have transmitted the whole to my deputies, with my observations thereon.

You will find annexed the copy of a letter which I have addressed to them.

I doubt that with all our united efforts, we shall not be able to succeed in discovering and punishing the guilty.

I wish that your Excellency may, in your wisdom, find out the means to put an end to the evil in question. Fraud, when it is not put a stop to in the first instance, becomes daily more difficult to suppress. In general, I shall not be able to act but upon positive information; and I must abstain from all prosecutions when it shall appear to me that they are likely to incur expense without producing any result.

For the rest, with respect to these last dispatches, and to the preceding one, concerning the vessel Felix, formerly the Rodeur, Captain Boucher, I have made it my duty to procure all the intelligence desired, and have directed my deputies to proceed immediately to make the inquiries, according to the wish of the Minister.

I am, &c. (signed) *Pellerin*.

N° 19.—The Marquess of Londonderry to Sir Charles Stuart.

Sir,

Foreign Office, March 26, 1822.

REFERRING your Excellency to my several former dispatches on the subject of the Slave Trade, I am concerned to have to state to your Excellency that the reports recently received from the Governor of his Majesty's settlement at Sierra Leone, and

(First Inclosure in N° 19.) - - - -

Memorandum of Slave Vessels, examined by

—	VESSEL.	MASTER.	OWNER.	From.
Off Cape Mount -	Sch. L'Etincelle	M. Audbert -	— Audbert -	Bourdeaux - -
Off Old Calabar -	— L'Hypolite -	H. Dupreyes -	- - -	St. Pierre, Martiniq.
In the river ditto -	Brig ⁿ Le Neptune	Duvaynes - -	M. Bidon - -	Cayenne - - -

THE SLAVE TRADE.

and dated in January of this year, show that this detestable traffic is still existing in full activity on the African coast, covered and protected by the flag of his most Christian Majesty.

I.
Correspondence
with
Foreign Powers.

During the months of July and August last, the leeward coast being visited by his Majesty's cruisers, three French slave traders, as by the inclosed list, were met with and examined in the Calabar.

1. France.

At the same period, the river Bonny was found swarming with slave vessels. Your Excellency is furnished with a list of seven of these, which abused and disgraced the flag of France: four of them had their inhuman cargoes on board.

On the line of coast between Sierra Leone and Cape Mount, one of His Majesty's vessels, in the course of a cruize only of ten days, fell in with nine slave vessels, of which number eight were French; and your Excellency is in this instance likewise furnished with their names and the particulars.

These instances will show to the government of his most Christian Majesty, the unfortunate advantage taken of the inadequacy of the regulations of that country to put a stop to this odious traffic.

These instances, however, do not stand singly. There are many cases in which particulars cannot be obtained; but an undoubted authority, of recent date, from the factory of the Gallinas, states, that there were in the course of last summer, three slave vessels under French colours lying there; from Shibar it appears, that a large slave vessel, fully laden, sailed under the same flags, within ten days of the latest accounts; and on the river Pongas a French schooner, M. Deis, master, took on board ninety-five slaves within a short time also of the date of this statement.

Besides the ordinary exportation in large vessels, an extensive carrying trade appears to be kept up with the Cape de Verd Islands, principally by the small craft belonging to Goree and Senegal.

There seems scarcely a spot on that coast, which does not show traces of the Slave Trade with all its attendant horrors.

The arrival of a slave ship in any of the rivers on the windward coast is the signal for war between the natives; the hamlets of the weaker party are burnt, and the miserable survivors carried off and sold to the slave factors.

It is clearly ascertained by inquiries made on the spot, and on the adjacent coast, by His Majesty's cruisers, that the number of slave cargoes taken out of the Bonny in the preceding year, amounted actually to 190. A similar return from Calabar for the like period, made a total for that river alone also of 162.

I have His Majesty's express commands to desire that your Excellency will make to the government of his most Christian Majesty an urgent representation of these distressing circumstances. You will advert to the article which has recently been inserted by the Cortes of Spain, in their criminal code, making it felony for a Spanish subject to be concerned in this detestable traffic. You will call upon them to follow so just an example, pressing them earnestly and solemnly to submit to his most Christian Majesty an appeal to the councils of the nation for such enactments as may remedy those defects in their laws, to which the growing state of this crime is mainly owing, and which defeat every effort made by other powers towards putting down its most horrible practices,—practices which, covered as they are now, almost exclusively by the flag of France, are at variance with the redemption of the pledge given by that Sovereign on the restoration of peace to Europe.

I am, &c. (signed) Londonderry.

(First Inclosure in N° 19.)

His Majesty's Brig Snapper, in July and August 1821.

Bound.	Belonging.	Under what Colours.	INTELLIGENCE OR REMARKS.
Trading Voyage -	Bourdeaux - -	French - -	Completely fitted out for slaves.
Old Calabar River	Martinique - -	Ditto - -	{ No one on board who could speak English.
Calabar - - - -	Cayenne - - -	Ditto - -	{ Waiting for slaves. Only six of crew alive.

(Second Inclosure in N° 19.)

I.
Correspondence
with
Foreign Powers.

Memorandum of Slave Vessels, with French Flags and French Papers, boarded by the Myrmidon, in the River Bonny, October 1821.

1. France.

VESSELS.	—	Name of Master.	OWNER.
Brig L'Isis - -	- of Nantes -	Savanore - -	Louis Bureau - -
D° Leger - - -	- ditto -	Sarem - - -	Solia - - -
D° Prince - - -	- ditto -	Tenco - - -	Piccarara - - -
D° L'Active - -	- ditto -	Benoit - - -	Houssay - - -
D° L'Eugène -	of Havre de Grace	Franc Moran -	Bonnet de Marseille
D° L'Alcide -	- of Nantes -	Hardie - - -	Jaq. Francois - -
Schooner Fox -	of Martinique	Arnaud - - -	Teran - - -

} With Slaves on board.

} Completely fitted for Slaves.

(Third Inclosure in N° 19.)

French Vessels boarded by H. M. Brig Snapper, October 1821

Schooner - - - - Y. - - - M. Legon - - - of Guadaloupe, Owner.
 D° - - - - Leonette - M. Urban - - - - Nantes - - - D°
 D° - - - - Matilde - - M. Legon - - - - Guadaloupe - D°
 D° - - - - Caroline - M. Labourd - - - - Martinique - D°
 Brig - - - - Neptune - - M. Bedon - - - - Cayenne - - D°
 D° - - - - Pilote - - - M. Haughlan - - - - Nantes - - - D°
 D° - - - - Clarisse - - M. Bomfi - - - - - D° - - - - D°
 Ship, French colours, full of slaves, escaped.

The Pilote and Caroline had full cargoes of slaves on board; the latter was retaken on her passage to Senegal; this is her *third* voyage.

The Neptune took 350 slaves off in April or March this year.

2.—NETHERLANDS.

N° 20.—The Earl of Clancarty to Viscount Castlereagh.

My Lord Brussels, 27th March 1821.—(Received 30th March.)

2. Netherlands.

I HAD the honour on Sunday night last of receiving your Lordship's dispatch, dated the 21st instant, with its inclosure.

In obedience to the instructions thus conveyed, the official note (a copy of which is herewith transmitted for your Lordship's information), was yesterday addressed by me to his Excellency M. le Baron de Nagell. I can entertain no doubt that such an infraction of the conventions of this country with us for the abolition of the Slave Trade, as that complained of in the above cited papers, will not in the end be countenanced by this government.

Well aware of the very anxious interest taken upon this subject by His Majesty's government, your Lordship may be assured that I shall not relax my efforts to procure the complete and early execution of the Slave Trade treaties, particularly that of May 1818, by this court.

I have the honour to be, &c. (signed) *Clancarty*.

(Inclosure in N° 20.)

The Earl of Clancarty to the Baron de Nagell.

Brussels, 26th March 1821.

THE undersigned, &c. has received instructions to express the sincere regret of the King, his master, that the efforts heretofore used by him, under the orders of his court, to obtain the full execution of the very clear provisions of the treaty of the 4th of May 1818, had been hitherto attended with no satisfactory result.

He has been expressly directed to impress upon the attention of the Netherland government, that the continuance of this horrible trade, or its abolition within the dominions of this crown, to which his Netherland Majesty is solemnly pledged by treaty, must depend entirely upon the orders of this court to their colonial possessions.

The

The undersigned has therefore been instructed again to press the government of the Netherlands for a satisfactory answer as to the due execution of the conventions on this subject, whereby the King has solemnly engaged to prohibit *all* his subjects from taking *any part whatever* in the trade in slaves, and also for the issue of corresponding orders hence to the colonial authorities of this kingdom, for the full execution of the treaties on this subject.

This (as he has been directed to state) becomes the more necessary, because, by advices recently received from the British commissioners at Surinam, dated 12th December last, it appears that a slave ship with her cargo of slaves, prize to, and brought to Surinam by a South American privateer, has actually been permitted by the colonial government to unload and to dispose of her cargo there by sale.

The present system acted upon at Surinam, of which the above fact furnishes a striking, though by no means a solitary proof, evinces a manifest desire to counteract and evade the solemn stipulations entered into, for the abolition of all traffic in slaves, between the two courts. The undersigned is, however, anxious to add, under the directions of his government, that his Royal Master feels quite confident that his Majesty the King of the Netherlands cannot, after the solemn agreements, and the lengthened consideration thereon which this subject has already undergone, intend or wish further to countenance, by delay or otherwise, proceedings so much at variance both with the letter and with the spirit of the treaties.

It is therefore confidently hoped that in addition to those already made, the present statement will be sufficient to induce this government immediately to effectually execute their part of the conventions on this subject, and especially that stipulation whereby the high contracting parties engage "in the event of the measures already taken and to be taken by each being found ineffectual or insufficient, they mutually engage to adopt such further measures, whether by legal provision or otherwise, as may from time to time appear to be best calculated in the most effectual manner to prevent all their respective subjects from taking any share whatever in this nefarious traffic."

The undersigned has the honour, &c. (signed) *Clancarty*.

N° 21.—Viscount Castlereagh to the Earl of Clancarty.

My Lord,

Foreign Office, April 13th, 1821.

I FORWARD herewith to your Excellency the copy of a dispatch dated Surinam, February 5th, 1821, from His Majesty's commissioners at that place, reporting the arrival and admittance of a vessel containing slaves, in contravention of the ordinance of the Netherlands government, dated September 17th, 1818, and in evasion of the treaty of the 4th of May of the same year.

You will be so good as to communicate this information to the Netherlands government, and express to them His Majesty's full confidence that, while they issue directions to prevent similar occurrences in future, they will cause due inquiries to be instituted upon the subject, with a view of bringing to punishment these delinquents against the laws and engagements of their country.

I am, &c. (signed) *Castlereagh*.

N° 22.—The Earl of Clancarty to the Marquess of Londonderry.

My Lord,

Brussels, April 17th, 1821.—(Received 20th Arpil.)

I LOST no time after the receipt of your Lordship's dispatch of the 13th instant, received here yesterday, in addressing an official note thereon to his Excellency M. le Baron de Nagell.

A copy of this I have the honour to send herewith inclosed for the information of His Majesty's government, and I should hope it will be found answerable to the instructions under which it has been prepared.

I have the honour, &c. (signed) *Clancarty*.

(Inclosure in N° 22.)

The Earl of Clancarty to the Baron de Nagell.

Brussels, 16th April 1812.

THE undersigned, &c. &c. feels considerable regret at the circumstance which again necessitates him to address his Excellency M. le Baron de Nagell, upon an additional and recent instance of violation of the convention of May 1818, at the colony of Surinam.

He

1.
Correspondence
with
Foreign Powers.

2. Netherlands.

He has however received the commands of the King, his master, to communicate to this court, that by advices from the British commissioners at Paramaribo, bearing date 5th February 1821, it appears that a fresh arrival of slaves, evidently not coming within the exception contained in the Netherland prohibitory ordonnance of 17th September 1818, and an obvious evasion of the treaty of the 4th May of the same year, had within a few days previous to the above date been admitted into that colony.

He has furthermore been precisely and urgently commanded to press this government, that, while it shall issue available directions to prevent similar occurrences in future, his Majesty the King of the Netherlands will cause immediate and exact inquiries to be instituted upon the subject, with the immediate view of bringing to punishment the delinquents against the laws and solemn engagements of their country.

He avails himself, &c. (signed) *Clancarty*.

N° 23.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.) Brussels, 17th April 1821.—(Received 20th April.)

I AM still without any official answer from this government to my note of the 23d December last, upon the proper construction of the conventions for the abolition of the Slave Trade.

But on the evening of the 13th instant, I received an official note (a copy of which is herewith transmitted) in answer to mine of the 26th ultimo, upon the subject of a cargo of slaves introduced into Surinam, in December last, by a South American privateer.

To this note I have replied again, strongly urging a speedy decision on the main subject, that is to say, the construction of the treaties; and have also pressed forward the necessity of punishing such persons at Surinam as may have violated the conventions of this country.

P. S.—Since writing the above, the note of which a copy is herewith inclosed, has been received by me, from M. le Baron de Nagell, accompanied by a royal decree in Dutch, which time does not admit to have translated, so as to convey a translated copy by the present occasion. By the next messenger such a copy shall be forwarded.

The substance of the decree is probably, however, sufficiently apparent from M. de Nagell's note; and it appears to me so little to fulfil the stipulations of this country, that I shall address another note to M. de Nagell upon this subject.

(Signed) *Clancarty*.

(First Inclosure in N° 23.)

The Baron de Nagell to the Earl of Clancarty.

Bruxelles, le 13 Avril 1821.

LE soussigné, etc. s'est empressé de mettre sous les yeux du Roi la note que S. E. le Comte de Clancarty, etc. lui a remise, tant à l'effêt d'obtenir une réponse satisfaisante aux représentations précédemment faites par rapport à l'introduction d'esclaves à Surinam, qui se faisait contraire aux stipulations du traité du 4 Mai 1818, que pour se plaindre en même tems de l'admission et de la vente dans cette colonie d'une cargaison d'esclaves qui y avoit été conduite par un corsaire d'Amérique Méridionale.

En attendant que le soussigné puisse avoir l'honneur de communiquer à S. E. le Comte de Clancarty, la détermination du Roi concernant les représentations dont il s'agit, et qui font l'objet des délibérations sérieuses de S. Majesté, il a été chargé d'informer S. E. que le département des colonies se trouvant jusqu'ici sans nouvelle directe à l'égard de la plainte formée contre l'administration de Surinam, le gouverneur de cette colonie a été invité de transmettre par la première occasion un rapport spécial et circonstancié sur l'admission et la vente dont il s'agit et sur les motifs qui ont réglé ses dispositions dans cette affaire.

Le soussigné, etc. (signé) *A. W. C. de Nagell*.

(Translation.)

Brussels, 13th April 1821.

THE undersigned, Minister for Foreign Affairs, &c. has carefully submitted to the notice of his Majesty, the note which his Excellency the Earl of Clancarty, &c. addressed to him, as well for the purpose of obtaining a satisfactory answer to the representations previously made on the subject of the introduction of slaves into Surinam,

Surinam, which was carried on contrary to the stipulations of the treaty of the 4th May 1818, as to complain at the same time of the admission into and sale in that colony of a cargo of slaves, which had been carried there by a South American pirate.

In the interval, before the undersigned can have the honour of communicating to his Excellency the Earl of Clancarty, the determination of the King concerning the representations in question, and which are the subject of his Majesty's serious deliberations, he has been commanded to inform his Excellency, that the colonial department being hitherto without direct intelligence with regard to the complaint made against the government of Surinam, the governor of that colony has been directed to transmit, by the first opportunity, a particular and circumstantial report concerning the admission and sale in question, and concerning the motives which guided his arrangements in this matter.

The undersigned, &c. (signed) *A. W. C. de Nagell.*

(Second Inclosure in N° 23.)

The Baron de Nagell to the Earl of Clancarty.

Bruxelles, le 17 Avril 1821.

Le soussigné, etc. ne veut pas tarder un instant de transmettre à S. E. le Comte de Clancarty l'arrêté par lequel le Roi, son maître, vient de prohiber l'importation dans les colonies des Pays Bas, et particulièrement à Surinam, des esclaves provenant de telles colonies étrangères, où l'introduction directe de l'Afrique est permise, et ce moyennant l'application des mêmes peines qu'entraîne l'importation d'effets prohibés.

Le soussigné, se référant à la copie çï-jointe de la disposition de sa Majesté, a l'honneur d'assurer en même tems S. E. au nom du Roi, que sa Majesté se fera tenir la main à l'exécution de la prohibition qu'elle vient de prononcer, dans la confiance que le gouvernement Britannique veillera réciproquement et de la même manière à ce que l'importation d'esclaves des colonies étrangères, où l'introduction directe de l'Afrique n'est point prohibée, n'aye pas lieu dans les colonies de sa Majesté Britannique.

Le soussigné profite de cette occasion pour faire part à S. E. que les notes qu'elle lui a fait l'honneur de lui adresser dernièrement sur le même objet, ont été mises sous les yeux du Roi, et s'empresse, etc. (Signé) *A. W. C. de Nagell.*

(Translation.) Brussels, 17th April, 1821.

THE undersigned, &c. is unwilling to lose a moment in transmitting to his Excellency the Earl of Clancarty the decree by which the King, his master, has just prohibited the importation into the colonies of the Low Countries, and particularly into Surinam, of any slaves coming from foreign colonies, into which their direct introduction from Africa is permitted, and this by the application of the same penalties as are incurred by the importation of prohibited goods.

The undersigned, in reference to the inclosed copy of his Majesty's decree, has at the same time the honour to assure his Excellency, in the name of the King, that his Majesty will strictly provide for the execution of the prohibition which he has just pronounced, in the confidence that the British government will reciprocally, and in the same manner, take care that the importation of slaves from foreign colonies into which their direct introduction from Africa is not prohibited, shall not take place in the colonies of His Britannick Majesty.

The undersigned profits by this opportunity to inform his Excellency that the notes which he did him the honour to address to him a short time since, on the same subject, have been submitted to the King, and avails himself, &c.

(signed) *A. W. C. de Nagell.*

(Third Inclosure in N° 23.)

Decree of the King of the Netherlands, dated Brussels, 16th April 1821.
Arrêté du 16 Avril, portant défense d'introduire dans les colonies du royaume, des nègres amenés des colonies étrangères, où leur introduction directe d'Afrique est permise.

Nous Guillaume, par la grace de Dieu, Roi des Pays Bas, &c. &c. &c.

Considérant que d'après des avis reçus, il paroîtroit qu'on introduit de temps en temps dans la colonie de Surinam des nègres amenés de colonies étrangères où la Traite directe des Nègres d'Afrique n'est point encore prohibée ;

I.
Correspondence
with
Foreign Powers.

2. Netherlands.

Vû le Traité du 4 Mai 1818, conclu entre les Pays Bas et la Grande Brétagne;
Vû aussi la loi du 20 Nov^{re} 1818, (*Journal Officiel*, N° 39);
Sur les rapports de nos Ministres des affaires étrangères, de la justice, et pour
l'instruction publique, l'industrie nationale, et les colonies;

Le Conseil d'Etat entendu, avons statué et statuons,

L'introduction dans les colonies de notre royaume, et spécialement dans la
colonie de Surinam, des nègres amenés des colonies étrangères où il est permis de
les introduire directement d'Afrique, est prohibée sous les peines comminées sur
l'importation de marchandises prohibées dans la dite colonie.

Notre Ministre pour l'instruction publique, l'industrie nationale et les colonies,
est chargé de l'exécution du présent arrêté, dont il sera donné connoissance à nos
Ministres des affaires étrangères et de la justice, ainsi qu'au Conseil d'Etat, et qui
sera inséré au *Journal Officiel*.

(signé) *Guillaume.* Par le Roi.
T. G. de Mey Van Streefkerk.

(Translation.)

Decree of the 16th April 1821, containing a prohibition to introduce into the
colonies of the kingdom negroes brought from foreign colonies, into which
their direct introduction from Africa is permitted.

WE, William, by the grace of God, King of the Netherlands, Prince of Orange,
Nassau, Grand Duke of Luxembourg, &c. &c. &c.

Considering that, according to advices received, it would appear that there are
introduced from time to time into the colony of Surinam negroes brought from
foreign colonies, where the Slave Trade direct from Africa is not yet prohibited;

Considering the Treaty of the 4th May 1818, concluded between the Nether-
lands and Great Britain;

Considering also the law of the 20th November 1818, (*Official Journal*, N° 39);

Upon the reports of our Ministers for foreign affairs, of justice, and for public
instruction, the national industry and the colonies;

The Council of State being heard, have decreed and decree,

The introduction into the colonies of our kingdom, and especially into the
colony of Surinam, of negroes brought from foreign colonies into which it is per-
mitted to import them directly from Africa, is prohibited under the penalties
denounced against the importation of prohibited goods into the said colony.

Our Minister for public instruction, national industry and colonies, is charged
with the execution of the present decree, which shall be made known to our
Ministers for foreign affairs and of justice, as well as to the Council of State, and
which shall be inserted in the *Official Journal*.

(signed) *William.* By the King.
T. G. de Mey Van Streefkerk.

Brussels, 16th April 1821.

N° 24.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord,

Foreign Office, 1st May 1821.

I REQUEST your Excellency will communicate to the government of the King of
the Netherlands, that the instructions referred to in the treaty for preventing illicit
traffic in slaves have been issued to His Majesty's ship *Sybille*, of 48 guns, Captain
Joshua Ricketts Rowley, and not to the *Bann* and *Nautilus*, as stated to have been
intended on a former communication from the Admiralty.

I have, &c. (signed) *Londonderry.*

N° 25.—The Earl of Clancarty to the Marquess of Londonderry.

My Lord,

Brussels, 8th May 1821.—(Received 11th May.)

I HAVE the honour to acknowledge the receipt of your Lordship's dispatch of the
1st instant, directing me to notify to this government the issue of the instructions
referred to in the treaty of 4th May 1818, to His Majesty's ship *Sybille* of 48 guns,
commanded by Captain *Jos. R. Rowley*, and that the intention of issuing instructions,
as heretofore announced to this government, to the *Bann* and *Nautilus*, had not
been carried into execution. In consequence of these directions, I immediately
addressed an official note to the above effect to his Excellency *M. le Baron de
Nagell*.

I remain, with great respect, &c. (signed) *Clancarty.*

N° 26.—The Marquess of Londonderry to the Earl of Clancarty.

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My Lord,

Foreign Office, May 8th, 1821.

IN reference to my former dispatches to your Excellency on the subject of the traffic in slaves carried on at Surinam, I send for your Excellency's information a copy of a dispatch, dated Surinam, February 16th, 1821, from His Majesty's commissioners at that place, upon the subject in question.

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I am, &c. (signed) *Londonderry.*

N° 27.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.) Brussels, 15th May 1821.—(Received 18th May.)

I HAVE the honour to acknowledge the receipt of your Lordship's dispatch of the 8th instant, with a copy inclosed therein of the letter of His Majesty's commissioners at Surinam, of the 15th February last.

I in consequence held yesterday morning a conference with the Baron de Nagell, in which I read to him that part of the dispatch of the commissioners which relates to additional infractions of the treaty, stating to him, that the permission of these was much and deeply felt by the British government.

(signed) *Clancarty.*

N° 28.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.) Brussels, 5th June 1821.—(Received 9th June.)

YOUR Lordship is already acquainted with the state in which the negotiation stands relative to the construction of the treaty of 1818 with this court, on the subject of the Slave Trade.

The object of the official correspondence lately carried on by me, under your Lordship's directions, for the purpose of obtaining a declaration more in unison with the manifest expressions of the treaty, has at length been accomplished.

The arrêté, or decree of the King, of the 16th April last, directly acknowledges the illegality, and prohibits under penalty, the introduction of slaves into his colonies from places with which a direct trade with the coast of Africa is still permitted; and the same conclusion is come to with regard to importations from foreign colonies or places, the direct trade between which and the coast of Africa in slaves is prohibited.

This will be found by reference to the accompanying copy of an official note which I yesterday received from M. le Chevalier le Clerc.

Though we have thus far made progress upon the true and plain construction of the treaty, yet I shall think it my duty, fully aware of your Lordship's anxiety on this subject, again to press this government upon it.

(signed) *Clancarty.*

(Inclosure in N° 28.)

The Chevalier le Clerc to the Earl of Clancarty.

(Extrait.)

Bruxelles, le 4 Juin 1821.

LE soussigné ayant reçu les ordres du Roi, son maître, concernant la note que son Excellence Monsieur le Comte de Clancarty, ambassadeur extraordinaire et ministre plenipotentiaire de sa Majesté Britannique, a remise au département des Affaires Étrangères, touchant les mesures prises en dernier lieu par le gouvernement des Pays Bas contre l'introduction d'esclaves dans les colonies de ce royaume, et particulièrement à Surinam, se trouve autorisé de représenter à son Excellence que le Traité des Nègres ayant été abolie dans les Pays Bas de l'an 1814, les dispositions subséquentes, en exécution des engagemens pris par le traité du 4 Mai 1818, pour la repression du commerce des esclaves, ont mis de nouveaux obstacles à ce qui cet odieux trafic ne soit point exercé par les sujets de sa Majesté le Roi des Pays Bas.

Que le gouvernement Britannique s'étant plaint que l'introduction d'esclaves dans les colonies des Pays Bas, et particulièrement à Surinam, continuait à avoir lieu, le gouvernement des Pays Bas, considérant qu'il n'est guères probable, que cette importation puisse se faire des colonies Britanniques, ou d'autres endroits où le commerce d'esclaves a été defendu et prohibé, a rendu son arrêté du 16 Avril de la presente année.

Que par les dispositions qu'il renferme, le gouvernement a oté aux colonies de ce royaume la possibilité d'entretenir les relations qu'elles auraient pu avoir contracté, en fait du commerce des esclaves, avec les possessions Européennes, dont les souverains auraient pu avoir mis des restrictions à la repression de ce trafic, et

nommément

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nommément ceux d'Espagne, de France et du Portugal. Que les nouvelles reçues des plantations à Surinam, par rapport à l'arrêté sus dit, fournissent les preuves les plus décisives que tout chance d'importer des esclaves a été entièrement perdue par la résolution royale du 16 Avril.

Qu'on ne saurait concevoir d'après cela quel serait l'endroit du monde qui puisse encore inspirer de la crainte, ou donner lieu à des soupçons d'une introduction frauduleuse.

Enfin, que par suite des instructions, qui ont été dépêchés à M. le Gouverneur Général *ad interim* de Surinam, ce fonctionnaire ne se trouvera nullement dans l'incertitude à l'égard des intentions, et de la volonté du Roi sur cette matière.

Par toutes ces raisons, le gouvernement des Pays Bas aime à se persuader que le maintien du traité du 4 Mai 1818, sera suffisamment assuré par les dispositions actuellement existantes contre le commerce d'esclaves, sans qu'il soit nécessaire de recourir à d'autres mesures plus coercitives; et que les nouvelles explications que le soussigné a été chargé de donner à son Excellence le Comte de Clancarty, ne laisseront plus rien à désirer au gouvernement de sa Majesté Britannique, et lui feront attendre avec confiance l'effet de l'arrêté du 16 Avril.

Il a l'honneur de renouveler à son Excellence, &c.

En l'absence du Ministre des Affaires Etrangères,
Le Secrétaire du Département, (signé) *A. le Clerc.*

(Translation.)

Brussels, 4th June 1821.

THE undersigned having received the orders of the King, his master, respecting the note that his Excellency the Earl of Clancarty, Ambassador Extraordinary and Minister Plenipotentiary to His Britannick Majesty, has transmitted to the department of Foreign Affairs, regarding the measures that had been recently taken by the government of the Netherlands against the introduction of slaves into the colonies of that kingdom, and particularly Surinam, is authorized to represent to his Excellency, that the traffic in slaves having been abolished in the Netherlands in the year 1814, the subsequent arrangements in fulfilment of the engagements stipulated in the treaty of 4th May 1818, for prohibiting the commerce in slaves, have given rise to fresh obstacles to the exercise by the subjects of his Majesty the King of the Netherlands, of that detestable traffic.

That the British government having complained that the introduction of slaves into the colonies of the Netherlands, and particularly at Surinam, continued to exist, the government of the Netherlands, conceiving it scarcely possible that such importation can take place from the British colonies, or from other places where the commerce in slaves is prohibited, has issued the decree of the 16th of April of the present year.

That, by virtue of the stipulations therein contained, the government has taken from the colonies of this kingdom the possibility of keeping up the relations which they might have engaged in, respecting the commerce in slaves, with the European possessions, whose sovereigns may have laid restrictions for the suppression of that traffic, and particularly those of Spain, France and Portugal.

That the accounts received from the plantations at Surinam, with regard to the above-mentioned decree, prove, in the most decisive manner, that every chance of importing slaves has been entirely made to cease, by the royal decree of the 16th April.

That, after this, it is difficult to imagine what part of the world can still afford ground for apprehensions, or give rise to suspicions of a fraudulent importation.

That, finally, pursuant to instructions forwarded to the governor-general *ad interim* of Surinam, that officer cannot remain in doubt with regard to the intentions and the wish of the King on this subject.

From all these reasons, the government of the Netherlands entertains a hope that the observance of the treaty of the 4th May 1818, will be sufficiently provided for by the existing arrangements against the commerce in slaves, without rendering it necessary to have recourse to more coercive measures; and that the fresh explanations which the undersigned has been instructed to make to the Earl of Clancarty will be fully satisfactory to the government of His Britannick Majesty, and will induce it to await with confidence the result of the decree of the 16th April.

He has the honour to renew to his Excellency the assurance of his highest consideration.

In the absence of the Minister for Foreign Affairs,
The Secretary of the Department, (signed) *A. le Clerc.*

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N° 29.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord,

Foreign Office, June 25th, 1821.

IN reference to my former dispatches to your Excellency upon the subject of the illegal Slave Trade still carried on at Surinam, in contravention of the spirit of the treaties contracted between His Majesty and the King of the Netherlands, for the abolition of this inhuman traffic, I have the honour to furnish your Excellency with the extract of a dispatch dated the 5th of February 1821, the copy of a dispatch dated the 16th of February 1821, and the copy of a dispatch dated the 1st of March 1821.

These documents state, as your Lordship will perceive, that, owing to the inefficacy of the Dutch laws, and the indifference of the local authorities, the admission of slaves from Africa into the colony of Surinam is continually taking place, and that the French flag is almost always resorted to for these nefarious practices.

His Majesty's ambassador at Paris has been consequently written to upon the subject, and these papers are furnished to your Excellency for the purpose of giving still more weight to the earnest application which you are now making to the Netherland government upon this subject.

I am, &c. (signed) *Londonderry*.

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N° 30.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.)

Brussels, 29th June 1821.—(Received 2d July.)

I HAD this morning the honour of receiving your Lordship's dispatch of the 25th instant, with its several inclosures.

In my former notes to M. de Nagell and M. le Chevalier le Clerc, I had already remonstrated with this government on the subject of the facts conveyed in the correspondence with His Majesty's government of the commissioners at Surinam, up to the 15th of February last, inclusive. I had therefore only, on receipt of your last instruction, to convey to this government the additional complaints made by these gentlemen of the continued infractions of the treaty referred to in their letter of the 1st of March, and to avail myself of the occasion thus presented, to urge in the strongest manner, a final and satisfactory decision upon the whole of this business.

(signed) *Clancarty*.

N° 31.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord,

Foreign Office, August 7th, 1821.

I HAVE the honour to transmit to your Excellency copies of the addresses of the two houses of Parliament to His Majesty the King, at the close of the last session, on the subject of the continued prosecution of the Slave Trade under the flags of foreign powers, notwithstanding the recorded abhorrence of that traffic by every government in Europe.

I furnish your Excellency with these documents, not with any view to your officially communicating them to the government to which you are accredited, or founding any immediate and special proceeding upon them, other than in following up the instructions of which you are already in possession; but it is necessary that you should know the sentiments of Parliament upon this subject, in order that, in your intercourse with the Dutch ministers, you may frame your language and conduct thereon, in conformity to the views herein expressed.

I am, &c. (signed) *Londonderry*.

N° 32.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord,

Foreign Office, September 14th, 1821.

I HAVE the honour herewith to inclose for your Excellency's information, the accompanying copies of a dispatch and inclosures which the Lords of the Admiralty have received from Commodore Sir G. Collier, dated off Accra, on the 12th of March last, covering a correspondence between the Commander of His Majesty's sloop Pheasant, and the President of Elmina Castle, relative to a supply of canoes which Portugese vessels engaged in illicit Slave Trade, are stated to have obtained from Elmina; and your Excellency will communicate to the Netherland Government the contents of the said papers, in pursuance of the instructions under which your Excellency is acting on this subject.

I am, &c. (signed) *Londonderry*.

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N° 33.—The Earl of Clancarty to the Marquess of Londonderry.

My Lord, Brussels, 18th Sept 1821.—(Received 22d Sept.)
Your Lordship's dispatch of the 14th instant, conveying a copy of Commodore Sir George Collier's letter to Mr. Croker, with the correspondence therein inclosed, reached me yesterday.

Your Lordship may rest assured that I shall make use of the same, for the accomplishment of the main object we have in view,—that of inducing the court heartily to concur with us in the adoption of every requisite detail for the final and universal abolition of the Trade in Slaves.

I have the honour to be, &c. &c. (signed) *Clancarty*.

N° 34.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord, Foreign Office, Sept. 21st, 1821.

I HAVE received and laid before the King your Excellency's dispatch of the 3d of August, together with the note inclosed in it, which the Baron de Nagell addressed to you on the 28th of July, upon the subject of the due execution of the treaty concluded between Great Britain and the Netherlands, for the extinction of the traffic in slaves.

This subject is felt to be of so much importance, that the King has commanded me to direct your Excellency to solicit the honour of a personal interview upon it with his Majesty the King of the Netherlands.

You will state to his Majesty that the King has every confidence in the known integrity of the councils of the King of the Netherlands, and that the general assurances of the Baron de Nagell, that the last instructions sent out to the Dutch colonies are adequate to the effectual prevention of the traffic, have afforded gratification to His Majesty, inasmuch as those assurances are indicative of a desire to satisfy the solicitude felt by this government, that the hoped-for result of the treaty shall not by any omission, mistake, or unnecessary delay, fail of receiving its due accomplishment.

You will say to his Majesty, however, that you are directed not to conceal from him that this gratification is very much lessened by the general nature of the expressions in which the assurances are conveyed, and in which the Baron de Nagell appears to abstain from any communication of the contents of the instructions given.

You will repeat to his Majesty, that every confidence is placed by this government in the wish of the King of the Netherlands to act up to what he feels to be the due execution of the treaty, and that in this spirit His Majesty has been ready, and will always be found willing, to direct his ministers to communicate to the government of the Netherlands, every law, instruction or other proceeding, entered upon by the government of Great Britain, towards the due execution (on their part) of the treaty between the two countries.

You will express the hope entertained here that his Netherland Majesty will not suffer this confidence to be abated by any want of return on the part of this government; and you will submit to his Majesty that this government cannot be satisfied with a reserve of the measures taken upon the question by the Netherland government, whilst those which have been hitherto adopted are known to have varied somewhat from the full stipulation of the treaty, and to be manifestly insufficient to the carrying it into effect.

You will here state to his Majesty the fact, amongst others, which has come to the knowledge of this government, that, in the latter end of May last, the French schooner *l'Aurora*, M. l'Oiseau, master, was permitted to disembark in the town of Paramaribo 143 slaves, recently imported from Africa, and consigned to M. Solomon de la Para, a resident proprietor of the colony of Surinam.

Your Excellency will press the circumstance of these infractions of the treaty by the colonial authorities of the Netherlands, thus openly and repeatedly committed, in instances which you have had already occasion frequently to represent to the government of the Netherlands, both previous and subsequently to their decree of the 16th of April last; and you will entreat his Majesty most urgently and respectfully, to make a full communication to this government, of the detail of the measures which he has taken since the decree of the 16th of April last, towards the due execution of the treaty between the two countries for preventing the traffic in slaves, a communication by which His Majesty will return the confidence justly reposed in him, and will enable this government to satisfy the universal and anxious interest taken by the British nation upon this important subject.

Your

Your Excellency will also be pleased to take an opportunity of addressing to M. de Nagell an official note upon this subject, fully explaining the views of His Majesty's government, as thus detailed.

I am, &c. (signed) *Londonderry*.

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N° 35.—William Hamilton, Esq. to the Earl of Clancarty.

My Lord,

Foreign Office, October 23d, 1821.

I AM directed by the Secretary of State to have the honour to state to your Excellency, that it appears by a letter, dated the 16th of October 1821, from the Secretary to the Admiralty, that the instructions referred to in the treaty with the Netherlands, for the prevention of the Slave Trade, which had been issued to His Majesty's ship *Euryalus*, upon the West Indian station, have been transferred from that ship to His Majesty's ship *Tamar*, of 26 guns, Captain Sir W. S. Wiseman.

I am further directed to request that your Excellency will have the goodness to make a communication of the circumstance above mentioned to the government of his Majesty the King of the Netherlands.

I am, &c. (signed) *W. Hamilton*.

N° 36.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord,

Foreign Office, November 8th, 1821.

IN reference to the treaty existing between Great Britain and the Netherlands, for the prevention of the Slave Trade, I am to request that your Excellency will take an opportunity of communicating to the Dutch government, that, conformably to the stipulations contained in that treaty, signed instructions have been issued to the two following ships of His Majesty's navy, viz. *Pyramus*, 42 guns, Captain Francis Newcombe; *Iphigenia*, 42 guns, Captain Sir Robert Mends; and that the instructions which had been issued to His Majesty's ship *Tartar*, Captain Sir George Collier, have been recalled and cancelled.

I am, &c. (signed) *Londonderry*.

N° 37.—The Earl of Clancarty to the Marquess of Londonderry.

My Lord,

The Hague, 16th Nov. 1821.—(Received 20th Nov.)

I HAVE the honour to acknowledge the receipt of your Lordship's dispatch of the 8th instant; and in obedience thereto, have communicated to this government the issue of instructions, under the treaty for the prevention of the Slave Trade, to His Majesty's ships, the *Pyramus*, 42 guns, Captain Francis Newcombe; and to the *Iphigenia*, 42 guns, Captain Sir Robert Mends; and also that the instructions which have been issued to His Majesty's ship, *Tartar*, Captain Sir G. Collier, had been recalled and cancelled.

I remain, &c. &c. (signed) *Clancarty*.

N° 38.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.)

The Hague, 4th December 1821.—(Received 9th Dec.)

THE instructions conveyed in your Lordship's dispatch of the 21st September last, upon the subject of the treaty between Great Britain and the Netherlands, for the abolition of the Slave Trade, though long since received, you are already aware, have not been neglected.

The result of an interview which the Duke of Wellington had with the King of the Netherlands, in August last, prior to the issue of these instructions, in which his Majesty entered upon this matter with his Grace; and of a subsequent conference which your Lordship also had with his Netherland Majesty, upon the same point, left me little more to do, than, after the establishment of the court at this place, to take an early opportunity of resuming the subject with the King, for the purpose of bringing it to a formal conclusion. This was accordingly done at my first private audience with his Majesty at the Hague; and his Majesty was pleased to desire that I should arrange with M. le Baron de Nagell, the manner in which our wishes should be most conveniently carried into formal execution.

The result has been, that I have addressed a note to his Excellency, and I can have but little doubt that this will produce the effect we so much desire.

In the course of my conferences with M. de Nagell, on this subject, I mentioned to him the specific complaint stated in your Lordship's dispatch of the 21st September above referred to, of an importation into Paramaribo having been permitted

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by the colonial authorities at Surinam, of 143 slaves, consigned to M. Solomon de la Para, a resident proprietor of that colony, in the month of May last, from the French schooner l'Aurore; and I pressed upon his Excellency the necessity of having these points inquired into, and the guilty parties punished. He observed this must have taken place, according to the facts stated, prior to the possible receipt at Surinam, of the King's decree of the 16th April last, and of its accompanying instructions, that the matter should, however, be thoroughly investigated; but he suggested, for the sake of more easy reference, that the matter of this complaint should be separated from the larger and more general subject, and therefore recommended, that it should exclusively form the subject of a particular note. I did not hesitate to comply with this recommendation, and addressed a note accordingly to his Excellency on the subject.

(signed) *Clancarty.*

N° 39.—The Marquess of Londonderry to the Earl of Clancarty.

My Lord,

Foreign Office, 4th January 1822.

A DISPATCH, dated the 28th of August 1821, has been received from His Majesty's commissioners, resident at Surinam under the treaty with the Netherlands, for the abolition of the traffic in slaves.

It appears, from the purport of that dispatch and its inclosures, that great abuses are practised at Surinam, in overlooking, and thereby virtually encouraging the importation of slaves, contrary to the treaty.

It may justly, but unfortunately, be inferred, from the tenor of the communication, that ground of complaint exists, not only against the cruisers of the Netherlands in not detaining suspected vessels, but against the governor of the colony in permitting the entry of vessels and landing of their cargoes of slaves, when those cargoes bore marks too evident for mistake of having been very recently imported from Africa.

These facts are not perhaps stated in the dispatch of the commissioners with all the details which ought to accompany the disclosure of such transactions; but your Excellency will take an opportunity of calling the attention of the Netherlands government to the circumstances, in order that they may, by repeated and strict directions, and by such other measures as shall seem to be necessary, prevent so fatal an infraction of the treaty as that represented to be committed by their own officers, in opposition to the just and humane wishes of their sovereign for the extirpation of this traffic.

I have, &c. &c. (signed) *Londonderry.*

N° 40.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.)

The Hague, 11th January 1822.—(Received 24th Jan.)

THE mail of Tuesday last from London, which arrived here yesterday evening, brought me your Lordship's dispatch of the 4th instant, with its several inclosures, comprising the correspondence of His Majesty's commissioners at Surinam with the governor of that colony, upon the subject of several importations of African slaves there, in violation of the treaty between Great Britain and the Netherlands.

Upon the subject of the violation of this important treaty, by or under the connivance of the colonial authorities of this country, your Lordship is acquainted with all the correspondence which, in conformity with the instructions received from His Majesty's government, has been carried on by this embassy with the court of the Netherlands, and you are also fully aware of all the difficulties which were encountered in its progress.

In what manner, with your Lordship's and the Duke of Wellington's immediate assistance, a reasonable prospect has been afforded of surmounting these difficulties in future, will be found detailed in my dispatch of the 4th December of the last year.

Under these circumstances, upon reading over the correspondence of His Majesty's commissioners at Surinam inclosed with your Lordship's dispatch, and finding that the whole statements of which it was composed referred to transactions prior to the issue or possible receipt of the instructions by their colonial authorities from this government of the last year, which they allege to be effectual; I deemed it merely necessary, in the present state of the business, to communicate their substance verbally to the Baron de Nagell.

I have the honour to be, &c. &c. (signed) *Clancarty.*

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N^o 41.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract) The Hague, 18th January 1822.—(Received 24th Jan.)

IN my dispatch, addressed to your Lordship on 4th December last, I had the honour of stating that I should address a note, under your Lordship's instructions, to M. le Baron de Nagell, relative to the illicit introduction of 143 slaves, by the French schooner l'Aurore, into the colony of Surinam.

The answer to this note reached me on the 16th instant; of this a copy is herewith inclosed.

As the disembarkation of the slaves was clearly in direct violation of the provisions of the treaty, I have thought it my duty, in answering the Baron de Nagell's note, to suggest to this government the propriety of their issuing orders for the restoration to freedom of the unfortunate individuals who have thus been made the objects of illicit traffic.

(signed) *Clancarty.*(Inclosure in N^o 41.)

The Baron de Nagell to the Earl of Clancarty.

La Haye, le 16 Janvier 1822.

SON Excellence le Comte de Clancarty, &c. a représenté iterativement, et en dernier lieu par sa note en date du 26 Novembre dernier, contre l'importation d'esclaves à Surinam, en contravention du traité du 4 Mai 1818.

Le soussigné, etc. a l'honneur d'observer à son Excellence en général, et plus particulièrement à l'égard de la cargaison d'esclaves importée par le navire François l'Aurore, Capitaine l'Oiseau, dont la note du 26 Novembre fait mention, que le Gouverneur-général *ad interim* à Surinam a cru pouvoir permettre l'entrée et la vente des 142 esclaves provenant de cette cargaison, en vertu de l'article 5 de la loi du 20 Novembre 1818; Le Maître, contre maître de l'équipage du dit navire, ayant déclaré sous serment, par devant la cour de justice de Surinam, que ces esclaves avaient séjourné depuis cinq à six ans à la Guadeloupe.

Son Excellence aura vu, par le rapport du ministre des colonies, joint aux instructions qui ont été dépêchées à Surinam, et qui se rapportent à l'arrêté explicatif du Roi des Pays Bas, en date du 6 Avril dernier, que le dit arrêté a été connu à Surinam vers le 1^{er} Juillet, et que par conséquent toute importation d'esclaves qui, jusques là, aura pu être accordée en vertu de l'article 5 de la loi précitée, aura cessée à dater de cette époque; de sorte qu'on aime à se flatter que les informations que le gouvernement Britannique aura reçues depuis ce tems, ne donneront plus sujet à des plaintes de cette nature.

Le soussigné prie son Excellence M. le Comte de Clancarty d'agréer, &c.

(signé) *A. W. C. de Nagell.*

(Translation.)

The Hague, 16th January 1822.

HIS Excellency the Earl of Clancarty, &c. has made repeated remonstrances, and in the last instance, by his note dated 26th November, against the importation of slaves into Surinam, in contravention of the treaty of 4th May 1818.

The undersigned, &c. has the honour to observe to his Excellency in general, and more particularly with regard to the cargo of slaves imported by the French ship Aurora, Captain l'Oiseau, referred to in the note of 26th November, that the Governor-general *ad interim* of Surinam has thought himself justified in permitting the entry and sale of 142 slaves, forming part of her cargo, in virtue of the 5th article of the law of the 20th November 1818; Le Maître, mate of the said vessel, having declared on oath, before the court of justice at Surinam, that these slaves had resided between five and six years at Guadeloupe.

Your Excellency will have seen, by the report of the minister of the colonies, joined to the instructions which have been sent out to Surinam, in reference to the explanatory decree of the King of the Netherlands, dated 6th of April last, that the said decree was made public at Surinam towards the 1st of July, and consequently that, dating from that period, any importation of slaves which until then might have been permitted, in virtue of the 5th article of the aforementioned law, will have ceased at that time; so that we are induced to hope that the information which the British government may have received since that period, will not afford grounds for similar complaints.

The undersigned, &c.

(signed) *A. W. C. de Nagell.*

1.
Correspondence
with
Foreign Powers.
2. Netherlands.

1.
Correspondence
with
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N° 42.—The Marquess of Londonderry to the Earl of Clancarty.
My Lord, Foreign Office, 12th February 1822.
IN reference to the treaty with the government of the Netherlands for the prevention of the Slave Trade, I have to acquaint you for the information of that government, that it appears by a dispatch from Sir Charles Rowley, commanding on the West Indian station, that a signed instruction, as mentioned in the said treaty, has been issued to His Majesty's ship Tyne of 26 guns, Captain James Kearney White, commander.
I am, &c. &c. (signed) *Londonderry*.

N° 43.—The Earl of Clancarty to the Marquess of Londonderry.
(Extract.) The Hague, 19th February 1822.—(Received 24th Feb.)
THE last mail from England brought me your Lordship's dispatches of the 12th instant.
The communication I am directed to make to this government, that the proper signed instructions, under the treaty of May 1818, for the abolition of the Slave Trade, had been issued to His Majesty's ship the Tyne, has been conveyed accordingly; and I have received from his Excellency M. le Baron de Nageh, an answer acknowledging the receipt of this communication.
(signed) *Clancarty*.

N° 44.—The Marquess of Londonderry to the Earl of Clancarty.
My Lord, Foreign Office, 24th February 1822.
IN reference to my dispatch of the 6th of April 1819, addressed to Mr. Chad upon the subject of the facilities afforded by the Dutch at Elmina to the carrying on of the illegal traffic in slaves, by supplying foreign Slave Trade vessels with canoes, without which that trade could not be carried on between the Gold Coast and the Line; I have the honour to transmit herewith to your Excellency the copy of a communication, dated the 14th instant, from Mr. Cock, who acted as secretary to the late African Institution. Your Excellency will perceive by the purport of this communication, that the hopes held out by the Baron de Nageh to Mr. Chad, that the practices in question would be effectually repressed, have, unfortunately, not been realized.
Your Excellency will therefore take an early opportunity of laying the inclosed statement before the ministry of the King of the Netherlands, and of urging them to send out to Elmina, without delay, such instructions as shall be best calculated to give effect to the benevolent intentions of their Sovereign, to put an end, by every means in his power, to the nefarious traffic in slaves.
I am, &c. &c. (signed) *Londonderry*.

(First Inclosure in N° 44.)

S. Cock, Esq. to the Marquess of Londonderry.
My Lord, New Broad-street, February 14th, 1822.
I MOST respectfully beg leave to lay before your Lordship an extract of a letter which has just been received by a member of the late African Committee, from his correspondent on the Gold Coast, by which it will be seen that the Dutch at Elmina are encouraging the Slave Trade, by allowing foreign slave vessels to obtain those supplies of canoes at that settlement, without which that trade could not be carried on between the Gold Coast and the Line.
The importance of preventing slave ships obtaining such supplies of canoes was pointed out to your Lordship by the committee in my letter to you of the 30th March 1819, to which I humbly beg to refer on the present occasion.
I have the honour to be, &c. &c. (signed) *S. Cock*.

(Second Inclosure in N° 44.)

(Extract of a letter from Anoramobaz, dated 10th November 1821.)
NOT a week passes but two Portuguese vessels arrive at Elmina: it is extraordinary that this is not stopped, and still more so that the Dutch supply the Portuguese with canoes, a main point to them. The Slave Trade is more openly and securely carried on since the treaty with Spain and Portugal than before.

N° 45.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.) The Hague, 5th March 1822.—(Received 14th March.)

YOUR Lordship's dispatch of the 24th ultimo, with its enclosures, reached me on the evening of Friday last, the 1st instant.

In obedience to the instruction thereby conveyed, the note, of which the accompanying paper is a copy, was addressed by me to M. de Nagell.

(signed) *Clancarty.*

(Inclosure in N° 45.)

The Earl of Clancarty to the Baron de Nagell.

The Hague, 2d March 1822.

THE undersigned, &c. has been directed to acquaint this government, that notwithstanding the very full and detailed explanations afforded by M. de Nagell's note of the 11th August 1820, upon the subject, information has been communicated to the British government from the African Gold Coast, dated so lately as the 10th November 1821, whence it should appear that encouragement still continues to be given by the Dutch colony at Elmina to the Slave Trade, by supply to foreign, and especially to Portuguese vessels, of canoes for the purpose of carrying it on. Scarcely a week is said to pass in which two Portuguese ships do not arrive at Elmina, and there meet with all the facilities of canoes for the furtherance of this traffic which they can desire. It should appear, therefore, that the hopes held out by his Excellency's note above referred to have not been realized.

Fully sensible as is his court of the laudable anxiety of his Majesty the King of the Netherlands to put a stop to this practice, the undersigned has been instructed to state the above fact to this court, full reliance being placed that such instructions will in consequence be immediately sent out to Elmina, as shall be best calculated to prevent in future the facilities afforded to foreigners on that coast, through the supply of canoes, by which they are enabled to carry on the Slave Trade, and such as may give full effect to the benevolent intentions of his Majesty, for the abolition of this traffic.

The undersigned, &c. (signed) *Clancarty.*

N° 46.—The Earl of Clancarty to the Marquess of Londonderry.

(Extract.) The Hague, 22d March 1822.—(Received 25th March.)

I HAD yesterday a very interesting and most satisfactory conference with the Minister for the colonies of this government, upon the proper construction and execution of the treaty of 4th May 1818, between His Majesty and the King of the Netherlands, for the abolition of the Slave Trade.

In this, his Excellency expressed himself as willing to admit, in its full extent, the justice of our construction of this solemn and important treaty:—and that under its provisions *all* trade whatever in slaves, whether direct or indirect, was absolutely prohibited to the subjects of both countries, and consequently, that all importations of slaves into the colonies of the Netherlands, from any place whatever, and under whatever flag, (except from one part of their colonies to another, in Dutch ships) was strictly to be prevented as illicit and inadmissible:—that however some instances of infraction might have occurred at a prior period, he gave me the most solemn assurances that the King, his master, was as anxiously bent as my government could be, in carrying every provision of the treaty under the above construction into full execution; and that the measures he (M. de Falk) under his Majesty's directions, had already taken, were such as completely to insure this object:—that on the effect of these he had the most perfect reliance;—that they would have come into operation by reaching the colonies about the 1st of July last; subsequently to which date I might confidently assure my government that no infraction whatever of the treaty by subjects of the Netherlands, over which any government could reasonably be considered as possessing control, would be found to occur, and especially at Surinam.

After the embarrassments which have been encountered in the humane efforts of His Majesty to put an end to the detestable traffic in slaves, through the medium of treaties with several of the powers of Europe, permit me to congratulate your Lordship upon what I trust I may (without the fear of disappointment) designate as the full accomplishment of this important object, as far as relates to the kingdom of the Netherlands.

(signed) *Clancarty.*

I.
Correspondence
with
Foreign Powers.

2. Netherlands.

I.
Correspondence
with
Foreign Powers.

3. Portugal.

3.—PORTUGAL.

N° 47.—The Right Honourable Edward Thornton to Viscount Castlereagh.

My Lord, Rio de Janeiro, 4th May 1821.—(Received 30th July.)

THE receipt of your Lordship's circular letter, of the 22d September 1820, to the Ministers at the court of Madrid, the Hague, and Rio de Janeiro, relating to a judicial decision on the subject of a ship engaged in the illegal traffic of slaves, was delayed on account of the accident which occurred to the October packet, Montague, and that dispatch did not reach me until two or three days before the events of the 26th of February; but I communicated it immediately to the Count de Palmella, who transferred it to his successor, M. de Pinheiro.

It was about three weeks ago, that I received from the latter an official note, (of which, with its inclosure, I have the honour of transmitting to your Lordship a translation) announcing to me that instructions would be sent to his most Faithful Majesty's minister to sign an additional article in the sense, and indeed in the literal expressions of your Lordship's dispatch. I expressed my willingness to sign the article here, if his most Faithful Majesty should regard the authority given to me by your Lordship's dispatch as satisfactory; but it was judged right in the formality of an additional article, that the requisite full powers should be exhibited on both sides.

I have likewise communicated to this court, copies of your Lordship's dispatches of the 28th November, relating to subjects connected with the Slave Trade; and I shall leave transcripts of these papers in the hands of his Majesty's commissioners for their government hereafter.

I have the honour to be, &c. &c. &c. (signed) *Edward Thornton.*

(First Inclosure in N° 47.)

(Translation.)

M. de Pinheiro Ferreira to the Right Honourable Edward Thornton.

Palace of Rio de Janeiro, 12th April 1821.

THE undersigned Minister and Secretary of State, &c. &c. &c. has received the King his master's orders to declare expressly and officially to Mr. Thornton, &c. &c. that his most Faithful Majesty accedes to the inclosed additional article conceived in the very terms of Lord Castlereagh's dispatch, as communicated to him.

His Majesty has in consequence given orders for transmitting to his Envoy at the court of London the necessary powers for presenting that article, and for signing and subscribing it, on its approval, together with His Britannic Majesty's plenipotentiary.

The undersigned avails himself, &c. &c. &c.

(signed) *Silvestre Pinheiro Ferreira.*

(Second Inclosure in N° 47.)

(Additional Article.)

It is agreed that if there shall be clear and undeniable proof, that a slave or slaves have been, for the purpose of illegal traffic, put on board a vessel in the immediate cruize on which the vessels shall be captured, then and on that account, according to the true intent and meaning of the stipulations of the treaty of the 22d day of January 1815, and of the additional convention of the 28th day of July 1817, she is to be justly detained by cruisers, and finally condemned by the commissioners, although such slave or slaves shall not be found actually on board at the time of capture.

The present additional article shall have the same force and effect as if it were inserted, word for word, in the additional convention of the 28th day of July 1817.

In witness whereof, we the undersigned plenipotentiaries, duly authorised *ad hoc*, by our respective sovereigns, have signed it, and have thereunto affixed the seals of our arms.

Done in London, &c.

N° 48.—The Marquess of Londonderry to E. M. Ward, Esq.

Sir,

Foreign Office, 4th September 1821.

I HAVE the honour to transmit to you an extract of a dispatch which the Lords Commissioners of the Admiralty have received from Sir G. Collier, dated in the
Bight

Bight of Benin, the 19th March 1821, and covering the copy of a declaration (also herewith inclosed) written on the face of the royal passport of the Portuguese brig *Victoria*, found off Whydah under suspicious circumstances, and so added thereto in the hope that the said document might meet the eye of some Portuguese authority, enabling him thereby to trace the legality of the voyage of the vessel in question.

I have accordingly to desire, that you will take an early opportunity of communicating the same to the government at Lisbon, in furtherance of the object in view.

I am, &c. (signed) *Londonderry*.

I.
Correspondence
with
Foreign Powers.

3. Portugal.

N° 49.—E. M. Ward, Esq. to the Marquess of Londonderry.

My Lord, Lisbon, 20th October 1821.—(Received 30th Oct.)

I HAVE the honour herewith to submit the copy of my note to M. Pinheiro, on the subject of Sir George Collier's statement respecting a Portuguese slaver, transmitted in your Lordship's dispatch of the 12th ultimo, and also a translation of M. Pinheiro's answer.

His Excellency says that the necessary enquiries have been directed to be made, in order to enforce a due execution of the treaty.

I have, &c. (signed) *E. M. Ward*.

(First Inclosure in N° 49.)

E. M. Ward, Esq. to M. Pinheiro.

Lisbon, 13th October 1821.

THE undersigned has the honour to communicate to his Excellency S. Silvestre Pinheiro Ferreira, &c. an extract of a dispatch transmitted to him by the Marquess of Londonderry, addressed by Sir George Collier to the Lords Commissioners of the Admiralty in London, dated in the Bight of Benin, the 19th March 1821, and covering the copy of a declaration (also herewith inclosed) written on the face of the royal passport of the Portuguese brig *Victoria*, found off Whydah under suspicious circumstances, and so added thereto in the hope that the said document might meet the eye of some Portuguese authority, enabling him thereby to trace the legality of the voyage of the vessel in question.

The undersigned complies with his instructions to lay the same before his Excellency, in the full confidence of the cordial co-operation of his most Faithful Majesty's government towards the furtherance of the object in view.

He has the honour, &c. (signed) *E. M. Ward*.

(Second Inclosure in N° 49.)

(Translation.)

M. Pinheiro Ferreira to E. M. Ward, Esq.

Lisbon, 17th October 1821.

THE undersigned, &c. has received the note of E. M. Ward, Esq. dated the 13th instant, and transmitting an extract of a dispatch addressed by Sir George Collier to the Lords Commissioners of the Admiralty, relative to the Portuguese brig *Victoria*; and having laid the same before the King, his Majesty has been pleased to command the necessary inquiries to be made, in conformity with the treaties, in order to cause those treaties to receive their full execution.

The undersigned, &c. (signed) *Silvestre Pinheiro Ferreira*.

N° 50.—The Marquess of Londonderry to E. M. Ward, Esq.

Sir,

Foreign Office, March 27, 1822.

I SEND to you herewith a copy of a report, dated the 22d of January 1822, from the Governor of His Majesty's settlement at Sierra Leone; and I have to call your attention to that part of it which relates to the illicit Slave Trade, as carried on under the flag of Portugal.

It is lamentable to observe the instances, which are almost daily met with by His Majesty's cruizers on the African station, showing that this detestable traffic still exists, and is continued with an activity and a boldness which one can hardly reconcile with a due execution of the Portuguese laws in this respect, by their subordinate authorities.

It is true that some of the vessels engaged in this trade, meet with the fate which they seem to brave as much as they deserve; but in other cases, the circumstances are unfortunately such as to allow of their escaping, at least for the moment.

You will see that at Whydah and Badagra six slave trading vessels were found under the Portuguese flag; these vessels were furnished with boilers, irons, water

casks,

1.
Correspondence
with
Foreign Powers.

3. Portugal.

casks, and other implements, with which vessels destined for this cruel barter are equipped; they had no slaves on board, and could not therefore be detained.

Six Portuguese slave vessels, the list of which is inclosed, were likewise examined about the same at Calabar and Lagos.

An extensive carrying trade appears to be kept up with the Cape de Verd Islands, from the Portuguese settlements of Cacheo and Bissáo; and the slave traders at Cacheo have recently given their traffic in the Rio Grande a new feature of barbarous atrocity. They visit this river in armed sloops and boats, and landing during the night, carry off as many as they can of the unfortunate inhabitants.

The fine rivers Nuniz and Pongas, are entirely under the control of renegado slave traders; most of the slaves sent from the former river find their way to Cacheo and the Cape Verds, where, it is said they are shipped as domestics to the Brazils.

(Inclosure in N° 50.) - - - - -

Memorandum of Slave Vessels, examined by

	VESSELS.	MASTERS.	OWNERS.	From.
Lagos Roads -	Ship Mercury -	E. Ped. Saintez	Paul Josse - -	St. Salvador - -
Ditto - -	Brig Bomfine -	Jacq. Johane -	Souzza Joao Joze	Lisbon - - - -
Ditto - -	— Boma Hora	Eml. Fonseca -	- - -	St. Salvador - -
Ditto - -	— Aliana - -	Antonio - - -	- - -	- Ditto - -
Ditto - -	— Stella - -	M. Baptiste -	- - -	- Ditto - -
In the river Calabar	Sch. Conceicao -	Ant. P. Barbaroza	Maria de Cruz -	Prince's Island -

N° 51.—The Marquess of Londonderry to E. M. Ward, Esq.

Sir,

Foreign Office, March 27th, 1822.

You will see, by the N° 121. B. of the papers laid before Parliament in the course of last session, and of which you are herewith furnished with a copy, that on the 22d September 1820 I addressed a dispatch, by the King's commands, to His Majesty's ambassadors at Madrid and in the Netherlands, and to His Majesty's envoy at Rio de Janeiro, on the subject of the construction of the 9th article of the treaties with those Powers respectively, for the prevention of the illegal traffic in slaves.

You will perceive, that in those papers I alluded to the letter of that article which authorizes ships of war to detain and bring in suspected vessels, only in the event of slaves being at the time found on board of such vessels. I proposed in that dispatch, that a declaration should be issued in the spirit of the treaty, by the powers concerned, purporting that, if there shall be proof that a slave or slaves had been, for the purpose of illegal traffic, put on board a vessel in the course of the voyage on which she was captured, such vessel might justifiably be detained by the cruisers, and finally be condemned by the commissions.

By N° 124 and 145 of the papers in question you will see, that the courts of Spain and of the Netherlands agreed to the declaration proposed; and by the accompanying copy of a dispatch, dated 4th May 1821, together with its inclosures from Mr. Thornton, His Majesty's late envoy at Rio de Janeiro, you will learn that the court of Portugal had at that time announced to Mr. Thornton, that the necessary powers should be sent to his most Faithful Majesty's minister in London, to sign an additional article to the treaty in the sense of my proposition.

M. de Souza, the other minister from his most Faithful Majesty at this court, having since been recalled, and no such article having yet been signed, I have to direct that you will renew this negotiation with the Portuguese government, with a view either to the issue of a special declaration, or to the signature of an additional article to the treaty to the effect already mentioned, according as that government shall prefer.

You will lose no time in bringing this subject before the consideration of the ministers of his most Faithful Majesty; and as soon as I shall hear from you the course

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The accounts of the number of slave cargoes shipped from the several rivers on the coast, during the last year, show them to be enormous; and it is more than suspected, as you will have perceived, that the Portuguese flag and that Portuguese subjects, are deeply implicated in this crime.

Under these circumstances, I have to desire that you will state the facts to the government of his most Faithful Majesty, accompanied by the observations which will naturally suggest themselves to you, and press upon the government to issue such prompt and severe orders upon the subject, as may give effect to the stipulations which have from time to time been entered into with that country, with a view to the immediate restriction and gradual abolition of this disgraceful traffic.

I am, &c. (signed) *Londonderry.*

(Inclosure in N° 50.)

His Majesty's Brig Snapper, in July and August 1821.

Bound.	Belonging.	Under what Colours.	INTELLIGENCE OR REMARKS.
Angola - - - -	St. Salvador - -	Portuguese -	Completely fitted out for Slaves.
Entarda - - - -	Lisbon - - - -	Ditto - -	- - - - - Ditto.
Lagos - - - -	St. Salvador - -	Ditto - -	Owned she was waiting for Slaves.
Ditto - - - -	Ditto - - - -	Ditto - -	No one on board could speak English.
Ditto - - - -	Ditto - - - -	Ditto - -	- - - - - Ditto.
St. Salvador - -	Ditto - - - -	Ditto - -	{ 56 Slaves on board. For Judgment in Mixed Commission Court.

course which they will pursue, the necessary full powers shall be forwarded to you, to enable you to complete this arrangement without any further delay, which would be of serious prejudice to the cause of the abolition, and to the fair interpretation of the treaties in question.

I am, &c. (signed) *Londonderry.*

4.—S P A I N.

N° 52.—Viscount Castlereagh to Sir Henry Wellesley.

Sir,

Foreign Office, February 16th, 1821.

By the accompanying copy of a letter, dated Havannah, the 8th of November 1820, and addressed to the Under Secretary of State by Mr. Kilbee, His Majesty's commissary judge at that place; your Excellency will perceive that the brig *Tellus*, laden with slaves from the coast of Africa, entered the port of the Havannah on the 6th of November, seven days after the expiration of the period allowed by treaty for completing the voyages of Spanish slave ships; and that not only was the vessel in question admitted, and allowed to land her cargo, but the governor and intendant of the Havannah, with whom Mr. Kilbee had confidentially conversed upon the subject, declared, that until further orders from their government, they had determined to admit all slave ships which had cleared out previously to the 30th of May, at whatever period the ships in question should complete their voyage.

The evil is thus become so great, that it is necessary I should direct your Excellency to lose no time in seeking an interview with the Spanish secretary of state, and in pressing upon him urgently, the following considerations.

You will refer him to the treaty with Spain of 1817, on which the relations of the two countries with respect to the traffic in slaves are founded, and which stipulates in positive terms, "that the Slave Trade shall be abolished throughout the entire dominions of Spain, on the 30th of May 1820; and that from and after that period, it shall not be lawful for any of the subjects of the Crown of Spain to purchase slaves, or to carry on the Slave Trade on any part of the coast of Africa, upon any pretext, or in any manner whatever; provided, however, that a term of five months from the said date of the 30th of May 1820, shall be allowed for

I.
Correspondence
with
Foreign Powers.

3. Portugal.

4. Spain.

I.
Correspondence
with
Foreign Powers.

4. Spain.

for completing the voyages of vessels which shall have cleared out lawfully previous to the said 30th of May."

You will remind the Spanish minister that by the article I. of the instructions to the cruisers, and the article I. of the regulations for the mixed commissions to be established for the due execution of the treaty, the same proceedings are authorized against illegal trading in breach of the stipulation just mentioned, as against the violation of the more immediate provisions of that treaty.

You will impress upon him, in a friendly manner, that His Majesty's government is warranted to require an exact performance of this stipulation; and you will add, that His Majesty rests his full assurance upon the well known honour of Spain, that the government will give orders for acting up to the treaty contracted between the two countries.

Your Excellency will have perceived by my former communications to you of letters from Mr. Kilbee, that there is every reason to believe, that an additional and forced trade in human beings has been founded on the prospect of its termination, both by sending more ships than could be loaded on the coast of Africa within the ordinary time of trade, and by multiplying ship's papers, so as to allow of their being used at a future time; and it appears, from the instance more immediately referred to in the communication I now send to you, that vessels take their clearances from one settlement, and make their importations into another; thus making it doubly inexpedient to admit of any modification of the treaty, since it would probably be impossible to establish any effectual check against such evasions.

You will moreover state to the Spanish minister, the conviction entertained by His Majesty's government of the great inconvenience which would ensue, if further extension should be granted, since fair grounds have been given for apprehension, that any departure from the precise stipulation of the treaty would lead to further abuses, and involve this country in much uncertainty and difficulty with regard to the responsibility of cruisers.

In allusion to the complaints of the Spanish trade against the short period allowed in extension of the 30th of May 1820, for the completion of all Spanish Slave Trade voyages, your Excellency will repeat the statements contained in my letter to M. d'Uzoz of the 11th June 1820, and in the letter addressed, under my direction, by the Earl of Clanwilliam to Mr. Kilbee, on the 17th of April last, enclosed to your Excellency in my dispatch to you under the same date; and you will, in addition, bring to the recollection of the Spanish minister, that the notice of the termination of the trade is to be dated from the publication of the treaty of 1817; and that merchants, therefore, have no ground whatever to complain now of surprize or disappointment, on account of too short a notice being given to them.

You will, therefore, call upon the Spanish government, on every principle of justice and of fairness, to issue immediate orders to their authorities at the Havannah and elsewhere, and to their commissioners at the Havannah and at Sierra Leone, to act faithfully up to the treaty of May 1817, in respect to the stipulation whereby the 30th of October 1820 is fixed as the final term allowed for the completion of the voyages of Spanish vessels trading in slaves. I am, &c. (signed) *Castlereagh*.

N^o 53.—Sir Henry Wellesley to Viscount Castlereagh.

(Extract.) Madrid, 26th March 1821.—(Received 5th April.)

THE Count de Toreno moved, on the 23d instant, in the Cortes, "that a committee should be appointed for the purpose of proposing, agreeably to the tenor of the 6th article of the treaty concluded between Great Britain and Spain, on the 23d of September 1817, the adoption of such measures as might tend to restrain the African Slave Trade, which is still continued, in violation of that treaty, and to the injury of the cause of humanity, both by Spaniards and by foreigners, under the flag of Spain, such penal laws being enacted as may be deemed conducive to the final abolition of so scandalous and inhuman a traffic."

The motion was carried in a very full house, with only two dissentient voices; and a committee has been appointed for the above purposes, consisting of the deputies named in the margin.

Conde de Toreno.
MM. Lallave.
— Martinez de la
Rosa.
— Calatrava.
— Ramos Arispe.

The report of the committee will probably be presented in the course of a few days; and I hope that I shall shortly have the satisfaction of announcing to your Lordship, that such penal laws have been passed in the Cortes as may be expected (as far as Spain is concerned) to impose a considerable restraint upon this traffic, if they do not effect its total extinction.

(signed) *Henry Wellesley*.

N^o 54.—Sir Henry Wellesley to Viscount Castlereagh.

My Lord, Madrid, April 5th, 1821.—(Received 19th April.)

I.
Correspondence
with
Foreign Powers.

I RECEIVED by the last post your Lordship's dispatch, dated the 16th February, directing me to make a representation to the Spanish government, on the subject of the resolution taken by the Spanish authorities at the Havannah relative to the brig *Tellus*, which had arrived there laden with slaves, and to other slave ships which may enter that port, having cleared out previously to the 30th May 1820.

4. Spain.

I have already apprised your Lordship of the appointment of a committee of the Cortes, to take into consideration the best mode of preventing the traffic in slaves from being carried on under the Spanish flag. The report of the committee was presented to the Cortes on Monday last, the 2d instant; and it may be expected that the penal enactments proposed in it will be passed in the course of a few days. As the adoption of the measures recommended by the committee is of the utmost importance with a view to preventing the trade from being carried on by Spaniards, or under the Spanish flag; and as their proceedings bid so fair to be attended with a satisfactory result, I have thought it advisable to postpone any communication to the Minister for foreign affairs upon the subject of your Lordship's dispatch, until the Cortes shall have come to a decision upon the measures recommended in the report of their committee.

I have the honour to be, &c. (signed) *H. Wellesley*.

N^o 55.—Sir Henry Wellesley to the Marquess of Londonderry.

(Extract.) Madrid, April 16th, 1821.—(Received 29th April.)

I AM concerned to have to inform your Lordship, that the measures proposed by the Conde de Toreno, for restraining the traffic in slaves, have been rejected by the Cortes, although there was every appearance of their being passed without difficulty.

Your Lordship will recollect that the Conde de Toreno's first motion upon the subject (when he entered into much detail, both as to the cruelties exercised in this traffic, and as to the penalties he meant to propose, and concluded by moving for the appointment of a committee) was agreed to almost unanimously. The report of the committee was received, and went through the usual course of being read three times, at stated periods, previous to its being discussed, and at these periods not a word was stated in objection to it. A day was then fixed for entering upon the discussion, when the president informed the assembly that the government had suggested the expediency of treating the subject in a secret session. This recommendation was adopted, notwithstanding the opposition of the Conde de Toreno.

Being of course excluded from the secret session, I cannot state what passed in the discussion; but I have since learnt, that, after a long discussion, the assembly came to a decision, that there were no grounds for coming to a vote (no habia lugar à votar), and the question was consequently lost.

(signed) *Henry Wellesley*.

N^o 56.—Lionel Hervey, Esq. to the Marquess of Londonderry.

My Lord, Madrid, 14th May 1821.—(Received 28th May.)

I HAVE reason to apprehend that it is intended in the Cortes to move for two years extension of the term fixed by the treaty between Great Britain and Spain for the abolition of the Slave Trade. I shall lose no time in seeing M. Bardaxi upon this subject, who is arrived, or hourly expected.

I have the honour to be, &c. (signed) *Lionel Hervey*.

N^o 57.—The Marquess of Londonderry to Lionel Hervey, Esq.

Sir,

Foreign Office, June 12th, 1821.

I HAVE to acknowledge the receipt of your dispatch of the 14th ultimo, stating that you have reason to apprehend that it is intended to move in the Cortes for two years extension of the term fixed by the treaty between Great Britain and Spain, for the final abolition of the Slave Trade.

I lose not a moment in directing you, by command of his Majesty, to remonstrate in the strongest manner with the Spanish government, against giving countenance to so gross an infraction of its engagements, should such a measure be really in contemplation.

You are fully aware of the importance which His Majesty's government and the British nation at large attach to the total extinction of the traffic in slaves; and that

traffic

I.
Correspondence
with
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4. Spain.

traffic having been abolished by the Spanish government, in a solemn engagement contracted with that of His Majesty, and that in consideration of the payment of a large sum of money, I have only to desire that you will use every exertion in your power to discourage the idea, by expressly declaring that His Majesty neither would or could in any way lend himself to the abrogation or alteration of the engagements so contracted.

I am, &c. (signed) *Londonderry*.

N° 58.—The Marquess of Londonderry to Lionel Hervey, Esq.

Sir,

Foreign Office, July 3, 1821.

IN reference to my former dispatches addressed to his Excellency Sir Henry Wellesley, on the subject of the due execution by Spain of the treaty between His Majesty and the Catholic King, for preventing illegal traffic in slaves: I furnish you with the accompanying copy of a dispatch, dated the 9th of April 1821, from His Majesty's commissary judge at the Havannah; and I have to direct your attention to that part of it in particular, which states that the two Spanish commissioners at the Havannah have been nominated to other situations. I have, in consequence, to desire that you will move the Spanish government to fill up, without delay, the vacancies occurring by the removal of these gentlemen, so that the powers of the mixed commission, under the treaty above-mentioned, may not be virtually suspended.

I am, &c. (signed) *Londonderry*.

N° 59.—The Marquess of Londonderry to Lionel Hervey, Esq.

Sir,

Foreign Office, August 7, 1821.

I HAVE the honour to transmit to your Excellency copies of the addresses of the two houses of Parliament to His Majesty the King, at the close of the last session, on the subject of the continued prosecution of the Slave Trade under the flags of foreign powers, notwithstanding the recorded abhorrence of that traffic by every government in Europe.

I furnish your Excellency with these documents, not with any view to your officially communicating them to the government to which you are accredited, nor founding any immediate and special proceeding upon them, other than in following up the instructions of which you are already in possession; but it is necessary that you should know the sentiments of Parliament upon this subject, in order that, in your intercourse with the Spanish minister, you may frame your language and conduct thereon, in conformity to the views therein expressed.

I am, &c. (signed) *Londonderry*.

Note.—A similar communication was made to His Majesty's ambassadors and ministers at Paris, Brussels and Lisbon.

N° 60.—William Hamilton, Esq. to Lionel Hervey, Esq.

Sir,

Foreign Office, August 17th, 1821.

I AM directed by the Marquess of Londonderry to transmit to you the accompanying copies of two dispatches from Mr. Kilbee of the 10th June and 7th July, which relate to the admission of certain slave ships into the port of the Havannah, in violation of his Catholic Majesty's decree of September 1817; and I am to desire that you will communicate the substance of their contents to the Spanish minister for foreign affairs, at the first convenient opportunity.

I am, &c. (signed) *William Hamilton*.

N° 61.—William Hamilton, Esq. to Lionel Hervey, Esq.

Sir,

Foreign Office, August 31, 1821.

BY the Marquess of Londonderry's desire, I herewith transmit to you, for the information of the government to which you are accredited, the accompanying copy of a note which has been received from a gentleman lately returned from Cuba, who was an eye-witness of several open violations of the abolition of the Slave Trade, during a short residence in that island.

I have, &c. (signed) *W. Hamilton*.

Note.—A similar communication was made to Sir Charles Stuart.

THE SLAVE TRADE.

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(First Inclosure in N° 61.)

Zachary Macaulay, Esq. to Joseph Planta, jun. Esq.

London, 17th August 1821.

(Extract.)

I TAKE the liberty of inclosing for your information, and that of the Marquess of Londonderry, a note which I received a few days ago from a gentleman lately returned from Cuba, where he spent a short time in the month of May last, short as his residence there was, he had an opportunity of witnessing the open and flagrant violation of their engagements on the part both of French and Spanish subjects.

A letter which I have also seen from St. Jago de Cuba, written in May last, states, that there, as well as at the Havannah, the Slave Trade was in full activity. A French brig had also arrived there with a cargo of slaves, and several vessels were fitting out for Africa.

(signed) *Zachary Macaulay.*

I.
Correspondence
with
Foreign Powers.

4. Spain.

(Second Inclosure in N° 61.)

(Note of a gentleman arrived from Cuba.) London, 4th August 1821.

I HASTEN to communicate to you a few observations relative to the continuance of the Slave Trade in Cuba, made during a short residence there, in the month of May last.

In doing this, I shall confine myself to what I saw, or to facts, the truth of which is there generally acknowledged.

Frequent importations of negroes continue to be effected on the coast, especially in the neighbourhood of Havannah, and St. Jago de Cuba.

Early in May, I saw a company of new negroes marched into Havannah publicly, in number about two hundred.

At two other different times, but also in May, I saw smaller gangs of new negroes, whose approaching sale was publicly mentioned.

These persons I knew to be new negroes by the manner in which they were marshalled on their march, their language, and their general appearance, different from that of Creole negroes.

On Friday, May 8th, I extracted from the register of arrivals in the port of Havannah a notice, of which the following is a translation.

“ May 6, 1821. From Cape Lopez, Africa, the French brig *l’Aimable Hariette*, J. A. Brint master, in 40 days, with 246 negroes (bozales) consigned to Blain, Airpuxua & Co. three passengers from schooner *Helot*, shipwrecked on that coast.

The vessel here mentioned, was pointed out to me by persons themselves engaged in the Slave Trade, and interested in its continuance.

To Zachary Macaulay, Esq.

N° 62.—Lionel Hervey, Esq. to the Marquess of Londonderry.

(Extract.) Madrid, 5th September 1821.—(Received 21st September.)

I HAVE the honour to inclose, for your Lordship’s information, the translation of a note which I have received from the minister for foreign affairs, communicating, that, in compliance with the requisition of Sir H. Wellesley, orders have been sent to the Havannah and to Sierra Leone for the strict execution of the treaty of 1817, for the abolition of the Slave Trade.

(signed) *Lionel Hervey.*

(Inclosure in N° 62.)

M. de Bardaxi to Lionel Hervey, Esq.

(Translation.)

Sir,

St. Ildefonso, 27th August 1821.

YOUR predecessor, Sir H. Wellesley, having, in consequence of communications made to the British government by the British commissioners established at the Havannah for the purpose of witnessing the execution of the treaty for the abolition of the Slave Trade, required of the government of his Catholic Majesty, that, to prevent certain abuses, which are reported to have been committed, contrary to the spirit and letter of the treaty of 1817, orders should be given to the Spanish authorities at the Havannah and at Sierra Leone, to proceed, in as far as regards them, to the faithful execution of the stipulations of the said treaty, which fix the 30th October 1820 as the final term, conceded to complete the voyages of the Spanish vessels employed

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with
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4. Spain.

employed in the Slave Trade. And his Catholic Majesty, accurately informed of the circumstances of the case, and a religious observer of the stipulations in favour of humanity, by which he has bound himself in this treaty with his Britannic Majesty, has been pleased to command that the orders solicited by Sir H. Wellesley, in the name of his government, shall be immediately dispatched.

By order of his Majesty, I have the honour to communicate to you, that the above commands have been carried into execution, in the most explicit terms.

I am, &c. (signed) *Eusebio de Bardaxi y Azara.*

N° 63.—Lionel Hervey, Esq. to the Marquess of Londonderry.

(Extract.) Madrid, 3d October 1821.—(Received 23d October.)

IN obedience to your Lordship's instructions, I have repeatedly called M. Bardaxi's attention to the illicit traffic in slaves which is still carried on at the Havannah, and he has promised me most solemnly, that the Spanish government will use its utmost endeavours to enforce the strict execution of the treaty of 1817.

(signed) *Lionel Hervey.*

N° 64.—The Marquess of Londonderry to Lionel Hervey, Esq.

Sir,

Foreign Office, Dec. 31st, 1821.

I HAVE to call your immediate attention to the inclosed copies of letters to the 30th October, from His Majesty's commissioners at the Havannah, relative to the continued encouragement afforded in that island to the dealers in slaves.

It appears that, on the 12th August last, the Portuguese brig San Francisco, Don Antonio Justiano master, arrived at the Havannah from Pernambuco, with a cargo of salt and fifty-nine negroes, consigned to Messrs. Cuesto, Manzanal and Toso.

You will perceive that the captain-general had, in the first instance, refused permission for the negroes to be landed, but that, after the vessel had remained a considerable time in the harbour, the consignees finally obtained permission to land and sell the negroes. This permission, it appears, the captain-general was induced to grant, in consequence of a report made upon the case by the assessors or legal counsel of the government; but his Majesty's commissioners, at the date of their communication, had been unable to obtain a copy of that report, or any satisfactory explanation of the grounds on which it had been founded.

You will likewise observe, from the inclosed letter, that, on the 24th October, two Spanish vessels, viz. the schooners Vecua and Icanum, Don Vincente Gomez and Don Antonio Moreiro, masters, publicly cleared out from the port of Havannah for the coast of Africa, with effects for the Slave Trade.

His Majesty's government have received this intelligence with the deepest regret, and I have, accordingly, been commanded by the King to instruct you to bring the subject under the immediate and most serious consideration of the Spanish government. You will remonstrate in the strongest manner against such repeated evasions, even on the part of the Spanish authorities, of the solemn engagements subsisting between the two countries; and you will make known to them the earnest expectation of His Majesty's government that they will immediately adopt such decisive measures as may secure for the future a strict conformity, on the part of their several authorities and other subjects, with the laws and treaties actually existing for the extinction of this execrable traffic.

I am, &c. (signed) *Londonderry.*

N° 65.—The Marquess of Londonderry to Lionel Hervey, Esq.

Sir,

Foreign Office, January 26th, 1822.

HIS Majesty's Government have learned with much satisfaction that the Spanish commissioners at the Havannah have received from their government instructions to carry punctually into effect, in all their proceedings, the stipulations of the Slave Trade abolition treaty, and that circular orders to the same effect have been received by the captain-general, the admiral, and the intendant, with directions to communicate the same to the several branches of their respective departments.

As, however, His Majesty's government have reason to believe that the several Spanish vessels of war, cruising in those seas, are not furnished with the special instructions annexed to the Slave Trade treaty, to enable them to detain slave ships agreeably to the stipulations thereof; I have to desire that you will take an early opportunity of suggesting to the Spanish government the expediency of providing
the

the commanders of such vessels with those instructions forthwith, in order to ensure the due execution of this important duty.

I am, &c. (signed) *Londonderry.*

I.
Correspondence
with
Foreign Powers.

4. Spain.

N° 66.—Lionel Hervey, Esq. to the Marquess of Londonderry.

My Lord, Madrid, 11th February 1822.—(Received 24th Feb.)

I HAVE the honour to acquaint your Lordship that Don Claudio Percillos and Colonel Tueseda have been appointed commissioners at the Havannah, for carrying into execution the treaty for the abolition of the Slave Trade; the former in the place of M. Ramirez, the deceased intendant, and the latter to succeed Don Francisco Arango, named councillor of state.

I have the honour, &c. (signed) *Lionel Hervey.*

N° 67.—Dispatch from Mr. Lionel Hervey to the Marquess of Londonderry.

(Extract.) Madrid, 5th March 1822.—(Received 21st March.)

I AM happy to be able to transmit to your Lordship a translation of the 276th article of the criminal code which has passed the Cortes, and which imposes severer penalties on the illicit traffic in slaves; and I can further add my conviction, that the Spanish Government will lend us every assistance for effectually carrying into execution the existing treaties for the abolition of that nefarious commerce.

I have hitherto abstained from making any communication to your Lordship upon this article of the criminal code, as the whole has not yet been submitted to the King for his sanction, and has not been discussed in the council of state.

I have the honour, &c. (signed) *Lionel Hervey.*

(Inclosure in N° 67.)

(Translation.)

(Extract from the Criminal Code of Spain.)

ART. 276.—All captains, masters, and pilots of Spanish vessels, who purchase negroes on the coasts of Africa, or introduce them into any port of the Spains, or are found with slaves on board their vessels, shall lose their vessels, the produce of which when sold is to be considered as a fine; besides which they shall be sentenced to ten years hard labour on the public works.

The captains, masters, and pilots of foreign vessels, which may in like manner introduce slaves into any of the ports of the monarchy, are liable to the same penalties.

In both the cases specified in this article, the negroes found on board, or introduced, shall be declared free.

N° 68.—The Marquess of Londonderry to Lionel Hervey, Esq.

Sir,

Foreign Office, March 10th, 1822.

By the accompanying copy of a dispatch, dated the 15th December 1821, from His Majesty's commissioners at Sierra Leone, and its inclosures, you will perceive that a very considerable abuse is practised by the colonial authorities of Spain, with respect to the passports formerly granted by the Spanish government for the carrying on of the Slave Trade, previous to its entire abolition by that power.

This abuse, you will see, consists in the renewal of the royal passports of the legitimate traffic for fresh voyages, by means of notes or memoranda endorsed or subjoined, bearing the signature of the local authorities, and assigning some colourable pretext for the assent of those authorities to this evasion of the engagements of their sovereign.

In laying this communication before the Spanish government, you will state to them the conviction entertained by that of Great Britain, that it will only be necessary to call the attention of his Catholic Majesty's ministers to the subject, in order to induce them to issue immediate and peremptory orders to their colonial authorities, to discontinue a practice which, if persevered in, would render of no effect the fulfilment, with the greatest good faith by the mother country, of the stipulations into which she has entered with Great Britain, for the complete abolition of the Slave Trade at the period fixed upon by the treaty of 1817.

I am, &c. (signed) *Londonderry.*

5.—UNITED STATES.

I.
Correspondence
with
Foreign Powers.

5. United States.

N° 69.—The Right honourable Stratford Canning to Viscount Castlereagh.

My Lord, Washington, March 8th, 1821.—(Received 20th April.)

By the December packet, which did not arrive at New York till the 4th instant, I have received your Lordship's dispatch of the 25th March, and I much fear that the note addressed to me by Mr. Adams, and transmitted to your Lordship in my dispatch of the 2d January of this year, will be found to contain the only measure of active co-operation against the Slave Trade which the government of the United States is inclined to suggest, in answer to the proposals which I have made by His Majesty's command.

The committee on Slave Trade, appointed by the house of Representatives, gave in a report favourable, in a degree, to the mutual concession of a limited right of search; but the question was not taken up during the session. A printed copy of the report is inclosed*.

* This Report has
already been laid
before the House of
Commons.

To remove every remaining doubt with respect to the intentions of the American government on the subject of the proposed co-operation, I called on Mr. Adams this morning, and, referring to the conversations which had taken place between us some time before, inquired whether any thing had occurred during the late session of Congress to induce him to view my former proposals in a more favourable light. I am concerned to state that his answer was in the negative; and he declared explicitly that nothing, as he believed, could induce the President to admit the proposed right of search. Perceiving no appearance of change on this point, I expressed a hope that the American government might still be able to suggest some measures, in place of those proposed by your Lordship, of a more extensive and efficient nature, than merely furnishing the cruizers employed by each party on the African coast with common instructions. I observed, that without presuming to undervalue the latter suggestion, it could only be considered at best as capable of contributing in a secondary degree to the object in view. Mr. Adams replied, that he knew of nothing further which the American government had to propose; and seemed to refer exclusively to the note which he had addressed to me in the beginning of January. He added, however, that he would inform the President of our conversation, and, in case of any further suggestion arising on his part, would hasten to communicate it to me.

I have the honour to be, &c. &c. &c. (signed) *Stratford Canning.*

N° 70.—The Right honourable Stratford Canning to the Marquess of Londonderry.

(Extract.) Washington, 4th June 1821.—(Received 18th July.)

I AM most happy to learn that His Majesty has been graciously pleased to approve of my humble endeavours to execute your Lordship's instructions on the subject of the African Slave Trade; and I have now the honour to forward the inclosed copy of a note which I addressed to Mr. Adams on the 1st instant, communicating, in pursuance of the directions contained in your Lordship's dispatch of the 25th March, the several instructions under which the commanders of His Majesty's naval forces, employed for the suppression of the Slave Trade, have been ordered to act. I have also communicated to Mr. Adams your Lordship's letter, signifying His Majesty's pleasure on this subject to the Lords Commissioners of the Admiralty, and at his particular request have left him at liberty to take a copy of it, for the purpose, as he said, of framing a similar instruction for the guidance of any American vessels destined to cruise on the coast of Africa.

It does not appear that the American government has, at this moment, more than one vessel, a schooner, expressly commissioned against the Slave Trade; but Mr. Adams assures me, that another armed vessel of the same description is designed for that service.

(signed) *Stratford Canning.*

(Inclosure in N° 70.)

The Right honourable Stratford Canning to the honourable John Quincy Adams.

Sir, City of Washington, June 1st, 1821.

His Majesty's government having received my communication of your official letter, dated the 30th of December last, respecting the measures of co-operation proposed

proposed on their part to the government of the United States, for the more effectual suppression of the African Slave Trade, I am now commanded to put you in possession of the inclosed copies of the several instructions under which the commanders of His Majesty's naval forces on that service have been directed to act.

It is my duty, at the same time, not to conceal from you, that His Majesty's government have felt the deepest regret in learning the inability declared by the American government to contract such mutual engagements as alone seem calculated to effect the utter extinction of that detestable traffic which still unhappily prevails in defiance of law. With the sincerest disposition to do justice to the views and professions of the American government on this important subject, it is not possible for His Majesty to consider the counter-proposal, contained in your letter, as an efficient substitute for the system of measures which I have had the honour of proposing to you; founded as those measures are upon the principle of combining the cruizers of the several maritime powers into one common force for the protection of the African coast; but such is the King's benevolent anxiety to co-operate with the government of the United States, in whatever may tend, in the slightest degree, to mitigate the evils of the Slave Trade, that His Majesty is willing even to avail himself of the present very limited opening to a concert between the two countries.

In this view I am further commanded to inform you, Sir, that an additional instruction will be immediately sent to the commanders of the British cruizers on the coast of Africa, to co-operate by all the means in their power with such American vessels as shall be employed in that quarter for the suppression of the Slave Trade.

I have the honour, Sir, &c. &c. (signed) *Stratford Canning*.

N° 71.—The Right honourable Stratford Canning to the Marquess of Londonderry.

(Extract.) Washington, 28th July 1821.—(Received 9th October.)

I HAVE not yet received from Mr. Adams any answer to my note announcing that His Majesty's government had accepted the counter-proposal made on the part of this country, for co-operating with the British cruizers on the coast of Africa.

(signed) *Stratford Canning*.

N° 72.—The Right hon. Stratford Canning to the Marquess of Londonderry.

(Extract.) Washington, September 4th, 1821.—(Received 9th Oct.)

I HAVE the honour to inclose copies of two letters on the subject of the Slave Trade, which I received from Mr. Adams in the course of last month; the one containing some fresh explanations of the reasons which prevent the United States from acceding to the Slave Trade conventions, which his Majesty has concluded with the courts of Lisbon, Brussels and Madrid; the other communicating the instructions under which it is intended that the American cruizers, employed on the coast of Africa, should in future co-operate with his Majesty's naval forces on that station.

In acknowledging the receipt of these letters, I have thought it my duty to reply rather at length (see copy inclosed) to some of the arguments which Mr. Adams has advanced in justification of the line pursued by his government.

I engaged in this task with less hesitation, because the reports of your Lordship's negotiations on the same subject, and the other printed correspondence accompanying my instructions, supplied the most ample light for my direction.

The late accounts from Sierra Leone, and the result of the late cruize on the African coast, appear to have justly conveyed to this country a high notion of the effect produced in that quarter by the presence of an American force. The schooner *Alligator* returned some weeks ago, after detaining and sending home for adjudication, four vessels under French colours, suspected of being engaged in the Slave Trade. Of the four prizes, three have been retaken by the respective crews, and carried to Guadaloupe or Martinique. The commander of the *Alligator* alleges in his defence, that he had information against the vessels which he captured, as being American bottoms trading under false colours.

Since the return of that schooner, I am not aware of any cruiser having been dispatched to replace her, nor can I learn that any armed vessel destined for the slave service, is yet under orders for sea.

The schooners lately employed on this service carry twelve guns, and their burthen is about 180 tons.

(signed) *Stratford Canning*.

I.
Correspondence
with
Foreign Powers.

5. United States.

(First Inclosure in N° 72.)

The Honourable John Quincy Adams to the Right honourable Stratford Canning.
Sir, Department of State, Washington, 15th August 1821.

YOUR letter of the 1st of June last, together with its inclosures, has been submitted to the consideration of the President of the United States.

In the former correspondence between us, in relation to the proposals of the British Government to the United States, inviting their accession to certain regulations which had been agreed upon in treaties between Great Britain and some other powers, for a concert of operations, having in view the suppression of the African Slave Trade, the reasons were at some length assigned which restrained the American government from assenting to those regulations. As the simple fact, that the American government declined acceding to the proposals of your government, can scarcely render justice to their determination, and as the motives for it appear to have been misunderstood, I am instructed now to expose them in more detail, in evidence of the earnestness and sincerity with which the United States have pursued, and still pursue, the common and important object, the suppression of the Trade.

Long and earnestly as the government of the United States have been engaged in contributing their exertions to that result, they have necessarily considered the range of their means for its accomplishment as limited by two principles; first, the boundaries of their own authority, delegated to them in the constitution of the United States; and secondly, the respect due by them to the independence of other nations.

The means of co-operation for the suppression of the trade, urged upon the acceptance of the United States by the proposals of Great Britain, and exemplified by her treaties with Spain, Portugal, and the Netherlands, were, that the citizens of the United States, engaged in commerce upon the high seas, should be liable under certain circumstances, in time of peace, to have their vessels searched, and, with their persons, seized and carried away by the naval officers of a foreign power; subjected to the decision of a tribunal in a foreign land, without benefit of the intervention of a jury of accusation, or of a jury of trial, by a court of judges and umpires, half of whom would be foreigners, and all irresponsible to the supreme authorities of the United States. To such modes of trial, and by such forms of process, were the citizens of the Union to be subjected, under charges for offences against the laws of their country!

The United States had very recently issued from a war with Great Britain, principally urged in resistance to a practice of searching neutral merchant vessels for men in time of war, exercised by Great Britain, as the United States deem in violation of the laws of nations. A proposal involving the exercise in time of peace, of this same practice of search, could not be acceded to by the American government consistently with their principles.

Inadmissible as, under any circumstances whatever, they must have deemed this right of search to be, it was in one of the treaties, to the stipulations of which their accession was invited, presented under an aspect of peculiar import, authorizing its exercise in the case even of vessels under the convoy of a ship of war of their own nation. Under the operation of this provision, the commander of an American convoy was not only to witness the search, seizure, and carrying away by a foreign naval officer, for offences against the laws of this country, of its own vessels, under his immediate protection, but was to give every facility to the act.

There appeared to the American government to be no conceivable combination of circumstances which could render the provisions of this stipulation necessary or proper for the proposed co-operation to suppress the Slave Trade; since a vessel under convoy of its own nation, must always be amenable to the examination, search, and seizure of its commander, thereby rendering the intrusion of a foreign officer for the same purpose, as unnecessary and useless for the end proposed, as it is otherwise objectionable in itself.

If both these expedients had an aspect little reconcilable to the independence of nations, other measures, appertaining to the system, exhibited features equally inauspicious to individual rights. Among the securities in the political institutions of the Union, deemed the most important and precious to individual liberty, are the rules established to shield from oppression the rights of persons accused of crimes. The constitution of the United States, among other humane and beneficent provisions

visions in their favour, had ordained, that they should be called to answer no other accusation than that of a grand jury; that they should be sentenced only upon the verdict of a jury of trial, and that they should be tried only by judges; themselves responsible to the justice of their country, by the process of impeachment.

To agree to treaty stipulations in violation of these principles, was not within the competent authority, or not within the just discretion of the American government. They could neither sacrifice the individual rights of their citizens, by subjecting them to trial for offences against their municipal statutes, before foreign judges, into countries beyond the seas; nor the rights of national independence, by authorizing foreign naval officers to search and seize any American vessel, and still less, a convoyed vessel, in the very presence of the American commander of the convoy. The reasons for declining these engagements were assigned to the British government, in terms as explicit as was thought compatible with the spirit of conciliation which it was desirable to preserve throughout the discussion, and have remained without reply.

To the opinion strongly expressed in your letter, of the inefficiency of the measures proposed on the part of the United States, as a substitute for those deemed by your government to be alone adapted to the attainment of the end, namely, the concession of the mutual right of search, it might be replied, that neither the experience of the respective measures, as they have been found to operate in practice, nor the examination of them as they may be expected to operate in their nature, will warrant the conclusion that has been drawn. Of the right of mutual search it is clear, that its efficiency depends altogether upon its universal adoption. So long as it shall be declined by any one maritime state, however inconsiderable, its adoption by all others, would leave it altogether ineffectual. Without reverting to the strong repugnance which has been manifested to it by other maritime states of the first rank, it is scarcely to be expected that any principle, so liable to misapplication and abuse, can obtain, as an innovation upon the laws of nations, the universal concurrence of all maritime powers. The expedient proposed on the part of the United States, of keeping cruisers of their own constantly upon the coast where the traffic is carried on, with instructions to co-operate by good offices, and by the mutual communication of information with the cruisers of all other powers, stationed and instructed to the attainment of the same end, appears in its own nature as well as to experience, so far as it has abided that test, better adapted to the suppression of the traffic than that of the British government, which makes the officers of one nation the executors of the laws of another. Abundant evidence has been exhibited by your government, and has been made manifest to the world, that it is not the American flag under which at this time this flagitious trade is driven. The cruisers of the United States have at least produced the effect of depriving the dealers in the trade of the use of their flag. The most unqualified assent of the United States to the practice of mutual search could do no more.

It is finally to be observed, that the purpose of both governments being the same, a purpose important in itself, and dear to the interests of humanity, could scarcely be subserved by a controversial and acrimonious discussion, or an uncharitable estimation, on either part, of the means adopted by the other for the attainment of the common end. It is believed that end will be best and most effectually promoted, if each party, applying with earnestness and sincerity the means of its own choice, and reconcilable to the genius of its own institutions, shall permit the other to pursue its own course, without molestation, and without reproach.

I pray you, Sir, to accept the assurance of my distinguished consideration.

(signed) *John Quincy Adams.*

(Second Inclosure in N° 72.)

The Honourable John Quincy Adams to the Right honourable Stratford Canning.
Sir, Department of State, Washington, August 20th, 1821.

I HAVE the honour of inclosing herewith a copy of an instruction which will be immediately issued to the commanders of the public vessels of the United States, charged with the duty of cruising on the coast of Africa, for the purpose of carrying into effect the laws of the United States against the Slave Trade.

I pray you to accept the assurance of my distinguished consideration.

(signed) *John Quincy Adams.*

I.
Correspondence
with
Foreign Powers.

5. United States.

I.
Correspondence
with
Foreign Powers.
5. United States.

(Third Inclosure in N° 72.)

Instructions to American ships of war.

(Extract from additional instructions which shall be given to the respective commanders of the cruising vessels of the navy of the United States, engaged, or that shall be engaged on the coast of Africa in the suppression of the Slave Trade.)

To the instructions heretofore given you for your government whilst cruising under and in execution of the laws of the United States for the suppression of the Slave Trade, I now add, "That an arrangement has been made between the government of the United States and that of Great Britain, that the commanders of the public vessels they may respectively have employed on the coast of Africa for the suppression of the Slave Trade, should co-operate by all suitable means for the accomplishment of that object." You will, therefore, as far as may be compatible with the discharge of your own duties, co-operate with the commander of any British armed vessel with which you may fall in, cruising or stationed on the coast of Africa, with a view to the suppression of the Slave Trade.

Should the occasion occur in which you may find it mutually convenient to cruise in company with any such vessel, you will do so; and you will communicate to the commander of such vessel any information which at any time you may have obtained, which you may deem useful to him, and adapted to the object common to both countries: the suppression of the Slave Trade.

(Fourth Inclosure in N° 72.)

The Right honourable Stratford Canning to the Honourable J. Q. Adams.

Sir,

Washington, August 27th, 1821.

I HAVE the honour to acknowledge the receipt of two letters from you, dated the 15th and 20th instant, relative to the suppression of the Slave Trade; the second inclosing an extract of the instructions under which any vessels of the United States cruising on the coast of Africa are intended henceforward to act.

These communications I shall take the earliest opportunity of transmitting to his Majesty's secretary of state; and I cordially hope that the expectation which you cherish of the benefit likely to result from carrying into effect the plan of limited co-operation, suggested by the American government, and accepted by his Majesty, may be completely realised.

In your letter of the 15th, there are some points of argument so nearly affecting the character of those measures which were previously proposed by the British government, that I deem it an indispensable duty to notice them on the present occasion; not, be assured, Sir, with any design of leading to a controversial and acrimonious discussion, which, if I did not concur with you in deprecating, I should but ill express his Majesty's invariable sentiments; but for the sole purpose of doing justice to that system of combined operations, which, at sundry times I have had the honour of recommending to your adoption, as the most efficient hitherto devised, for the complete extirpation of the Slave Trade.

Much as I am at a loss to imagine on what grounds you have supposed any misunderstanding to exist, with respect to the motives which have led your cabinet to decline acceding to the proposals of the British government, it is impossible to consider the anxiety which you manifest to explain and illustrate those motives, otherwise, than as offering additional evidence of the genuine and zealous desire entertained by the government of the United States, to persevere in contributing effectually to the extinction of that most criminal traffic. Nor will you be surprised, Sir, that in treating a subject which you have justly described as dear to humanity, I, too, on behalf of his Majesty's government, should be anxious, as far as it depends on my humble efforts, to set every part of the question in its true and natural light.

Of the two principles which you have specified as necessarily limiting the exertions of the American government, namely, the extent of their constitutional authority, and the respect due to the independence of other nations, the former is one, which, in this case, can hardly be considered as open to discussion; no question of right being at issue between the two governments, and each being solely and exclusively the competent judge of its own powers. That such has been the impression of his Majesty's ministers I can have but little doubt; and while the government of the United States regard the limits of their delegated authority, as opposing an insuperable bar to their acceptance of the British proposals, and while they can neither suggest any adequate modification of those proposals, nor discover in the case itself sufficient grounds

grounds to warrant their applying for a more enlarged discretion, it only remains for those who are placed under no such restraints, to lament a circumstance, which, however it may coincide with the position and principles of this nation, must tend, in their conception, to retard the accomplishment of an object most deeply interesting to the world at large.

But it is no departure from a perfect acquiescence in the view which you have taken of your own powers and the genius of your own constitution, to express a full persuasion, that the construction of the mixed commissions, and their forms of process, as settled by treaty, for the adjudication of slave cases; however they may vary from the institutions of this or of that country, will be found in practice to afford an ample protection to individual rights. It is true, that the accused persons enjoy neither the benefit of a trial by jury, nor that of appealing to their natural tribunals; but substitutes of no light value are found in the place of those important defences. The requisite proofs of guilt are distinctly specified. Of two judges, who in the first instance form the tribunal, one is the countryman of the defendant. In case of acquittal, a full compensation, including demurrage, is secured on the faith of government, to the party acquitted. And, finally, the eyes of both governments, each ready to require justice at the hands of the other, are constantly fixed upon the proceeding of the courts. In addition to these striking facts, I need not remind you, how often American property, in common with that of other neutral merchants, have been definitively adjudged by a foreign Court of Admiralty. Any distinction, which might at first be drawn between a practice enforced by the general law of nations, and one which can only be sanctioned by mutual concession, would, I think, be reduced on further examination to a mere matter of feeling, or at most, of incompetent authority.

The second principle assumed in your letter, is no less indisputable, as a general proposition, than the first; but it is not so easy to comprehend, in what respect the independence of nations could possibly be endangered by the adoption of measures directed to a common end, reciprocal in their operation, and grounded entirely on the consent of the parties. You have referred to the practice asserted by Great Britain throughout the late wars, of claiming her seamen by right of search, from on board the merchant vessels of neutral powers. Allow me to say, that I do not perceive how the exercise of a belligerent right for that specific purpose, can be fairly identified with the proposal now made, and already accepted by three independent powers, to agree, in time of peace, to a mutual right of search, for the deliverance of those unhappy beings, whom the concurrent laws of Christendom have not yet been able to preserve from the rapacity of the slave merchant. It might be observed, that your argument would equally affect the practice of search under any circumstances; the search for contraband of war, no less than the search for negroes. The fact is, that whatever rights are claimed as belonging to a state of war, must stand on their own grounds. They can neither be strengthened nor invalidated by concessions made under different circumstances, and adapted to other ends.

If this objection had not assumed the form of a principle, but were merely derived from an apprehension that abuses might eventually prevail in the practice of searching vessels at sea, it would not, perhaps, have been difficult to suggest limitations sufficient to guard against such a contingency. By contracting the range, and particularly the period of its operation, the measure in question might have been submitted to the test of experience, without involving the risk of any serious inconvenience.

The most sanguine imagination could hardly expect that an evil so vast, so deeply rooted as the traffic in slaves, could be completely subdued without considerable sacrifices, as well as the most strenuous and unremitting exertions. It is more particularly under this view of the case, that I proceed to notice the very pointed repugnance which you have expressed to a clause in the Slave Trade convention between Great Britain and the Netherlands, extending the right of visit to vessels under convoy of a national ship. If this concession were really so objectionable as it has appeared to the American government, it should at least be remembered, that it bears upon both the powers which are parties to the treaty; and, whatever sacrifice of feeling or of interest may be incurred by the arrangement, that party whose fleets are the most numerous, whose trade is the most extensive, can hardly be considered as having less than an equal share of the burthen. Supposing, again, that the United States, as I infer from your remarks, are wholly foreign to those motives, whatever they may be, which prevailed upon the courts of

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London and Brussels to adopt the above-mentioned clause, it is clear that the omission of a stipulation, in that case superfluous, could not have affected the general scheme of co-operation proposed by the British to the American government. I am convinced, Sir, that you did not mean to represent this point as a paramount objection to the whole.

In the course of our frequent communications on this important subject, I have never proposed an unlimited accession to the engagements contracted by His Majesty with Spain, Portugal, or the Netherlands, and amicably communicated to the American government, as the only form of convention into which His Majesty was willing to enter with the United States. However satisfactory those engagements appeared to His Majesty, modifications calculated to remove such impediments as arose from the peculiar views and institutions of this country, were anxiously solicited; and when it was finally ascertained that the objections of the American cabinet, extending as they still do, over the whole body of the existing conventions, remained in its opinion insuperable, I did myself the honour to request information at your hands of any other plan of concert, equally efficient, which the American government might feel themselves at liberty to suggest. This last appeal was made in full reliance on the firm and unvarying determination of the government to continue their best exertions for the suppression of the Slave Trade.

With respect to the comparative efficiency of the measures proposed on either side, you may rest assured, Sir, that His Majesty's ministers will be the first to rejoice whenever experience shall confirm the advantages which you ascribe to those of your own government. To root out the common evil is their sole object in this business; and if they are unable to regard the expedient of instructing the respective cruisers on the African coast to act in concert, as a complete substitute for the mutual right of search, the reasons of that impression are by no means difficult to conceive. It is notorious that during the late war, when Great Britain exercised the belligerent right of search, the Slave Trade was rapidly diminished; and that since she has ceased to possess that advantage, it has proportionably revived. It would, perhaps, be unfair to attribute these effects exclusively to the right of visit. But when every allowance is made for the change of authority, which several of the West India colonies have successively undergone; there can be no question that during the late wars, the slave trader was mainly deterred from his nefarious pursuits, by knowing that no flag which he might hoist could secure him from the detection of a belligerent cruiser.

It would be idle to depreciate the importance which you attach to the universal adoption of this practice, as requisite for its complete success; but in order to become universal, it must first be gradually embraced, and its efficiency, no doubt, will prove commensurate with its progress. Its first effect is to double the powers of every cruiser commissioned by the respective parties to act against the Slave Trade; an agreement to that purport between Great Britain and the United States, would give to every British and every American cruiser the same means of counteracting that odious traffic, which under a system of common instructions, can only be exercised by two ships of either flag, when sailing in company. Supposing even that all the maritime powers, acceding to the proposal of the United States, were to send out their squadrons against the Slave Trade, there would clearly be room for evasion, so long as the flag of each state could serve as a protective from the cruisers of the rest. It cannot be denied, that, in legal theory, the flag of the smallest power might cover the illicit conveyance of slaves; but where the property concerned does not belong to a subject of that power, but of one which is a party to the proposed convention, the flag thus fraudulently used, could afford it no protection, nor could the state, whose colours were thus unwarrantably prostituted, conceive itself entitled to interfere.

It cannot be meant to deny, that the presence of the American squadron on the coast of Africa has been productive of much good; nor would it be just to withhold from its commanders that tribute of praise, which their laudable and zealous activity appears to have deserved. But without inquiring into the number of cruisers, which the United States may find it convenient to employ on that service, or adverting to the natural circumstances which may interfere with their constant attendance on the slave coast; it must be remembered, that the object of the British government is to combine a general and complete system for the extinction of an evil, which, as yet, the laws have in vain condemned. It is with reference to this expanded view, that the respective proposals must be finally considered. Partial measures may have the effect of reaching some particular mode

of evasion, and may doubtless be attended with temporary benefit; but it is only to a full and comprehensive system, depriving the fraudulent trader of every resource, that the world can look for a perfect cessation of the mischief.

In accord with the friendly sentiments which you have declared, I cannot dismiss this subject, without assuring you of my earnest desire to assist in rendering justice to the intentions and suggestions of the American government, no less than to remove every appearance of obscurity or misconstruction from those of my own.

I beg, Sir, you will accept the assurances of perfect consideration, with which I have the honour to be, &c. &c. &c.

(signed) *Stratford Canning.*

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6.—DENMARK.

N^o 72 (A.)—The Marquess of Londonderry to H. U. Addington, Esq.

Sir,

Foreign Office, March 26th, 1822.

6. Denmark.

It being stated in a memorandum*, lately delivered in by M. de Caraman, French chargé d'affaires at this court, an extract of which is herewith inclosed to you; that, according to the accounts which the French government receive from their authorities in the West Indies, facilities are afforded in the Danish island of St. Thomas, to the carrying on of the Slave Trade under the French flag, contrary to the decrees of his most Christian Majesty and the laws of France, by the fabrication of false papers, with the counterfeit signatures of the French governors of Guadeloupe and Martinique, I have received the King's commands to request that you will bring this statement to the knowledge of the Danish government, which will, I am sure, be sufficient to induce them immediately to send directions for making strict inquiries in their island above-mentioned as to the practices herein imputed, accompanied with such orders to their authorities as shall effectually put a stop to them, should they exist, and prevent their recurrence.

* N^o 18.

The Danish government is so well aware of His Majesty's sincere anxiety on this subject, and has so fully co-operated in the measures adopted by that of His Majesty for the extinction of this detestable traffic, that we address them in this instance with the perfect confidence of obtaining the desired result.

I am, &c. (signed) *Londonderry.*

Memorandum.—Dispatches having a similar object to the above have been addressed to His Majesty's representatives in Sweden and Holland, with respect to the islands of St. Bartholomew and St. Eustatius.

II.—CORRESPONDENCE WITH HIS MAJESTY'S COMMISSIONERS.

1.—SIERRA LEONE.

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1. Sierra Leone.

N° 73.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.
My Lord, Sierra Leone, February 25th, 1821.—(Received 4th May.)
WE have the honour to notify to your Lordship, that M. de la Figaniere, his most Faithful Majesty's commissioner of arbitration, has this day addressed to us a letter, a copy of which is herein inclosed for the information of your Lordship, to acquaint us with his intention of returning to England by the first opportunity, on the ground of ill health. M. de la Figaniere's state of health for some time past has not been good; it has only, however, within these few days been such as to determine him, on the advice of his medical attendants, to quit the colony; he embarks in a vessel that will convey this letter to England.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N° 73.)

The Portuguese Commissioner of Arbitration to the British Commissioners.
Gentlemen, Sierra Leone, 25th February 1821.

My extreme bad state of health, and the advice of four medical officers of this colony, oblige me to leave it as soon as possible: thus I take the opportunity of the ship Harrison, for England, which will very soon depart.

I do not doubt I shall return and resume again the functions of commissioner; but should even in Europe my health continue impaired, and not permit me, I have not then the least doubt his most Faithful Majesty will, as soon as possible, have the vacancy I leave, filled up.

I have the honour to be, &c. (signed) *J. C. de la Figaniere e Morao.*
Com^r of Arbⁿ of H. M. F. M.

N° 74.—Joseph Planta, jun. Esq. to the British Commissioners at Sierra Leone.

Gentlemen, Foreign Office, February 27th, 1821.

I AM directed by Viscount Castlereagh to acquaint you, that the ambassador from the court of the Netherlands, has, by direction of his government, notified to his Lordship, that his Netherland Majesty's frigate the *Melampus*, of 350 men and 44 guns, commanded by Captain Le Man, about to sail for the East Indies, will be provided with a copy of the treaty of 4th May 1818, and with the documents thereto annexed, relating to the repression of the Slave Trade.

I am, &c. (signed) *J. Planta, jun.*

Note.—A similar letter was written to the commissioners at Surinam.

N° 75.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

My Lord, Sierra Leone, 5th April 1821.—(Received 22d May.)

WE have to inform your Lordship that Don Jozé Camps, on the 24th ultimo, addressed a letter to the acting registrar of the mixed commissions, to notify to him, that owing to the declining state of his health, and the advice of his medical attendants, he felt obliged to leave his station here of commissioner of arbitration of his Catholic Majesty, to return to Europe.

We inclose for your Lordship's information a translation of M. Camp's letter to the acting registrar.

We have also to inform your Lordship that Mr. R. B. Fitzgerald, acting registrar of the mixed commissions, whose state of health induced his medical attendants some time past, to advise him to leave the colony, now returns to England; and that his honour the acting governor, has appointed Mr. James Woods to act as a registrar in his place.

Mr. Woods, from the time of the establishments of the mixed commissions, has been attached to them in the capacity of commissioner of appraisement and sale, and he has always faithfully discharged the duties of the situation.

Don

Don Jozé Camps and Mr. R. B. Fitzgerald embark in the vessel that will convey this letter to England.

We beg that your Lordship will permit us, in regard to Mr. R. B. Fitzgerald, to say that we think it due to that gentleman, to express to your Lordship our satisfaction of the manner in which he discharged the general duties of his situation, whilst acting as registrar of the mixed commissions; and that he merits the particular approbation of the commissioners for his conduct in upholding the respect and consideration due to the mixed courts, agreeably to the pleasure of your Lordship.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

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(Inclosure in N° 75.)

The Spanish Commissioner of Arbitration to the Secretary to the Mixed Commission.
(Translation.)

Sir,

Sierra Leone, 24th March 1821.

THE bad state of my health, which each day increases, in consequence of repeated fevers, obliges me to return to Europe in order to my recovery.

As I cannot here expect any amendment in my health, according to a declaration made to me by physicians; and as I find myself incapable in my present state, of fulfilling the duties of my situation, I consider that my remaining a further length of time would be a useless sacrifice to my country.

If I recover my health my absence will be but temporary, unless his Catholic Majesty should dispose otherwise. I inform you of this, that you may communicate it to the mixed commission, of which I have the honour to be a member.

I am, &c. (signed) *Jozé Camps.*

N° 76.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

My Lord, Sierra Leone, April 16th, 1821.—(Received 27th July.)

ON the 5th of January last, we had the honour to address to your Lordship a communication relative to the existing state of the Slave Trade, and to the actual and prospective means of substituting for that traffic legitimate branches of commerce, which may be found equally effectual for supplying the natives of Africa with the foreign commodities that they are accustomed to consume. That communication necessarily embraced a multiplicity of matters, for the satisfactory elucidation of which further information must be desirable. We have, therefore, deemed it expedient to collect such further intelligence, upon the most material branches of the subject, as the opportunities of our station have afforded.

Since the date of that communication, no slave trading vessel of any nation has been brought into Sierra Leone.

Private letters received from His Majesty's cruizers, proceeding to Cape Coast Castle, under the command of Commodore Sir George Collier, mention that they came upon the traces of the two French vessels which had been reported to have gone to the Gallinas for slaves. The second, as well as the first of those vessels, had taken away a full cargo. A vessel bearing, as we understand, the Spanish flag, appeared to be on the coast for the purpose of taking in slaves; measures were taking to frustrate her object. From that source we have not any further intelligence.

We take occasion here to correct an error into which we have fallen respecting the vessel commanded by one Buntzen, some time since assassinated on the coast by one of his own seamen. We had understood that the voyage became abortive, and that the vessel went off without a cargo. We have since been informed that the cargo was complete, or nearly so, at the time of the occurrence, and that the vessel sailed with 150 slaves, which might be about her full compliment.

A gentleman of known observation and intelligence, who acts as supercargo of a vessel employed in trading on the coast, having arrived in the colony from a voyage nearly as far as the Line, we thought that he might furnish more extensive information concerning the state of the traffic in that direction, and also on the general objects comprised in our statement. In this view we framed the questions, of which the enclosed is a copy, and the gentleman to whom we allude, has had the kindness to give them the answers contained in the enclosed paper.

It is now stated confidently in the colony, that two fresh vessels under the French flag, arrived at Gallinas in the week before the last, for the purpose of taking in slaves.

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The probability which we intimated of the establishment of a general and constant trading intercourse between this colony and the powerful nation called the Foulahs, through Port Lago, at the head of the Sierra Leone river, is, we trust, on the point of being fully realized. The gentleman who was sent from the colony, to negociate for that object, has had a most favourable reception, and is now at Port Lago, on his return. He is accompanied by a nephew of Almaney Abdool, king of the Foulahs, sent to complete the negotiations here.

We have the honour to inclose three numbers of the Sierra Leone Gazette, one making more specific mention of the slave trading vessels met or traced by His Majesty's cruizers; the other two containing some details of the expedition to Teembo, the capital of Foulah Jallon.

We have the honour to be, &c. &c. &c. (signed) *E. Gregory.*
Edward Fitzgerald.

(First Inclosure in N° 76.)

The British Commissioners to

Free Town, March 8th, 1821.

His Majesty's commissioners, under the treaties for preventing illicit traffic in slaves, present their compliments to and would feel obliged if he would communicate to them, in a letter, such observations as, during his late voyage, he may have made on the existing state of the Slave Trade.

His Majesty's commissioners wish to be informed on the following points; 1st. as to the number of Spanish, Portuguese, Netherlands, French and American vessels, that may have been on the coast, and departed therefrom with cargoes of slaves, since July 1820; 2d. as to the number of slave trading vessels under the flags of the nations before-mentioned, that may actually be on the coast; 3d. as to the effects that the restrictions of the treaties of abolition, enforced by the means of the British cruizers, may have produced on the slave markets on the coast; 4th. whether, in the event of these restrictions being continued in force, the Africans will be likely to turn their attention to any other commerce than that of slaves; 5th. how far the produce of the countries lying betwixt the river of Sierra Leone and Cape Coast, and of those situated between Cape Coast and Cape Lopez, may be deemed capable of laying a foundation for legitimate commerce, equivalent to the Slave Trade, in affording supplies of the usual articles of foreign produce to the natives.

(Second Inclosure in N° 76.)

Answer of to His Majesty's Commissioners.

Gentlemen,

Sierra Leone, 3d April 1821.

I HAVE the honour to acknowledge the receipt of your note of the 8th ultimo, requesting that I would communicate to you such observations as I may have made, during my late voyage on the Leeward coast, on the existing state of the Slave Trade, &c.

In looking over the points on which you wish for information, I regret that any communications I can make must be of so general a nature as scarcely to afford you data on which to form any thing like correct conclusions. However, what I have seen and learned shall be laid before you.

In answer to the first and second enquiries, "as to the number of vessels that may have been on the coast, and departed with slaves, since July 1820," and "as to the number of ships, trading under the different flags, that may be actually now on the coast," it is impossible for me to give you a correct idea, at least so far as to distinguish those belonging to the different nations; for, with the exception of the French, none show any colours, and, doubtless, many avail themselves of the flag of that nation, who have no right to raise it.

We left Sierra Leone on the 5th of August last, proceeding down the coast; at Cape Mount we found two French schooners, whose cargoes were on shore at the Galinas, Mannah, and Sugaree; one for 250, the other 350. Both these, I since learned, got safe to their destination. The Kroonien informed us there were then two at little Cape Mount. There was also one at Trade Town for 300. From thence, until we arrived at Accra, we saw no vessel that we could ascertain to be engaged in slaving. One schooner proceeded to Whydah, where she found three corvettes of 22 guns each, and 130 men, two brigs of 14 guns, and two schooners,

all

all waiting for slaves. Mr. M'Coy, the master of our schooner, saw 550 slaves marched from the old French fort (where Cha Cha, the chief slaver, resides) to the beach in one day, and from thence put on board one of the brigs on the following night. One corvette had sailed a few days before our arrival with upwards of 800 on board. Two of the corvettes were chiefly manned with American sailors, but showed no flag; the other was Spanish (the Minerva.) She came to Accra when I was there, and took on board 150 in one night, from Accra, the caboceer of the Dutch Town. I afterwards saw 125 slaves in one house, all in irons, sitting in three rows upon the floor. These belonged to two French schooners, that were cruising from Popoe to Accra for a cargo. With the exception of Half Cape Lahoo, from whence these have been sent, about the month of August last, about 130, I have great reason to believe that the traffic in slaves has been entirely discontinued from the Gold Coast. We saw several French, Portuguese and Dutch, going down to Whydah and the Bight of Biape. I went on board four that seemed furnished with every thing indicating their destination to be for slaves. At Trade Town we met a French brig and schooner, the brig direct from Nantes with a cargo of 400; the captain had his goods on shore, and was purchasing his cargo at the slave house on the beach, not daring, as usual, to trust King Wise at his town in the bush. However, his Majesty had, the morning I went up to his town, brought in 35 prisoners, whom his people had caught the evening before in a small town in the interior, and who were intended for the vessel. At Cape Mesurado, the brig Adolphe, direct from St. Maloes, had nearly completed her cargo for 380. The captain hesitated not to assure me that he cared not for British cruisers, and that he should be on the coast again in five months. At the Galinas we saw another schooner that was to sail in three days with 250.

I believe the following rough statement may not be considered as overrated, at least it is the best guess I can give you, from comparing the different accounts, of which I took notes at the time of receiving them. Say since July 1820 to the end of February, so far as regards the windward coast, and from July to November to leeward of Cape coast; viz.

Four schooners	- for Galinas	- at 300	- -	1,200
Two ditto	- for Cape Mount	-	- -	600
Two ditto and a brig	- for Cape Messurado	-	- -	900
Five ditto - ditto	- for Trade Town	-	- -	1,500
Four vessels	- for Accra	-	- -	1,200
Two ditto	- for Quitah	- 400	- -	800
Six ditto -	- for Popoe	-	- -	2,400
Five corvettes	- for Whydah	- 700	- -	3,500
Six brigs -	- for ditto	- 500	- -	3,000
Eight schooners	- for ditto	- 300	- -	2,400
Suppose from				
Lagos and Porto Nova	- 10 vessels	at 350	- -	3,500
Bonny River	- - 20 ditto	-	- -	7,000
Calabar	- - 30 ditto	-	- -	10,500
				<u>38,500</u>

There are seldom less than twelve to fifteen vessels in Bonny River at a time, and from twenty to twenty-five in Calabar. Of the state of the trade to the southward of the Line, I have no particular information, and cannot give any opinion. The slaves furnished at Lagos and Porto Nova are chiefly from Eyes, and are from the north bank of the Niger, from Sego to Ahoussa.

Referring to your third enquiry, I would observe that the effects of the restrictions of the treaties of abolition are only visible from the Gold Coast to Sierra Leone, as the means at present possessed by the British cruisers are not at all sufficient to reach the slavers that frequent the large rivers in the Bight of Benin and Biafra; and at Whydah and Popoe the trade is still carried on with boldness and impunity. On the windward coast, however, where they still continue the traffic, the natives engaged in it are timid, and fearful of some dreadful visitation from the British cruisers. The more intelligent of the traders at the Galinas, Messurado and Trade Town, are also impressed with the belief that the British and American men-of-war will, in the course of two more years, be enabled effectually to abolish the trade at all those places. The propriety of employing an increase of force in

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this service, and that force of a different description from the present, has, I believe, already been represented to government through the proper channels; and if the suggestions made are followed, I have little doubt but that the windward coast would be kept clear, and a good account given of the slavers in the Bight of Biafra.

It is with pleasure I offer a few remarks upon your fourth and fifth enquiries, as, from my knowledge of those parts of the coast to which those enquiries principally relate, and from the intercourse I had with the natives, I am enabled to speak with a confidence which, to those who have not had the same opportunities of observation, might appear much too sanguine.

Along the whole range of coast where the restrictions may be considered as having been effective (that is, from Accra to Trade Town), industrious habits are extending their beneficial influence amongst the inhabitants; a greater attention to agricultural and commercial pursuits is evidently increasing; and these pursuits want only encouragement to render them productive of extensive gain to the merchants, and to make them the means of supplying the increasing wants of the natives. As a proof that on the total abolition of the traffic in slaves, the Africans would, in the course of a short time, turn their attention to other pursuits, I would refer you to the fact, that though, previous to the abolition, the inhabitants of the Gold Coast actually purchased palm oil from the Lago and Benin traders, for domestic purposes, yet, in the course of the last twelve months, there were shipped from the same country above 500 tons of that commodity.

The establishment of a colonial government, with the consequent extension of the benefits of British laws, and the regular administration of justice, to the Fantee and Adanessee people on the Gold Coast, is an event much to be desired by every benevolent friend of Africa. It would completely prevent any slaves from being carried off the coast from Cape Lahoo to the Rio Volta. The security and protection afforded to persons and property, the comparative salubrity of the climate, the openness of the country, and a soil peculiarly adapted to the cultivation of various articles of tropical produce of extensive consumption in the European markets, together with the low price of labour, would, I conceive, encourage settlers from home with other than merely commercial views. Their success would encourage the natives to the employing of their numerous domestic slaves in similar objects, which is what is chiefly wanted, to lead to the rapid civilization and improvement of the African people.

To accelerate this improvement, however, not only the fostering hand of government, but the exertion of those enlightened friends of Africa, who have for so many years, with unremitting assiduity, laboured for her benefit, is absolutely necessary. It is necessary that those who wish well to her interests should take every opportunity of directing the attention of His Majesty's ministers to the best means of extending British influence and protection to those parts of the coast where the Slave Trade has been discontinued; to press upon them the expediency of affording every possible facility to those whom the pursuits of business may induce to establish settlements with the views of cultivation; and most essentially to impress on their minds the great importance of immediately directing the benevolent exertions of the national school and missionary society, particularly the former, to those parts where they would meet with a welcome reception. Along the whole coast from the Kroo country as far as Appollonia, the inhabitants are all anxious to cultivate a close and increased connexion with the English, and the chief men desirous that their sons should be taught to read and write, or, as they express it, "to *s'ane* book all the same as white man." In corroboration, and as an evidence of the existence of this spirit, I have only to acquaint you that the Caboceers of Accra and of Cape Lahoo sent their sons with me to this place to be educated, and had I been aware that the object would have been so liberally met by the government here, I could have brought two or three of the chiefs sons from every town on the coast where I am known. I shall, probably, early in September, bring up ten or twelve more, to be placed at school here for two or three years. By so doing, good, I know, will be produced, which may eventually lead to consequences important and beneficial.

It certainly would be no discredit to the colony of Sierra Leone, which has already deserved well of our country, to be in after-times considered as the sacred fountain, originating and supplying those streams of knowledge and civilization which the enlightened philanthropist confidently anticipates shall in time overspread this great, though hitherto much neglected, country.

That the produce of the countries lying between the river Sierra Leone and Whydah

Whydah, (the countries farther to the southward not having come under my own observation, I do not presume to give an opinion respecting them) would, in the space of a few years, by proper encouragement, lay the foundation of an extensive legitimate commerce, fully equivalent to the Slave Trade, I think admits not a doubt.

On the establishment of a new government at Cape Coast, a more active commercial intercourse between this colony and that settlement, it is probable, will be carried on; and it ought to be an object with both governments to encourage the chiefs along the whole coast to visit both establishments, to send their children and people to them to learn mercantile trades, &c. as well as "to *s'ane* book." I can assure you, that they only want such opportunities, and a recommendation of them by those in whom they have confidence, to embrace them with alacrity. But the chief intercourse that the natives have had with white men, has been with the traders, who come to Africa direct from England, run down the coast, purchase what the natives bring to them, and return home, in most cases, after they have seen the coast but three or four times; consequently they have little opportunity, and perhaps less inclination, to point out any thing to the natives which might tend to enlighten or to improve them.

The countries from the Kroo country to Bereby, merit the particular attention of government, as the inhabitants are a fine and industrious race of people, most of them speaking English, and desirous that Englishmen should settle among them. The landing for boats is good at Grand Sisters, Gansway, and Cape Palmas; at this latter place, there is an excellent harbour and good anchorage. The establishment of a British colony at Cape Palmas would be a great point gained towards the general object. The country is rich and not unhealthy, and produces pepper, gums, ivory, fine timber, and a supply of rice sufficient to direct the views of the West India interest hither, instead of to our rivals on the other side of the Atlantic. The river Cavally has a long course from the interior, and affords the means of extensive inland navigation. Bereby is important on account of the large quantity of ivory brought from the interior; there is also excellent anchorage close in shore, and good and protected landing for boats in the roughest weather. From St. Andrews to Appollonia the country is rich in the productions of the soil, but it might be rendered ten times more so, by cultivating a more intimate and friendly connexion with the inhabitants. The Cape Lahoo, Grand Bassaa, and Assignee rivers, facilitate the communication of the traders with remote countries in the interior, even to those on the banks of the Niger, from whence they bring large quantities of gold and ivory; and if encouraged, many other productions of the interior would find their way to the coast. This part of the coast is particularly worthy of attention from its being the entrepôt of the whole of those countries which constituted the western provinces of the Ashantee empire, but which, by the defeat of the King of Ashantee by the Bontoohoos last year, are now become independent of that government.

I have thus laid before you what I know of the present state of the Slave Trade, and as far as my information enabled me, answered your enquiries. If I have introduced any observations which you may consider tedious and inapplicable, or offered opinions that may be deemed impertinent, I beg you will attribute them to the ardent desire that I feel to give every information on the subject, to those who have the means to recommend with effect, whatever measures may be most conducive to the amelioration and civilization of the African people, and consequently beneficial to our country.

I conclude with assuring you, that I shall feel happy in endeavouring to procure you whatever information I can, regarding any points with which you may be pleased to signify your desire to be acquainted. I shall sail for the leeward coast in the course of next week.

I have, &c.

Memorandum.—The inclosures N^o 3, 4 and 5, in the letter from the Commissioners at Sierra Leone, dated April 16th 1821, are the Sierra Leone Gazettes; No. 143, of March 3d, 1821.—146, of March 24th, 1821.—150 of April 14th, 1821.

N^o 77.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

My Lord, Sierra Leone, 16th April 1821.—(Received 27th July.)

WE have the honour to acquaint your Lordship, that on the 9th instant, Don Francisco Lefer, his Catholic Majesty's commissary judge, addressed a letter to the acting registrar of the British and Spanish court of mixed commission, signifying

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signifying his intention to quit Sierra Leone for the purpose of residing at the French settlement at Goree, during the continuance of the next rainy season; but that he would be ready, should the service of his Sovereign require him, to return to this colony, on notice being given to him by the acting registrar.

The acting registrar having laid before us this letter of Don Francisco Lefer, we thought it to be our duty, since we could not interfere with that gentleman's departure, to represent to him, through the acting registrar, that we conceived that, if occasion should arise in his absence, it would not be consistent with our duty to defer the proceedings necessary to the fulfilment of those provisions of the treaty of the 23d September 1817, which so strictly enjoin the most prompt measures for the adjudication of detained vessels; and that he must be perfectly sensible that we had not any means of giving rapid conveyance to communications to or from Sierra Leone. To this representation Don Francisco Lefer replied, through the acting registrar, that he was convinced that the frequent and speedy communication between this colony and Goree, by the way of St. Mary's, would at any time permit him to arrive here before the expiration of the two months granted by the treaty, and that therefore he formally protested against any proceedings that we might undertake in his absence. In our answer, communicated through the acting registrar, to Don Francisco Lefer, we confined ourselves to say, that whilst we presumed not to interfere in any way with his sense of his duty, we must act according to our own sense of our duty in such matters of business as might arise in the British and Spanish court of mixed commission.

We have the honour to inclose copies of the communications alluded to; being a copy of Don Francisco Lefer's letter of the 9th instant, a copy of our letter of representation of the 11th instant, a copy of his letter of the 12th instant, replying to our representations, and a copy of our letter of the 13th instant, all addressed to the acting registrar.

We understand that Don Francisco Lefer will embark to-morrow in the Gambia packet, which sails for His Majesty's settlement in the river Gambia or of St. Mary; from that settlement he will proceed to Goree. The intimation given on our part to Don Francisco Lefer was not expressed in the absolute and unqualified intention to take proceedings to the extent of final adjudication in every case which may be brought into the British and Spanish court of mixed commission during his absence; the intention was, not to allow his departure to deprive us of the right of fulfilling, as far as our best discretion shall direct, under the circumstances which may arise, the provisions of the treaty, and the obligations of justice towards all parties concerned.

The French settlement at Goree, being situated nearly at a distance of 600 miles from the colony, and the only regular means of communication with the neighbouring British settlement of Bathurst, St. Mary's, being by the Gambia packet, which arrives here once in four, five, or six weeks, it would obviously be quite uncertain in what time Don Francisco Lefer might arrive, upon a letter sent him to Bathurst, St. Mary's, subject to all the hazards of indefinite delay and uncertain conveyance after arrival at that place. We should, in the interval, have to encounter all the well-founded complaints and remonstrances, not of captors only, but possibly also of claimants, who are equally anxious and interested in a speedy decision.

We trust that our view of our duty in these contingencies will meet your Lordship's approbation.

We have the honour to be, &c. (signed) *E. Gregory.*
Edward Fitzgerald.

(First Inclosure in N^o 77.)

The Spanish Commissary Judge to the Registrar of the Spanish and British Mixed Commission.

Free Town, Sierra Leone, 9th April 1821.

THE undersigned, his Catholic Majesty's commissary judge, presents his compliments to the registrar of the mixed commission, and requests he will inform the members of the same commission, that the opinion of the doctors, he has consulted being, that the bad state of his health does not allow him to remain in this colony during the next rainy season, without danger for his life, he determines going to Gambia, and from thence to Goree, to re-establish his health, and reside there during the next rainy season.

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The undersigned will at any time be ready to return to this colony, whenever the service of his Sovereign may require his presence, on the registrar's shortest notice.
The undersigned, &c. (signed) *Francisco Lefer*.

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The British Commissioners to the Acting Registrar of the Mixed Commission.

Sir,

Sierra Leone, 11th April 1821.

WE request that you will inform Don Francisco Lefer, his Catholic Majesty's commissary judge, that you have laid before us the note which he addressed to you on the 9th instant, communicating his intention to depart from Sierra Leone, and that you will express to him our regret that his departure will altogether deprive the British and Spanish court of mixed commission of a representative on the part of Spain.

With reference to the concluding part of the note of his Catholic Majesty's commissary judge, wherein he observes, that "he will at any time be ready to return to this colony, whenever the service of his Sovereign may require his presence, on the registrar's shortest notice," we have to request that you will represent to Don Francisco Lefer, that His Britannic Majesty's commissioners conceive, that if occasion should arise in his absence, it would not be consistent with their duty to defer the proceedings necessary to the fulfilment of those provisions of the treaty of the 23d September 1817, which so strictly enjoin the most prompt measures for the adjudication of detained vessels. It is possible that other matters of business, also, may demand immediate attention, and Don Francisco Lefer must be already perfectly sensible that the British commissioners have not any means of giving rapid conveyance to communications to or from Sierra Leone.

We are &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Third Inclosure in N° 77.)

The Spanish Commissary Judge to the Registrar of the Mixed Commission.

Free Town, Sierra Leone, 12th April 1821.

THE undersigned, his Catholic Majesty's commissary judge, has received the registrar's note of the 11th instant, in answer to his of the 9th instant.

In answer to the said registrar's note, the undersigned requests he will acquaint His Britannic Majesty's commissioners that the undersigned had long ago communicated to his court his intention to return to Europe, on account of the decaying state of his health, and was ready to put it into execution, when he was informed of the sudden and unexpected departure of his Catholic Majesty's arbitrator for Europe.

The undersigned, not to deprive at once the Spanish and British mixed commission of all the representatives on the part of Spain, thought it his duty to remain at his post as long as the bad state of his health should permit.

The undersigned, by remaining in this colony the next rainy season, would expose himself to illness and perhaps to death, without any utility to his Sovereign; while, on the contrary, going to Goree, to breathe a more pure and more healthy air, he may hope to re-establish his health, and be able to co-operate in the proceedings of the commission, in the case (very doubtful) of being wanted.

The undersigned, by deferring his return to Europe, to re-establish his health, and going to Goree, to try to remain at his post as long as possible, gives a new and evident proof of his wishes to do his duty, and of his zeal for the accomplishment of the intention of his government.

With reference to the representation which the registrar has been directed by His Britannic Majesty's commissioners to make to the undersigned, respecting the concluding part of his note, of the 9th instant, "that the undersigned will at any time be ready to return to this colony, when the service of his Sovereign might require his presence, on the registrar's shortest notice."

The undersigned, far from being of His Britannic Majesty's commissioners opinion, that, "if occasion should arise in the undersigned's absence, it would not be consistent with their duty to defer the proceedings necessary to the fulfilment of those provisions of the treaty of the 23d September 1817, which so strictly enjoin the most prompt measures for the adjudication of detained vessels."

The undersigned is convinced that the frequent and speedy communication between this colony and Goree (by St. Mary) will at any time permit him to arrive here

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here, before the expiration of the two months granted by same treaty; "in the case of absence of witnesses, (and much more so in the case of absence of a judge the undersigned believes) or for want of other proofs."

Consequently the undersigned, in any case that His Britannic Majesty's commissioners should determine not to call him to co-operate with them, in any matters of business concerning his government, thinks it is his duty to protest formally by this present, against all proceedings of His Britannic Majesty's commissioners without his being present. The undersigned requests that the registrar will communicate this note to His Britannic Majesty's commissioners, inscribe it in the registry, and let the undersigned have immediately, a copy of it, and of his note of the 9th instant, both certified by the registrar, and with the seal of the mixed commission.

The undersigned, &c. (signed) *Francisco Lefer*.

(Fourth Inclosure in N° 77.)

The British Commissioners to the Acting Registrar of the Mixed Commission.

Sir,

Sierra Leone, 13th April 1821.

WE request that you will inform his Catholic Majesty's commissary judge, that you have laid before His Britannic Majesty's commissioners, his note to you of yesterday's date, and that you are directed by them to say, in answer to the concluding part of the same, that while they presume not to interfere in any way with Don Francisco Lefer's sense of his duty, under the present circumstances of his health, which they sincerely regret, they must act according to their own sense of their duty in such matters of business as may arise in the British and Spanish court of mixed commission, during his absence.

We are, &c.

(signed) *E. Gregory,*
E. Fitzgerald.

N° 78.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

(Extract.) Sierra Leone, 5th June 1821.—(Received 10th September.)

ON the 17th ultimo, the Portuguese ship *Donna Eugenia*, Manoel Jozé Silveira master, captured on the 24th March last, in the river Bonny, lat. 4 deg. 26 min. north, by boats from His Majesty's ship *Tartar*, Commodore Sir George Collier, and from His Majesty's brig *Thistle*, Lieutenant Hagan, arrived in this harbour; and on the 19th she was condemned as prize by the British and Portuguese court of mixed commission. For the information of your Lordship we have the honour to inclose an abstract of her case.

(signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N° 78.)

(Abstract of the case of the ship *Donna Eugenia*, under Portuguese colours, Manoel Jozé Silveira master.)

THE *Donna Eugenia* of 154 tons burthen, was fitted out at Pernambuco for a slave trading voyage to Cabinda and Molembo, places situated to the south of the equator; she was provided with the royal passport required by the Slave Trade restriction treaty, and with the usual official documents, to enable her to engage in a legal traffic in slaves. She was armed with six twelve-pound guns, and manned with twenty-five men; the papers exhibited in court pointed out Manoel Louis dos Santos, a native of Oporto, but residing at Pernambuco, as the owner of the vessel; but there was nothing shown that proved his title to her. The vessel was to return to Pernambuco from Cabinda and Molembo by the way of Pará.

On the 16th December 1820, the *Donna Eugenia* sailed from Pernambuco; when advanced in the voyage, a protest was made by the principal officers of the vessel and seamen, dated the 9th January 1821, lat. 21 deg. 30 min. south, and long. 16 deg. 51 min. west of Greenwich, declaring, that in consequence of the vessel being in a leaky state, they found it necessary to steer their course towards the islands of St. Thomas or of Princes, in order that the vessel might be there repaired to enable her to proceed on her voyage to the places mentioned in her passport. It did not appear however that they ever touched at those islands, but it appeared from the declarations of the master and of the seamen examined, that they went into the river Bonny, and that there finding the trade advantageous, they commenced trafficking in slaves; whilst they were pursuing this traffic, the *Donna Eugenia* was captured on the 24th March with eighty-three slaves on board, by boats from His Majesty's

Majesty's ship *Tartar*, Commodore Sir George Collier, and from His Majesty's brig *Thistle*, Lieutenant Hagan. Five of the slaves died on the passage to Sierra Leone.

The court on a review of the evidence, of which the foregoing is the abstract, decreed the condemnation of the ship *Donna Eugenia*, her tackle, apparel and furniture, and decreed the emancipation of the seventy-eight slaves remaining on board of her, and that they be delivered over to the Governor of the colony, to be employed as servants or free labourers.

A suggestion having been made by Sir George Collier, that measures should be taken to secure the person of Manoel José Silveira, the master, in order to his being tried by the laws of his country, it was left to Mr. Altavilla to determine whether he would send the individual pointed out, to be prosecuted in the manner desired. Mr. Altavilla observed that he had no facilities of conveying such persons to a proper tribunal, with the means of convicting them; but he had no objection that this should be done by Sir George Collier, if Sir George should think fit to do so.

The British commissioners think it right to say, that they do not find any thing in the case to call for an extraordinary measure.

The firing on the boats is explained by the assurance, that owing to the darkness of the night, they were taken for native canoes; as soon as it was ascertained that they were English, the firing ceased.

Sierra Leone, May 19, 1821.

(signed) *E. Gregory,*
Edward Fitzgerald.

N° 79.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

(Extract.) Sierra Leone, 6th June 1821.—(Received 10th September.)

THE arrivals of slave vessels taken at considerable distances from this place, have recently presented the slaves on board to the mixed courts in circumstances of reduced health, more or less extensively diffused, in consequence of long voyages, and generally also of crowded condition.

In such circumstances, the duties of humanity have pre-eminence over every other object, and your Lordship will perceive, that from the moment that a case of that nature was brought under our notice, we gave our first attention to those duties.

In the case of the Spanish slave schooner *Anna Maria*, prize to His Majesty's ship *Tartar*, brought in here on Sunday the 13th of May; it was intimated by the prize master, Mr. Hudson, when he came to deposit the papers of the captured vessel in the registry, on the morning of Monday the 14th, that some of the slaves were in want of medical aid, and of some immediate measures of relief. It was recommended as the proper course of proceeding, that a petition should be presented immediately, setting forth the fact, and praying the necessary measures of relief, for which the court would instantly adopt such proceedings as would appear best suited to the object. This was before the meeting of the court. Subsequently, when the court met, the registrar was directed to give his assistance in the preparation of the petition, a copy of which was made out as soon as possible, and forwarded to his Honour the acting Governor, with a note requesting that he would order a medical officer to visit the *Anna Maria*, and to report to the commissioners upon the matter of the petition.

The court prolonged its sitting purposely to receive the report expected in pursuance of the request addressed to the acting Governor, and at length adjourned till the next day, giving directions to the marshal to co-operate, without delay, in the accomplishment of such landing as the medical officer should advise.

On the meeting of the court, the next day, no report was yet made; but the commissioners were informed by the marshal, that considerable delay had occurred in the arrangements for the landing of the sick the preceding evening, inasmuch, that it was thought proper to defer it until the morning, when, upon his going on board, he found the whole of the slaves in progress of disembarkation. The whole of the slaves were in fact already landed.

The British commissioners were exceedingly distressed at an event which might be considered as indicative of a premature judgment, or rather of an abstraction of the property before any judgment could be formed, but his Honour the acting Governor, on representation from the commission, explained the circumstance, by attributing the total landing in the particular instance to a misunderstanding in the communication of the acting marshal with him on the 14th ultimo, touching the landing of the sick.

Shortly afterwards, the Portuguese slave ship *Donna Eugenia*, prize to the *Tartar*, was brought in on the 17th of May, and was immediately after visited by
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medical officers. But no report was made to the commissioners. On the next day, however, Doctor Nicoll, deputy inspector of hospitals, and chief of the medical staff of the colony, put into the hands of His Majesty's commissary judge, a report made to him, and this paper was laid before the court on its meeting, the same day by Mr. Gregory.

The court proceeded to consider the case of the ship *Donna Eugenia*, prize to His Majesty's ship *Tartar*, and to examine witnesses; but very little progress was made in consequence of an interruption.

As soon as the court could resume the examinations, all possible expedition was used to authenticate the material facts, so as to expedite the total landing of the slaves, if that measure could with propriety be adopted. In consequence of the frank avowal of the master, that he had taken in his slaves in the river Bonny, north of the Line, considerable progress was made; and after further proceedings being had, the recommendation of a general and immediate landing, was left by His Majesty's commissioners to the discretion of Mr. Altavilla, who, as the case was now nearly decided by the full evidence required according to the convention, was not desirous of interposing any further delay. The marshal was forthwith directed to make his arrangements for a general landing accordingly.

What may be expedient in long protracted suits in contested cases, has, happily, not been hitherto under our consideration. We think it best to leave such cases to be adjusted according to the existing circumstances whenever they may arise.

Looking to the cases which have hitherto occurred, and to those which may be expected in the ordinary course, we have not a doubt that a total landing before adjudication, unless in circumstances of ill-health, or other distress amounting to an absolute necessity, would be extremely disagreeable to the foreign commissioners, as well as to the actual holders; and if adopted as a general principle of practice, we are satisfied it would be equally offensive to the foreign governments and nations.

We presume to hope that our proceedings in these instances, and the view that we take of our duty, will meet with the approbation of your Lordship

We have the honour, &c. &c. (signed) *E. Gregory,*
Edward Fitzgerald.

N^o 80.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

My Lord, Sierra Leone, June 6th, 1821.—(Received 10th September.)

For the information of your Lordship, we have the honour to inclose an abstract of the case of the Portuguese brigantine *Constante*, *Antonia da Costa Jardim*, master, captured on the 9th of April last, in Old Calabar river, lat. 4 deg. 32 min. north; long. 8 deg. 34 min. east, by boats from his Majesty's ship *Tartar*, Commodore Sir George Collier, and from His Majesty's brig *Thistle*, Lieutenant Hagan; brought into Sierra Leone on the 3d instant, and condemned as prize on the 5th instant.

In this case, Mr. Altavilla felt considerable difficulty from the want of those witnesses, which the 3d article of the instructions for the mixed commissions, annexed to the convention, points out, "two or three at least of the principal individuals on board the detained vessel," in addition to the master. The only witnesses besides the master, were the two black sailors, mentioned in the abstract. The examination of some of the slaves taken in at Calabar, was proposed as a substitute; to this Mr. Altavilla agreed, but not without some objection, for he observed, that the depositions of these persons could hardly be admitted as evidence, and that it was departing more widely from the description of witnesses pointed out by the treaty. But as there was not any other mode of getting through the case, and as the fact of taking in slaves at Calabar, north of the Line, was easily established by the concurrent testimony of those slaves, Mr. Altavilla concurred readily in the propriety of a decree of condemnation.

Further we do not find any circumstances connected with this vessel of sufficient importance to be submitted to your Lordship.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N^o 80.)

(Abstract of the case of the brigantine *Constante*, under Portuguese colours,
Antonio da Costa Jardim, master)

This vessel was of about ninety-five tons burthen, had three guns, nine-pounders, and a crew of twenty-one men. Her owners were *Carlano Raimundo de Navaes* of

of Princes Island, and Domingo Peres dos Santos Chaves of Bahia. She had no royal passport, but she had a printed copy of the convention of the 28th of July 1817. The brigantine was captured by boats from His Majesty's ship Tartar, Commodore Sir George Collier, and from His Majesty's brig Thistle, Lieutenant Hagan, on the 9th of April 1821, in Old Calabar river, lat. 4 deg. 32 min. north; long. 8 deg. 34 min. east.

The master asserted, that the *Constante* was equipped at Bahia in the Brazils, for a slave trading voyage to Cabinda, situated to the south of the Line; that, with a view of prosecuting this voyage, the vessel touched at Princes Island; that she was there cleared out for Cabinda, to which part of the coast he subsequently went in her, and purchased two hundred and nineteen slaves, which were put on board of the *Constante*; that after some time, the vessel being in want of provisions, he took her into Old Calabar river, and there purchased about twenty-six slaves, and shipped them on board of his vessel.

This assertion of the master, that the *Constante* sailed originally from Bahia, and that she took in part of her slaves at Cabinda, passed uncontradicted, as the court could not obtain from two other witnesses who were examined, (they were black Portuguese sailors, and the only part of the Portuguese crew left on board) any decisive evidence on this point. One male and three female slaves, taken on board at Ephraim's Town in Old Calabar river, declared that a considerable number of other slaves, as well as themselves, were shipped at that place. This concurrence was sufficient to satisfy Mr. Altavilla, who had before made some difficulty on account of the absence of the testimony of "two or three at the least of the principal persons on board of the captured ship, as well as that of the master," according to the tenor of the 3d article of the regulations annexed to the convention: these persons were absent in consequence of being on board H. M. ship Tartar, as being dangerous characters and likely to excite a revolt.

The commissioners being therefore unanimous in the opinion, that the *Constante* was engaged in an illegal traffic in slaves to the north of the Line, adjudged her in consequence to be condemned as prize, and her slaves, wherever taken on board, to be emancipated, and to be delivered over to the Governor of the colony, to be employed as servants or free labourers.

About two hundred and forty-five slaves were said to have been on board of the *Constante* at the time of capture. Owing to the small size of the vessel, the captor, Sir George Collier, deemed it proper to remove part of the slaves into His Majesty's ship Tartar. Eighty of the slaves were left on board the brigantine; during the passage to Sierra Leone, eleven of this number died.

Of the negroes removed from the *Constante* into the Tartar, thirty were put on board of H. M. brig Thistle, twenty-two of this number reached Sierra Leone, eight died on the passage.

His Majesty's ship Tartar arrived yesterday with the remainder of the *Constante*'s slaves, fifty-six in number, eight died on the passage to Sierra Leone.

Sierra Leone, June 6th, 1821.

(signed) *E. Gregory,*
Edward Fitzgerald.

N° 81.—Messrs. Gregory and Fitzgerald to Viscount Castlereagh.

My Lord, Sierra Leone, June 7th, 1821.—(Received 10th Sept.)

UNDER date of the 16th of April last, we had the honour to acquaint your Lordship with the determination taken by Don Francisco Lefer, his Catholic Majesty's commissary judge, to leave this colony for the purpose of residing at the French settlement of Goree during the continuance of the ensuing rainy season; and we inclosed for your Lordship's information, copies of the correspondence which, through the acting registrar, had passed between that gentleman and ourselves on the occasion. In our letter we had the honour to lay before your Lordship the motives that prompted us to address Mr. Lefer on the subject of his intended departure, founded on the distance at which Goree is situated with respect to Sierra Leone, on the want of frequent means of communication between the two places, and on the serious inconvenience that might be produced to all parties from delay in cases to be adjudged by the mixed commission. We had hoped that Mr. Lefer would have been induced to abandon his design of quitting the colony; or at least that he would not have departed from it until the season should set in, when there would be a less chance of slave trading vessels being brought to Sierra Leone for adjudication.

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adjudication. That gentleman however, persisting in his designs, left this place for the Gambia on the 21st April, placing the British part of the commission, thereby in the situation of having to act in causes brought before them without the concurrence of a representative on the part of Spain, or in the situation of having to postpone all such causes to an indefinite time.

On the 13th ultimo, the schooner *Anna Maria*, under Spanish colours, was brought into this harbour, with 238 negroes on board. The papers of the *Anna Maria* and the declaration of the captor, Commodore Sir George Collier, of His Majesty's ship *Tartar*, being laid before us, we deemed it proper to examine the witnesses concerned, and to take the case of the vessel into consideration.

The number and situation of the negroes still remaining on board, rendered it extremely inexpedient to delay the proceedings preliminary to their being landed. We were desirous, however, in this, as in every other part of the case, to proceed with greater circumspection, as we had not the advantage of the presence of any member of the Spanish part of the commission.

The witnesses examined, being the chief mate and two sailors of the *Anna Maria*, deposed that she had been fitted out at St. Jago de Cuba; that she sailed from that place for the coast of Africa; that being arrived at Bonny, they commenced trading in slaves, and that up to the time of capture they purchased between 400 and 500 slaves.

Through a misconception of orders from the commissioners, the slaves of the *Anna Maria* were landed on the morning of the 15th May, before the court had come to any decision on the case.

The examinations of the witnesses being closed the next day, we considered that the circumstance of the negroes being already on shore, rendered it expedient to come to a determination respecting their disposal; and the fact of their having been purchased as slaves, and shipped on board of the *Anna Maria*, being so glaring, we thought ourselves authorised, in the spirit of the 13th article of the regulations for the mixed commission, annexed to the treaty, to proceed to the judgment of the vessel, and, accordingly, we passed sentence of condemnation against her, and decreed her slaves to be emancipated. We have the honour to lay before your Lordship an abstract of the case of the *Anna Maria*. It was stated in the examination, that between 400 and 500 slaves were on board of the *Anna Maria* at the time of her capture. From the crowded state of the vessel, the captor, Sir George Collier, removed part of the slaves into His Majesty's ship *Tartar*, leaving 272 on board of the schooner; of these thirty-four died on the passage to Sierra Leone.

Of the slaves removed from the *Anna Maria* into the *Tartar*, 125 were put on board of the *Donna Eugenia*, a Portuguese slave ship, captured by Sir George Collier, and sent by him to Sierra Leone for adjudication; and of these slaves thirty-eight died on the passage hither.

The *Tartar* arrived on the 5th instant, bringing twenty-eight of the *Anna Maria*'s slaves; twelve slaves died on board of that ship; (353 slaves living, 84 slaves dead; total 437.)

We had hoped that in the course of our official duties, we should not have had occasion to instance any of His Majesty's subjects being engaged in the traffic in slaves. But it is now our painful duty to report to your Lordship that the chief mate of the *Anna Maria* is, on his own acknowledgment, an Englishman. Respecting this man and some others of his companions, we thought ourselves bound to communicate with the acting Governor, in order that the attention of the King's advocate might be directed towards him, as well as towards the people of the vessel, who were suspected by Sir George Collier to have been engaged in piratical enterprises. The inclosed is a copy of the communication addressed by us to the acting Governor on this occasion.

The national character of Messrs. Wright and Shelton, part owners of the *Anna Maria*, was also an object of enquiry in the course of the examinations; but the result, as given in the papers, did not furnish sufficient reason to look upon them as British subjects, however they may still be liable to suspicion.

We beg that we may be permitted to draw your Lordship's attention to the fact of the sailing of the *Anna Maria* from St. Jago de Cuba in the month of December 1820, six months after the abolition of the Slave Trade by Spain, under the sanction of the authorities of that place, as appears by the passport, dated 1st of December 1820, which was given to the vessel by Don Francisco Xavica de Radillo, commandant of
marine

marine at St. Jago; and by a certificate, dated 2d of December 1820, of duties having been paid on certain goods shipped on board of the *Anna Maria*, for the traffic in slaves, given by two officers of the royal treasury at St. Jago.

Your Lordship will perceive by the examination of George Gardner, that at the time that the *Anna Maria* sailed from St. Jago de Cuba, a ship heavily armed, and a schooner, were fitting out at that port for a slave trading voyage to the coast of Africa. The name of the ship is the *Corshair*, and Gardner thinks she may be at this moment on the coast.

We have the honour to be, &c. (signed) *E. Gregory.*
Edward Fitzgerald.

(First Inclosure in N° 81.)

An Abstract of the case of the schooner *Anna Maria*, under Spanish colours;
Juan de la Roche, master.

(Extract.)

Sierra Leone, 17th May 1821.

THE fact of the *Anna Maria* being crowded with negroes, the declaration of the captor, and the depositions of the chief mate and seamen of the schooner, afforded the court the proof of the traffic in which she was engaged.

The *Anna Maria* was fitted out for a slave trading voyage at St. Jago de Cuba, under the sanction of the authorities of that place. Her passport, dated the 1st December 1820, was a general one, permitting her to proceed to the Portuguese island of Princes, for the purposes of commerce of an undefined nature; but a certificate of two officers of the royal treasury of St. Jago, dated the 2d December 1820, found amongst her papers, was to the effect, that certain goods therein specified, upon which duties had been paid, were embarked for the purpose of a traffic in negroes. On the 8th of December 1820, (six months after this traffic was totally abolished by Spain,) this vessel left St. Jago with the object of pursuing it on the coast of Africa; an object avowed by the parties, and known to the Spanish authorities.

The schooner, being of 172 tons burthen, was armed with six guns, (18-pounders,) and manned with thirty-five men, some of whom were said to be subjects of His Majesty; one of them, George Gardner, the chief mate, is, we regret to say, on his own acknowledgment, an Englishman. The British part of the commission had hoped, that after the lapse of fourteen years since Great Britain abolished the Slave Trade, no one of her subjects would be found so lost to humanity or to British feeling as to take any part in this detested trade; this is the first instance which the commissioners have discovered of so great a scandal; but they, as it has been intimated above, have the regret to learn that it is not the only instance in the *Anna Maria*. The commissioners have requested the acting Governor to direct the attention of the acting King's advocate of the colony to these offenders.

The papers exhibited in court pointed out Don Antonio Vincent, of St. Jago de Cuba, as the armador, or managing owner, of the *Anna Maria*; but nothing was found to show his title to the vessel; the depositions of Gardner, and of the other witnesses, stated that several persons were concerned in her. Gardner pointed out Smith, the supercargo, and Messrs. Shelton and Wright, merchants of St. Jago, as part owners; Smith and Shelton were declared to be Americans; Wright was, by Gardner, said to be a resident at St. Jago, but of English descent, and by Jones, one of the negro seamen, he was said to be a native of Ireland. A letter appeared amongst the vessel's papers, which seemed to show that Shelton and Wright were in some way or other connected with the schooner. It was addressed by the master, Juan de la Roche, to the two persons, as an acknowledgment to them that he, though nominally the commander of the *Anna Maria*, was subject to the orders of Matthew Smith the supercargo, and that he only considered himself to be the first officer of the vessel under Smith.

The vessel arrived in the river Bonny on the 3d February, and immediately commenced trading in slaves. Between the time of her arrival and that of her capture, it appeared she took in between four and five hundred slaves. On the night of the 23d March she was taken by the boats of His Majesty's ship *Tartar*, Commodore Sir George Collier, assisted by those of His Majesty's brig *Thistle*, Lieutenant Hagan; some of the slaves threw themselves overboard at the time of the capture, and were drowned.

From the crowded state of the vessel, the captor deemed it proper to remove a number of the slaves into the *Tartar*; two hundred and seventy-two were left on board

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board of the *Anna Maria*; of this number thirty-four died during the passage from Bonny to Sierra Leone, and two hundred and thirty-eight were brought into this harbour. On the 16th instant, the court, on a review of the evidence, passed sentence of condemnation against the schooner *Anna Maria*, her tackle, apparel, and furniture, and decreed the emancipation of the two hundred and thirty-eight slaves then on board of her; as also the emancipation of such slaves belonging to the vessel as were removed from her into His Britannic Majesty's ship *Tartar*, and that they should be delivered over to the government of the colony, to be employed as servants or free labourers.

(signed)

E. Gregory,
Edward Fitzgerald.

(Second Inclosure in N° 81.)

The British Commissioners to the acting Governor of Sierra Leone.

Sir,

Sierra Leone, 17th May 1821.

WE have the honour to inform you that the examination of witnesses in the case of the Spanish slave trading schooner *Anna Maria*, were closed yesterday, when the court passed a decree for the condemnation of the vessel, as prize to the British and Spanish governments, and for the emancipation of the slaves brought to this place on board her.

The persons belonging to the schooner, who were examined as witnesses, were the mate, George Gardner, an Englishman, resident for the three last years on the island of Cuba, and two black seamen, Archibald Jones, a native of Curaçoa, and Francisco Maria, a native of St. Domingo.

We beg leave to suggest that the attention of the acting King's advocate should be directed immediately to those persons, and to such others of the schooner's crew as may have been sent on board of His Majesty's ship *Tartar*, if it should be deemed proper to examine or to detain them, with a view to any proceedings on the suspicion of piracy, communicated by Commodore Sir George Collier, or for any other criminal matter.

We have, &c.

(signed)

E. Gregory,
E. Fitzgerald.

N° 82.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

My Lord,

Sierra Leone, 21st June 1821.—(Received 3d Sept.)

WE beg leave, with reference to the dispatch which we had the honour of addressing to your Lordship on the 7th instant, to inform your Lordship that a Portuguese brig, named the *Gairáo*, captured by Commodore Sir George Collier, brought here on the 17th instant, forty-seven slaves belonging to the number found on board of the Spanish schooner *Anna Maria*, at the time of capture; these forty-seven slaves, with seven who died on board of the *Gairáo*, were originally removed from the *Anna Maria* owing to her crowded state, into His Majesty's ship *Tartar*, from whence they were put on board of the *Gairáo*.

The total number of slaves emancipated and registered from the *Anna Maria* is 400; and the total number of the slaves belonging to that vessel, who died after her capture, is ninety-one.

We have the honour to be, &c.

(signed)

E. Gregory,
Edward Fitzgerald.

N° 83.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

My Lord,

Sierra Leone, June 21st, 1821.—(Received 3d Sept.)

WITH reference to the abstract of the case of the Portuguese brigantine *Constante*, enclosed in the dispatch which we had the honour to address to your Lordship on the 6th instant, we beg leave to acquaint your Lordship that a Portuguese brig, named the *Gairáo*, sent in here by Commodore Sir George Collier, brought seven slaves belonging to the number found on board of the *Constante* at the time of capture. These seven slaves, with one who died on board of the *Gairáo*, were originally removed from the *Constante*, owing to her crowded state, into His Majesty's ship *Tartar*, from whence they were put on board of the *Gairáo*.

Proceedings respecting that vessel have been instituted in the British and Portuguese court of mixed commission; by the next opportunity we hope to have the honour of reporting to your Lordship on her case.

We have, &c.

(signed)

E. Gregory,
Edward Fitzgerald.

N° 84.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

My Lord, Sierra Leone, 5th August 1821.—(Received 20th Sept.)

THE registrar of the courts of mixed commissions received a few days ago a letter, of which we have the honour to inclose the copy, from Don Francisco Lefer, his Catholic Majesty's commissary judge, written at His Majesty's settlement of Bathurst, in the river Gambia, for the purpose of announcing that he was under the necessity, from the infirm state of his health, of returning to Europe. We have learned, through the master of the packet which brought Mr. Lefer's letter to Sierra Leone, that that gentleman left the Gambia in the early part of July, in a British vessel bound for Guernsey.

Some dispatches have arrived here for the Spanish commissioners, which were sent to Mr. Woods, the acting registrar, to Mr. Lefer's address in the Gambia, but were returned, in consequence of his departure for Europe. We have the honour to send them inclosed to your Lordship.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N° 84.)

The Spanish Commissary Judge to the Registrar of the Mixed Commission.

Bathurst, St. Mary's, 29th June 1821.

THE undersigned, his Catholic Majesty's commissary judge, presents his compliments to the registrar of the Spanish and British mixed commission, and requests he will acquaint his Britannick Majesty's commissioners, that his health is so much decayed since his departure from Sierra Leone, that the doctor's opinion is, that he cannot hope to recover it on this coast; wherefore the undersigned sees himself in the painful necessity to return to Europe, to re-establish his health, since his remaining any longer in this country would expose his life, without any utility to his government.

The undersigned wishes sincerely, and hopes to be able in a short time to return to Sierra Leone, to co-operate with His Britannic Majesty's commissioners, to the fulfilling of the beneficial views of their respective governments.

The undersigned, &c. (signed) *Francisco Lefer.*

N° 85.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

(Extract.) Sierra Leone, 25th August 1821.—(Received 5th Nov.)

WE have the honour to forward to your Lordship, a statement of the case of the Portuguese brig Gavião, recently sent in here by His Majesty's ships Tartar and Thistle, for adjudication, under a charge of illicit trading in slaves, and liberated by a decree of the mixed commission court.

This case being of an intricate nature, and His Majesty's commissioners having differed in opinion upon the question to which it was ultimately reduced, they have recorded those opinions in detail, as they were read in court in the course of the judgment.

Mr. Altavilla, although he expressed his sentiments very particularly upon each material point of the case in the progress of the examinations, and of the discussions upon them, preliminary to the judgment, declined giving any formal written opinion in the final determination. The general tenor of his arguments, and the principles on which they are founded, have been included in the preliminary statements of His Majesty's commissioners of arbitration, for the purpose of preserving them in a secure form.

(signed) *E. Gregory.*
Edward Fitzgerald.

(Inclosure in N° 85.)

Case of the Portuguese Brig Gavião, of Pernambuco, Jose Beato Macedo, master;
Elias Coelho Cintra, sole owner.

Sierra Leone, August 25th, 1821.

THE Gavião sailed from Pernambuco on the 6th of September 1821, with regular papers for a legal slave trading voyage. She had clearing papers for Cabinda, in 4 deg. 5 min. south latitude, by the way of Angola and St. Thomas. A letter of instructions, addressed by the owner to the master, Macedo, and, in default of him, successively to the pilot, Duarte, and the clerk, Barabino, gave particular directions for the various objects of the voyage, the range of which was, by this letter, extended to Princes Island, latitude 1 deg. 49 min. north, as well as to St. Thomas. Correspondents

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pondents at all those places were specially mentioned, who would give assistance, and furnish any supplies that might be necessary.

The Gavião was constrained, by adverse weather, to put into Paraiba, on the coast of Brazil, and afterwards into Bahia. She subsequently proceeded on her voyage, stopping successively at Angola, St. Thomas and Princes Island; sailed from the last-mentioned place with clearance for Cabinda; but went direct to Old Calabar, latitude 4 deg. 32 min. north, where she was seized, at anchor, on the morning the 9th of April, having arrived at the anchorage at six o'clock on the evening of the 7th. The seizure was made on the ground of illicit trading in slaves: the vessel was brought to Sierra Leone for adjudication.

On the 19th of June the British and Portuguese mixed commission proceeded to examine witnesses in the case, which, in the first instance, turned upon a supposed embarkation of one or more negroes, as slaves, for the traffic at Calabar, where the vessel was taken.

It was clearly proved that no negro was taken on board at that place.

The inquiry was then directed to the question of the legality or illegality of the embarkation of certain slaves, seven in number, bought by the master, three at St. Thomas's, and four at Princes Island, and taken on board for the alleged purpose of assisting in the labours of the ship, a reduction of the original crew having rendered such assistance necessary.

These negroes were taken on board with the consents of the local governments, which consents appeared written on the face of petitions presented by the master, for the purpose of obtaining them.

In the petition presented at Princes Island, the four slaves embarked there were described as free men; and the master being interrogated upon this point, said, he described them as free, because he intended to give them their freedom, and to employ them as free sailors.

The evidence of the master was supported by other witnesses, in respect to the reduction of the numbers of the original crew, and in respect to the actual employment of these negroes in the works of the ship. They messed with the crew, and they were not under any restraint.

Upon this evidence the case came to be decided. Mr. Altavilla, his most Faithful Majesty's commissary judge, gave his opinion simply, that the vessel had not been engaged in illegal Slave Trade, and, therefore, the claimant was entitled to restitution.

Mr. Gregory, His Britannic Majesty's commissary judge, was of opinion, upon a general view of the case, that there were numerous proofs of an intent of illegal slave trading; and, considering the denomination of free men, as applied to the negroes bought as slaves at Princes Island, to have been designed merely as a deception to cover a destination of those negroes for the traffic, he was of opinion, that these four negroes were illegally embarked at Princes Island, consequently, in his opinion, the vessel ought to be condemned as lawful prize.

Mr. Fitzgerald, His Britannic Majesty's commissioner of arbitration, sat with the two commissary judges, in pursuance of the present established construction of that part of the 14th article of the convention, which, in the event of the death of either of the Portuguese commissioners, authorizes the remaining individual of the commission to proceed equally. By that construction, it is agreed that a vacancy by departure from the colony should be considered on the same footing as a vacancy by death, and that all the remaining members should sit simultaneously as independent judges, the majority to decide in cases of difference, as the ballot is not available in such cases.

This construction was first adopted in the Spanish court, in the case of the Nuestra Senora de Regla, when the British commissary judge and commissioner of arbitration sat with the Spanish commissioner of arbitration, in consequence of the inability of the Spanish commissary judge to attend to business, through severe indisposition. This precedent was, upon the same ground, adopted and followed on the vacancy in the Netherlands commission, by the departure of M. Van Sertima from the colony; and more recently in the Portuguese court, on the departure of M. de la Figaniere, his most Faithful Majesty's commissioner of arbitration.

Mr. Fitzgerald having reserved his opinion until the other gentlemen had pronounced theirs, thought it expedient, on finding that they differed, to examine further witnesses, and especially the negro seamen, in order to ascertain more fully whether the alleged diminution had actually taken place in the original crew, and whether the negroes embarked at St. Thomas's and at Princes Island were employed

on board in a manner conformable to the want alleged to have arisen from this diminution. The negroes embarked at those places were personally examined upon the last-mentioned point.

The diminution of the crew, and the employment of these negroes in the works of the ship, appeared to be fully established by the result of these additional examinations.

Upon mature consideration of this additional evidence, together with that previously before the court, Mr. Fitzgerald was of opinion, that there was a reduction of the crew both in number and in quality, those who left the ship being principally white men. He was further of opinion, that this was a sufficient motive to take in the assistance of the negroes embarked at St. Thomas's and Princes Island; that, as far as could be ascertained, it was the real motive; and that the negroes were employed, conformably to it, in the works of the ship. According to these impressions, he thought that the vessel had not been actually engaged in illegal Slave Trade, and, consequently, she ought to be restored.

Mr. Fitzgerald, however, agreed fully with Mr. Gregory, that there were proofs of an intent of illegal slave trading, and that the vessel went into Calabar in pursuance of that intent, and for that purpose. This intent, and the situation in which the vessel was found, should, he thought, debar the claimant from damage, although no actual trading in slaves had been proved.

The restitution of the vessel was decreed, in accordance with the concurring opinions of Mr. Altavilla and Mr. Fitzgerald.

Upon further deliberation, it appeared expedient to defer the consideration of demurrage and damages until the claimant should apply to the court on that head.

(signed) *E. Gregory.*
Edward Fitzgerald.

N° 86.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

My Lord, Sierra Leone, 20th Sept. 1821.—(Received 5th Nov.)

WE have the honour to inclose, for the information of your Lordship, an abstract of the case of the Portuguese slave trading schooner *Adelaide*, captured by His Majesty's ships *Pheasant*, *Captain Kelly*, and *Myrmidon*, *Captain Leeke*, brought into Sierra Leone on the 10th, and condemned as prize on the 17th instant.

Nothing further than what is contained in the enclosed abstract, presented itself in this case worthy of your Lordship's notice.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N° 86.)

(Abstract of the case of the Portuguese schooner *Adelaide*, *Jose Gonzalvez l'Aranjo*, master.)

Sierra Leone, 17th September 1821.

It appeared from the depositions of the witnesses in this case, that the *Adelaide* was equipped at Bahia, under the direction of her owner, *Nicolaii Marques da Silva*, and that she sailed from that port in the month of March last; her clearance papers stated that she was bound to Molembo for a cargo of slaves, and her passport allowed her to take in there 315 slaves, being the number rated according to her burthen of 126 tons.

Instead, however, of proceeding to Molembo, the *Adelaide* directed her course to Cape Palmas, lat. 4 deg. 35 min. north, from whence she proceeded within sight of land to Commenda on the Gold Coast. At Commenda she anchored, and the master went on shore to purchase canoes. In answer to special interrogatories, the master said that he landed under one of the forts of Commenda, but whether it was the English or Dutch fort, he could not recollect; he purchased one or two canoes from natives who lived at some distance from the forts. From Commenda, the *Adelaide* proceeded on to Elmina, but was prevented from anchoring off that place by His Majesty's sloop *Pheasant*. The slave trading equipment of the *Adelaide* being observed by *Captain Kelly*, the commander of the *Pheasant*, her master was warned by that officer not to engage in a traffic of an illicit nature. Not profiting by this warning, the master proceeded with the *Adelaide* to Quitta, to purchase canoes, those that he had bought at Commenda having been sent adrift on the approach of the *Pheasant* at Elmina. The master stated that he landed under the Danish fort at Quitta, but that he bought a canoe from natives who resided at some distance from the fort.

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From Quitta the Adelaide proceeded to Popo, where she took in canoe-men; and from thence to Badagary, situated in about lat. 6 deg. north, where her master commenced trading in slaves.

At Badagary, the master was employed about two months in the collection of slaves. On or about the 21st July, the Adelaide was again visited by the Pheasant, then proceeding down the coast; but as the Adelaide had not then slaves on board, she was not molested. On the succeeding day, the slaves to the number of 232, were all shipped on board of the schooner, and she left that part of the coast to proceed to Bahia. On the 25th, however, being in the vicinity of Cape Formosa, lat. 4 deg. 15 min. north, she was discovered at some distance by the Pheasant, and by His Majesty's sloop Myrmidon, Captain Leeke, who gave chase and captured her. During the passage to Sierra Leone, twenty-five slaves died, and one on his being landed here.

The British and Portuguese court of mixed commission, on a view of this case, passed sentence of condemnation against the Adelaide, and decreed her slaves to be emancipated.

(signed) *E. Gregory,*
Edward Fitzgerald.

N° 87.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.
My Lord, Sierra Leone, 27th Sept. 1821.—(Received 12th Dec.)

HEREWITH we inclose for the information of your Lordship, an abstract of the case of the Portuguese schooner *Conçeição*, captured in Old Calabar river on the 2d ultimo, with fifty-six slaves on board, by His Majesty's brig, *Snapper*, Lieutenant Knight commanding. The *Conçeição* was yesterday condemned as prize, by the British and Portuguese court of mixed commission.

The revolutionary movements which had previously arisen in the other parts of the Portuguese dominions, having extended their influence to Princes Island, a provisional government has, it appears, been formed there. There is reason to think that the change is not favourable to the strict observance or enforcement of the prohibitions and restraints attached to the pursuit of the Slave Trade to the northward of the equator.

We are sorry to say it is extremely probable that a member of the provisional government was concerned in the equipment of the *Conçeição*, which is the more to be lamented, as such an example must remove from the minds of the people of the island all apprehension of the interposition of the local authorities, to prevent similar transgressions on the part of any that may be so disposed.

In this case of the *Conçeição*, as well as in the preceding one of the Adelaide, the masters having no defence to make, were willing to expedite as much as they could, the proceedings on the part of the captors; they consented, on a suggestion of the commissioners, that the slaves should be landed as soon as convenience would admit; this was done accordingly; but in the case of the Adelaide, the absence of the chief superintendent of captured negroes, and the indisposition of his assistant, caused a delay of a couple of days in disposing of them. It will always be a particular object of attention on our part, to release those victims of avarice and oppression from their sufferings on board the vessels in which they are brought hither, as immediately as a due regard to the impartial discharge of our judicial duty, and to your Lordship's instructions for the cultivation of a good understanding between His Majesty's subjects and those of his most Faithful Majesty, will admit. In ordinary cases, the delay incident to the final adjudication of a vessel having a plurality of slaves on board, will not exceed a couple of days, if the court shall be allowed to proceed in its business without interruption; the preparations for the reception and disposal of the negroes on shore by the superintendent, can seldom be arranged in a shorter time.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N° 87.)

(Abstract of the case of the Portuguese schooner *Conçeição*, Antonio de Paola Barboza, master.)

Sierra Leone, 26th September 1821.

THE *Conçeição* was fitted out at Princes Island; her papers stated that she was bound to Cabinda for slaves, with which she was to proceed to Bahia, and that she belonged to Donna Maria da Cruz of Princes. She had no royal passport, but she

she had a simple pass, given in the name of João Baptista à Silva de Lagos, yet signed by Jozé Rodriguez Pedronho, and Jozé Xavier Gonzaga de Sá, who, in some of the papers, were styled members of the provisional government of Princes Island.

The *Conceição* sailed from Princes about the commencement of July last, and proceeded to Old Calabar river, where she was captured on the 3d of August following by His Majesty's brig *Snapper*, Lieutenant Knight, with fifty-six slaves on board; two of the slaves died on the voyage from Calabar to Sierra Leone.

The master of the *Conceição*, on his examination, stated that he understood that Donna Maria da Cruz was the owner of the vessel, but that he was placed in the command of the schooner by Jozé Xavier Gonzaga de Sá, member of the provisional government, who also hired and shipped the crew, which consisted of twenty-nine persons, including himself and the officers. The master stated also, that he had not seen any bill of sale of the vessel, but he understood that she had been sold to Jozé Xavier Gonzaga de Sá. There was not any bill of sale amongst the vessel's papers, nor any document showing Gonzaga de Sá's right to the *Conceição*. A passenger was on board of the schooner at the time of capture, his name was Jeronimo Xavier de Sá, and he was said to be a cousin of the member of the provisional government of Princes Island.

The master having admitted that he shipped the slaves on board of the *Conceição* at Calabar, the British and Portuguese court of mixed commission passed sentence of condemnation against her, and decreed her slaves to be emancipated.

(signed) *E. Gregory,*
Edward Fitzgerald.

N^o 88.—William Hamilton, Esq. to the British Commissioners at Sierra Leone.

Gentlemen,

Foreign Office, 25th October 1821.

I HAVE the honour to acquaint you, by direction of the Secretary of State, for your information, and that of the other gentlemen acting with you in the mixed commission, of which you are members, that it appears, by a communication from the Admiralty, dated the 18th of October instant, that the instructions referred to in the treaty with the Netherlands for the prevention of the Slave Trade, which had been issued to His Majesty's ship *Euryalus*, upon the West Indian station, have been transferred from that ship to His Majesty's ship *Tamar*, of sixteen guns, Captain Sir William Saltonstall Wiseman.

I am, &c. (signed) *W. Hamilton.*

Note.—A similar letter was sent to the commissioners at Surinam.

N^o 89.—Viscount Sidmouth to the British Commissioners at Sierra Leone.

Gentlemen,

Foreign Office, October 30th. 1821.

YOUR several dispatches up to the 21st of June last, containing an account of the proceedings of the different mixed commissions have been received.

The contents of those dispatches have occupied the serious consideration of His Majesty's government, and with the view to avoid the repetition of those diversities of opinion between yourselves and the different branches of the public service in the colony, which are so detrimental to His Majesty's service, and hurtful to the complete and effectual execution of the duties of the several commissions for preventing illegal traffic in slaves, such instructions will be given to the Governor of Sierra Leone, and to the naval commander on the station, as may be deemed most advisable to attain this desired object.

In the mean time I have to acquaint you, with reference to the representations which have been made respecting the forms of proceedings of the mixed courts at Sierra Leone, that the court must be considered as open to all persons when the commissioners are engaged in the exercise of their judicial functions, and the instruction in the printed memorandum, "that the parties are directed not to be admitted to the examination of witnesses," is not to be considered as an exception to this principle.

With respect to the question, whether or no the commissioners should be present when the interrogatories are put to the witnesses, I have further to acquaint you, that it is the opinion of His Majesty's legal advisers, that unless such examination take place in open court, it will be more proper that the commissioners should not be present, more especially under the particular form of judicature authorized by the commissioners under the treaties.

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I cannot close this dispatch without again impressing upon you the absolute necessity, that you will in all your communications and demeanour as His Majesty's commissioners, preserve a tone and spirit of conciliation, which will enable you the better to carry into effect the purposes of the treaties with temperance and justice.

I am, &c. (signed) *Sidmouth.*

N° 90.—The Marquess of Londonderry to the British Commissioners at Sierra Leone.

(Postscript to the Duplicate of the last Dispatch.)

Foreign Office, 20th November 1821.

UPON the subject of open courts, if you should still find the commissioners of Spain, Portugal, and the Netherlands, averse to this mode of proceeding, you will see the propriety of referring them to the communications in pages 106, 134, and 168, of class B. in the papers on the Slave Trade, presented to Parliament in the course of the last session, in which communications those gentlemen will see the opinion of their courts decidedly expressed in coincidence with the wishes of His Majesty's government upon the subject.

(signed) *Londonderry.*

N° 91.—William Hamilton, Esq. to the British Commissioners at Sierra Leone.

Gentlemen,

Foreign Office, November 13th, 1821.

IN reference to Viscount Sidmouth's dispatch to you of the 30th of October last, I transmit to you the accompanying copy of a letter from the Under Secretary of State for the colonial department, dated the 8th instant; and I am directed by the Marquess of Londonderry, to call your particular attention to that part of it which suggests, that you should request the assistance of the Governor of Sierra Leone, in all cases in which any delay in landing the slaves might be attended with fatal consequences to those suffering individuals.

I am, &c. (signed) *William Hamilton.*

(Inclosure in N° 91.)

Henry Goulburn, Esq. to William Hamilton, Esq.

(Extract.)

Downing Street, 8th November 1821.

I HAVE laid before Lord Bathurst your letter of the 29th ultimo, inclosing dispatches which had been received from the British commissioners at Sierra Leone, on the subject of certain differences which had arisen between the commissioners and the local authorities, on points connected with the detail of the treaties for preventing an illegal Slave Trade; and I am directed to acquaint you that Lord Bathurst has given instructions to Sir Charles M'Carthy not to interfere with the ordinary disposition of slaves under the authority of the commissary judges until sentence has been pronounced, or his assistance formally required. His Lordship would however suggest to Lord Londonderry, whether the commissary judges should not receive instructions to call in the Governor's assistance in all cases in which, like those of the Anna Maria and Eugenia, any delay in landing the slaves might be attended with the most fatal consequences to these suffering individuals.

(signed) *Henry Goulburn.*

N° 92.—Joseph Planta, jun. Esq. to His Majesty's Commissioners at Sierra Leone.

Gentlemen,

Foreign Office, 20th November 1821.

I AM directed by Lord Londonderry to acquaint you, for your information, and that of the gentlemen acting with you in the mixed British and Netherlands commission, that it appears, by a communication which his Lordship has received from the Baron Fagel, ambassador from the King of the Netherlands, at this court, that the Netherlands corvette de Komut (*La Comète*), of 150 men and 28 guns, Captain Pieterzen, under orders for the western coast of Africa, and for the East Indies, will be furnished with a copy of the treaty of the 4th May 1818, and of the documents thereunto annexed, for the repression of the traffic in slaves.

I am, &c. (signed) *J. Planta, jun.*

Note.—A similar letter was sent to the commissioners at Surinam.

N^o 93.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

My Lord, Sierra Leone, Dec. 15th, 1821.—(Received 7th March 1822.)

IN laying before your Lordship the case of the Spanish slave trading schooners *Nuestra Senora de la Caridad*, and *Nueva Virgen*, taken by His Majesty's ship *Myrmidon*, Captain Leeke, on the 5th September last, in the river Bonny, and condemned by the British and Spanish court of mixed commission on the 7th of November, we consider it a point of duty to notice particularly an abuse which the concurrence of these instances would indicate to be not uncommon. This abuse consists in the renewal of the royal passports of the legitimate traffic for fresh voyages, by means of notes or memoranda endorsed or subjoined, bearing the signature of the local authorities, and assigning some colourable pretext for the assent of those authorities to this direct and open violation of the treaties.

In respect to the present voyages, that pretext is the conveyance of slaves alleged to have been already purchased and left behind, in former voyages, on the coast to the southward of the Line. It appears by the log-book of the *Nueva Virgen*, that an agent was left in the vicinity of Cape Lopez, for the purpose of purchasing slaves, or of collecting slaves already purchased. But this serves but to mark more strongly the collusion of the local authorities with the traders, for the violation of the treaties by the illegal prolongation of the traffic. It is not improbable, however, that these endorsed notes of renewal might have been fabricated by the traders, and it may at least be expected that such a defence will be set up.

The Spanish government, it seems, has not issued any new passports since the expiration of the term to which the trade, in a legitimate or permitted form, was restricted. One of these notes of renewal is dated the 29th of May 1820. This would not have been necessary if a new passport could even then have been had.

It will not be necessary for us to trouble your Lordship by pursuing further those observations which we trust we may be excused for having thus far offered. Certified copies of the passports in question accompany this communication, and they will convey to your Lordship's judgment more correctly than any reasoning of ours, the opinions and inferences that are most properly deducible from the several parts of them.

We have the honour, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

(Inclosure in N^o 93.)

(Abstract of the case of the brig *la Caridad*, and of the schooner *la Nueva Virgen*, under Spanish colours.)

Sierra Leone, Dec. 15th, 1821.

THE *Caridad* and *la Nueva Virgen*, were brought to Sierra Leone on the 4th of November 1821, by His Majesty's sloop *Myrmidon*, Captain Leeke, without any of their original Spanish crew on board, but with a number of negroes that had been shipped in the river Bonny.

The facts relating to these vessels, as stated in the declarations of Captain Leeke, and in the examinations of himself and of his officers, are as follows :

About the 11th of August last, an attempt was made by the boats of the *Myrmidon* to visit the brig and the schooner; the crews of those vessels having powerful means of defence, opened a heavy fire on the approach of the first boat, and succeeded in obliging the party to retire, yet not until, unfortunately, two officers, one of them the commander of the party, with a serjeant of marines and a seaman, were wounded. At the next spring tides after this affair, Captain Leeke proceeded in the *Myrmidon* to the place where the vessels lay, which was a considerable distance up the river; he found the brig and the schooner entirely abandoned.

The slaves had been removed from both vessels, as well as some part of their cargo.

The masters of the Spanish vessels, on the arrival of the *Myrmidon*, sent a letter to Captain Leeke by the master of a French vessel, then taking in slaves at Bonny, expressing their regret that they should have fired upon the boats of the *Myrmidon*; that they knew not to whom the boats belonged; that they were extremely sorry for what they had done, and begged Captain Leeke that he would pity their situation.

Captain Leeke demanded the slaves and the cargo that had been removed from the vessels. The Spanish masters accordingly sent to Captain Leeke 149 slaves belonging to the brig, and 130 slaves belonging to the schooner; they also sent the papers of both the vessels. These papers consisted of a royal passport, a log-book, a muster-

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roll, and a Mediterranean pass of the Caridad ; and of similar documents belonging to the Nueva Virgen. It appeared from these papers that both the vessels were fitted out at Santiago de Cuba ; the brig was commanded by José Sargana, was armed with seven guns of different calibres, and with small arms, and was manned with forty-two men.

The passport of la Caridad bore the original date of Madrid, 2d of April 1818, and had the usual royal and official signatures. It was made effective at Cuba on the 4th of March 1819, in favour of the brig Cometa, Don Juan Francisco Ballejos, master ; Antonio Balliant, owner, coming to the coast of Africa for 485 slaves, signed Luis de Arruc. In the present instance, it was put in operation in favour of Don José Sagana, and authorised him "to proceed to the coast of Africa, to the southward of the equinoctial Line, with the brig under his command called Nuestra Senora de la Caridad, in search of the negroes, that he had left there, as had been fully verified by the documents which he had produced, dated Cuba 21st of April 1821 ; signed Francisco Xavier de Radillo." This authorization was endorsed on the manuscript note upon the back of the passport.

The schooner la Nueva Virgen was commanded by Juan Bautista Valanzo, mounted three guns of various calibres, had small arms, and a crew of twenty-three men. Her passport was originally given in favour of the schooner Nueva Virgen, José Izaura, master and owner ; it was dated Madrid, the 14th July 1818, and had the usual royal and official signatures. It was made effective for the conveyance of 250 slaves, by the authority of the commandant of the marine at the Havannah, under date of Cuba, 23d September 1819 ; signed Augustin Figueroa, Francisco Xavier de Radillo.

This passport was renewed by a few lines endorsed in manuscript, in favour of the new Captain, Don Juan Bautista Valanzo, authorizing a voyage to the permitted parts of the coast of Africa to trade in slaves, complying with the requisite forms. This endorsement is dated Cuba, the 21st of May 1820 ; signed Francisco Xavier de Radillo.

Another endorsed memorandum, "in consequence of the sickness of the above-named Captain Valanzo," authorizes Don Carlos Panjust to take the command of the vessel in his place, and to proceed on the voyage, having complied with the necessary forms, "dated Cuba, 26th of June 1820 ; signed Luis de Arruc."

A third endorsed memorandum, renders the passport effective for the present voyage, in the terms of the following tenor :

"Renewed in favour of Don Juan Bautista Valanzo, in order that he, with the above-named schooner, may proceed from this port to the coast of Africa, south of the equinoctial Line, in search of the negroes which were left there, as a part of her cargo, by the brig proceeding from this port, named el Aquiles, as the principal owner, Don Antonio Vinentes, has made apparent, by judicial documents, which have obtained for him the necessary permission from the other authorities of this place, Cuba, 17th of April 1821 ; signed Francisco Xavier de Radillo.

It appeared by the log-book of the Nueva Virgen, that she left Santiago de Cuba on the 8th of May 1821, in company with the schooner Estrella and the brig Caridad ; the three vessels, as was expressed, "being destined to the coast of Africa, to the south of the equator, to take away from thence 239 negroes that had been left by the brig Aquiles, Don Pedro Cardona master."

The commissioners, at the conclusion of the examinations of Captain Leeke and his officers, thought that the papers given to Captain Leeke, by the masters of the Caridad and Nueva Virgen, clearly established them Spanish characters : The commissioners further examined some of the negroes of each vessel ; they deposed that they were natives of the Hiboo country, which is in the neighbourhood of Bonny river, and that they were sold to the masters of the brig and of the schooner. The commissioners, on the evidence thus obtained, decreed, on the 7th of November, the Caridad and the Nueva Virgen to be condemned as prize, for being engaged in the traffic in slaves. The slaves on board those vessels were, at the same time, adjudged to be emancipated. Accordingly, 136 negroes from the Caridad, and 106 negroes from the Nueva Virgen, were delivered over to the colonial government ; during the passage from Bonny to Sierra Leone, seventeen negroes died on board of the first, and thirty-four on board of the second vessel.

(signed) *E. Gregory,*
Edward Fitzgerald.

N^o 94.—Messrs. Gregory and Fitzgerald to the Marquess of Londonderry.

(Extract.) Sierra Leone, 10th January 1822.—(Received 7th March.)

WE observed several months since, by the statements in the newspapers, that the report which we had the honour to address to your Lordship on the 5th of January 1821, concerning the general state of the Slave Trade on this coast of Africa at that time, was considered as far too sanguine.

Naturally anxious as we felt for the character of that report, we conceived that without presuming to enter into controversy with the high authorities from which that opinion is stated to have emanated, or with the distinguished individuals who are said to have expressed opinions somewhat similar, it might be permitted to us as a matter of official duty, to offer a few facts in the way of explanation.

We thought it expedient, however, to delay this explanation, in order to afford opportunity for collecting more extended and more accurate intelligence, and by this intelligence to authenticate our general conclusions, being fully persuaded that no measures of really wise and beneficent policy can be formed on a solid foundation, or be managed with due effect in operative administration, further than as they shall be suggested and directed by strict truth in matters of fact.

After the enquiries and considerations of an interval of six months, we first became apprized of the questionable view in which the state of the traffic, as communicated in the reports, was regarded, we are still most humbly of opinion that the information which we had the honour to convey to your Lordship in that report, is as correct as the nature of the subject and the extent of the scene would admit.

The main fact upon which the occasion for forming that report suggested itself, was, that in the six months which had elapsed since the opening of the new commission in June 1820, to the date of the report, not more than one slave ship had been brought into Sierra Leone for adjudication under the treaties.

That vessel was the Spanish schooner *Montserrate*, taken in the river of Little Cape Mount, by His Majesty's brig *Thistle*, Lieutenant Hagan, and condemned as prize by the British and Spanish commissioners on the 2d November 1820.

We beg leave now, after a further lapse of twelve months, to request your Lordship's consideration of the still more remarkable fact, that not a single slave trading vessel has in that period, been detained by any of His Majesty's cruisers, to the northward of Cape Coast.

We are aware that this fact will not warrant an inference, that during these twelve months no Slave Trade has been carried on in those latitudes, under the flags of the powers included in the mixed commission treaties; some slave trading vessels under those flags having been, in more than one instance, found mixed with the French traders, who came boldly in considerable numbers to Cape Mount and the Gallinas, and to every other slave trading station, in consequence of the exemption of the French flag from that strict visitation which the treaties impose on all who are subject to their influence.

From the best intelligence that we could collect, we were led to think that the following might be a tolerably correct general view of the state of the traffic during the year 1821.

Regarding the coast to the northward of the Equator, as divided in to three sections; the first, extending from this colony northward, and comprehending the usual haunts of the slave traders in these parts, as far as His Majesty's cruisers have carried their operations; the second intermediate between this colony and Cape Coast; the the third, extending from Cape Coast to the equinoctial Line; there is reason to believe that in the first section to the northward of this colony, the traffic was in a great measure suppressed; in the section extending from this colony to Cape Coast, the operations of the traders were much cramped, and it was only in the rivers and stations from Cape Coast southward to the equinoctial Line, that the traffic was carried on in the bold and open manner in which it was pursued in every part, before the establishment of the commissions, and before His Majesty's squadron was permanently stationed on the coast.

Recently the interruptions and captures in the rivers and stations of that southern section, have been of a nature to cause material, and probably lasting derangement in the traffic. But this derangement is connected altogether with the frequency of the visitation on the part of the cruisers, insomuch that during the period when the more active and constant exertions of the chief part of the squadron were transferred to the southward in the course of the year 1821, advantage was, it is said, taken of their absence to carry off some cargoes of slaves from the northern stations, in which the traffic had been previously almost altogether terminated.

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Having humbly offered these explanatory facts and observations in favour of the report, dated 5th January 1821, we have no wish to expose ourselves unnecessarily to the observation that we have travelled out of our province, in taking upon ourselves to communicate any intelligence of this kind, however immediately accessible to us; however directly presented in the course of our ordinary duties; unless, therefore, we shall receive your Lordship's commands to forward such information, when it may be deemed of sufficient importance, we shall forbear in future to notice the matters that may be considered adapted to such communications, otherwise than as such matters shall blend themselves incidentally with the case immediately under our consideration.

Lieutenant Hagan, of His Majesty's brig *Thistle*, arrived yesterday, from the Rio Pongas, with a Spanish slave trading schooner, named the *Rosalía*, as his prize; Lieutenant Hagan has been for several years intimately acquainted with this river, and with the native chiefs who have trading factories on its banks; he states as the result of information obtained in this and in another very recent visit, that they are all anxious to renounce the Slave Trade, and to put themselves under the protection of this colony for purposes of legitimate commerce.

We have the honour to be, &c. (signed) *E. Gregory,*
Edward Fitzgerald.

N° 95.—The Marquess of Londonderry to the British Commissioners at
Sierra Leone.

Gentlemen,

Foreign Office, 15th January 1822.

I TRANSMIT to you herewith for your information, and that of the other members of your board of commission, the accompanying copy of a note dated the 8th instant, which has been addressed to me by the Ambassador of the King of the Netherlands, at this court, stating that the Netherland corvette *Kemphaan*, under orders for the West Indies, will be furnished with a copy of the treaty of the 4th of May 1818, and of the documents annexed thereto, relative to the suppression of the traffic in slaves.

I am, &c. (signed) *Londonderry.*

Note.—A similar letter was sent to the commissioners at Surinam.

(Inclosure in N° 95.)

The Baron Fagel to the Marquess of Londonderry.

Whitehall Place, le 8 Janvier, 1822.

LE soussigné, Ambassadeur Extraordinaire et Plénipotentiaire de sa Majesté le Roi des Pays-Bas, Grand Duc de Luxembourg, s'acquitte des ordres qu'il vient de recevoir de sa cour, en portant à la connoissance de son Excellence le Lord Marquis de Londonderry, que la corvette de sa dite Majesté, de *Kemphaan*, de 100 hommes d'équipage et de 18 pièces de canon, commandée par le capitaine-lieutenant de vaisseau, *Dingemans*, et qui partira dans le courant de ce mois pour les Indes Occidentales, sera pourvue d'un exemplaire du traité du 4 Mai 1818, et des pièces y annexées, relativement à la répression du Commerce des Esclaves.

Le soussigné saisit cette occasion pour renouveler à son Excellence le Lord Marquis de Londonderry l'assurance de sa haute considération.

(signée) *H. Fagel.*

(Translation.)

Whitehall Place, 8th January 1822.

The undersigned, Ambassador Extraordinary and Plenipotentiary of his Majesty the King of the Netherlands, Grand Duke of Luxemburg, agreeably to the orders which he has received from his court, acquaints his Excellency the Marquess of Londonderry, that the corvette, belonging to his said Majesty, de *Kemphaan*, of 100 men and 18 guns, commanded by the captain-lieutenant *Dingemans*, and which will sail in the course of this month for the West Indies, will be furnished with a copy of the treaty of the 4th May 1818, and of the documents annexed thereto, relative to the suppression of the Trade in Slaves.

The undersigned takes this opportunity of renewing to his Excellency the Marquess of Londonderry the assurance of his high consideration.

(signed) *H. Fagel.*

N^o 96.—The Marquess of Londonderry to the British Commissioners at Sierra Leone.

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Commissioners.

Gentlemen,

Foreign Office, March 10th, 1822.

I HAVE received your dispatches to the 10th January 1822; the last mentioned dispatch containing a report of the state of the Slave Trade on the coast of Africa.

With reference to the paragraph in which you state, that for reasons alluded to by you, you shall in future forbear to make these general reports without direct instructions from me, I have to acquaint you, that His Majesty's government, consider it very desirable that they should have such reports from you, and indeed look upon the making them as an important branch of your duty.

I have therefore to direct, that you will continue to transmit to me from time to time these reports, founded upon the most authentic intelligence that your situation enables you to collect; and I have further to direct, that at the beginning of each year you will send to me, for the purpose of more convenient reference, a general abstract of your proceedings during the year just elapsed.

I am, &c. (signed) *Londonderry.*

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2.—HAVANNAH.

N^o 97.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, Havannah, January 10th, 1821.—(Received 13th March.)

I HAVE the honour to inclose a list of slave ships which have entered this port and that of Maturas since the middle of December last.

2. Havannah.

No detained vessel has yet been carried into this port for adjudication.

I have the honour to be, &c. (signed) *H. Theo. Kilbee.*

(Inclosure in N^o 97.)

(List of Slave Ships that have entered the Ports of Havannah and Maturas.)

Portuguese brig Romano, D. José Antonio captain, with 454 negroes, consigned to Atkins. Maturas, Dec. 18.

French brig Caroline, D. Felix Triarte captain, with 240 negroes, consigned to Carricaburn, Arrieta & Co. Havannah, Dec. 25.

Spanish ship Minerva, Don José Sanchez Sangredo captain, with 500 negroes, consigned to Don Juan Bautista Zangronir. 1820 :
January 5.

Spanish ship Atalanta, Don Juan Jorge Peoli captain, consigned to Don Francisco de Bengoechea, with 570 negroes. January

N^o 98.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, Havannah, March 7th, 1821.—(Received 22d April.)

I HAVE the honour to inclose a list of the slave ships which have entered this port since the date of my last report.

On the 30th of this month the term expires which was allowed by the governor and intendant for the return of such vessels as have cleared out prior to the 30th May 1820.

No vessel has yet arrived for adjudication.

I am informed that several vessels have lately sailed from hence, whose real destination is the coast of Africa, although nominally bound to ports in the United States.

I have, &c. (signed) *H. Theo. Kilbee.*

(Inclosure in N^o 98.)

(A List of Slave Ships which have entered the Port of the Havannah.)

Portuguese brig Zefiro, Don Victor Nover de Brito captain, with 205 negroes, consigned to Messrs. Cuesta, Manzanal & Toso. February 20.

Spanish ship Nuestra Señora del Pilar, *alias* la Zaragorana, Don Juan Sandeli captain, with 392 negroes, consigned to Don Gabriel Lombillo. March 3.

N^o 99.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, Havannah, April 9th, 1821.—(Received 27th May.)

No vessel has yet been carried into this port for adjudication.

I enclose a list of the slave ships which have arrived here since the date of my last report. I have learnt that other slave ships have lately entered some of the out-ports, but I have not been able to ascertain their names.

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On the 30th ultimo, the term of five months expired, which was allowed by the late governor and the intendant, for the admission of such slave ships as had cleared out from any part of the Spanish dominions in legal time; and I am informed that it is the fixed determination of the government here not to admit henceforth any other slave ships, but such as have actually cleared out from this port previous to the 30th May 1820, and can adduce good reasons for their detention. The posts of the two Spanish members of this mixed commission will very shortly be vacant. The intendant, Don Alexandro Ramirez, who is the commissary judge, has retired to the country, and only waits for the commission of the intendancy of Mexico, to which he has been appointed, in order to proceed to his destination; and the commissioner of arbitration, Don Francisco Arango, has been named a counsellor of state, and as soon as he shall arrange his affairs, purposes proceeding to Madrid.

I have not heard of any intention of appointing successors to those gentlemen; and in the present state of the Peninsula, the matter may possibly escape the recollection of the Spanish government. The 13th article of the regulations for the mixed commissions, annexed to the treaty of September 1817, empowers the captain general to fill up, ad interim, the vacancies which may occur by the death of the Spanish commissioners, and authorizes the commission to proceed to the judgment of slave ships in case of the death of the British judge or arbitrator; but it does not contemplate the case of a vacancy occasioned by any other cause but that of death, nor does it authorize the commission to proceed to judgment in the absence (from whatever cause) of any Spanish commissioner. It appears, therefore, that, if Messrs. Ramirez and Arango proceed to their respective destinations, before the arrival of their successors, the powers of this mixed commission will be virtually suspended.

Both the intendant and Mr. Arango have promised to write to their government upon this subject.

I have, &c. (signed) *H. Theo. Kilbee.*

(Inclosure in N° 99.)

(List of Slave Ships which have entered the Port of the Havannah.)

March 8.

Spanish ship *Herculina*, Captain D. Joze Garay, with 390 negroes, consigned to Messrs. Miró, Pie & Co.

March 11.

American schooner *Esencia*, Captain M. Brown, with 113 negroes, which she left at Matanzas, consigned to Don Luis Martinez.

N° 100.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, — Havannah, May 2d, 1821.—(Received 20th July.)

No vessel has yet been carried into this port for adjudication by this mixed commission.

I have the honour to inclose a list of the slave ships which have entered this port since the date of my last report.

Upon the arrival of the first, namely, the Spanish ship *Merced*, I waited upon the intendant in order to remind him that the further term of five months, allowed by him and the late governor for the admission of slave ships, had expired on the 30th March. I found, however, that he had not returned from the country, but I was informed at his office that the vessel in question had been admitted, because she had cleared out in due time from Barcelona, and had given sufficient cause for her detention.

With respect to the other two vessels, there can be no excuse for their admission, as they both belong to foreign powers, one of which has entirely abolished the Slave Trade, and the other permits its subjects to carry it on solely for the purpose of supplying their own wants. With them, therefore, no cause of detention can be admitted, as they had no legal time for clearing out; and their entrance into this port is expressly contrary to the decree of his Catholic Majesty, issued in September 1817. I am only waiting for the return of the intendant who is daily expected, to bring this matter under his consideration, and that of the captain-general; and by their decision, it will at least be ascertained, whether it be the real intention of the authorities here, to suppress the traffic as far as lies in their power or not. It has been reported, that four other Spanish slave ships have been captured by the insurgent privateers, and that part of their cargoes have been sold on the coasts of this island at very low prices.

I have, &c. (signed) *H. Theo. Kilbee.*

THE SLAVE TRADE.

79

(Inclosure in N^o 100.)

(List of Slave Ships which have entered the Port of the Havannah.)

Spanish ship *Merced*, Don Juan Tramussas captain, with 306 negroes, consigned to Messrs. Martorell & Co.

Portuguese brig *Romana*, Don Antonio José captain, from Matauras, near which port there is great reason to believe that she landed her cargo of negroes.

French schooner brig *l'Africaine*, Mr. B. C. Gnonian captain, consigned to D. Daniel Botefeur; she left her cargo of negroes at the port of Batabanó, on the south of the island.

1821:
April 12.
April 29.

May 1.

N^o 101.—Messrs. Kilbee and Jameson to Viscount Castlereagh.

My Lord, Havannah, June 8th, 1821.—(Received 7th August.)

IN conformity with your Lordship's instructions of last year, we apprized the intendant that we had received, for the purpose of being communicated to our board of commission, a list of such of His Majesty's ships and vessels as are now cruising, supplied with the instructions referred to in the several treaties with foreign powers for preventing the illegal traffic in slaves, which list it was our intention immediately to forward to him. The intendant replied that he had already received a similar list from the government, which he had ordered to be published for the information of the parties concerned; and some time after it accordingly appeared in the Government Journal of this city of the 31st May.

We have the honour, &c. (signed) *H. Theo. Kilbee,*
R. F. Jameson.

N^o 102.—Messrs. Kilbee and Jameson to Viscount Castlereagh.

My Lord, Havannah, June 8th, 1821.—(Received 7th August.)

IT is with great regret that we have the honour to inform your Lordship of the death of the intendant, Don Alexandro Ramirez, his Catholic Majesty's commissary judge here, who expired on the 20th ultimo, after an illness of two days. His loss, both as a private and public character, will be severely felt throughout this island.

The captain-general, in virtue of the authority granted to him by the treaty with Spain, of September 1817, has declared to us his determination of appointing provisionally Don Claudio Pinillos, treasurer of this island, and now acting intendant, to the vacancy in this mixed commission, occasioned by the death of Don Alexandro Ramirez.

The Spanish commissioner of arbitration, Don Francisco Arango, having been appointed a counsellor of state, intends very shortly to proceed to the peninsula.

We have thought it right to apprise His Majesty's ambassador at Madrid of these vacancies in this mixed commission, in order that he may have the goodness to take the necessary steps for having them speedily filled up.

No vessel has yet reached this port for adjudication by this mixed commission.

We have, &c. (signed) *H. Theo. Kilbee,*
R. F. Jameson.

N^o 103.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, Havannah, June 10th, 1821.—(Received 10th August.)

BY the joint dispatch of Mr. Jameson and myself, dated the 8th instant, you will have been apprized of the death of the intendant, Don Alexandro Ramirez, commissary judge of this mixed commission.

Since the date of my last letter, only one slave ship has entered this port, namely, the French brig *l'Aimable Henriette*, J. A. Brint master, with 246 negroes, consigned to Messrs. Blain, Aizpurua & Co.; she arrived on the 6th May.

In my above-mentioned letter I informed you that I was only waiting for the return of the intendant from the country, to bring under his consideration and that of the governor, the cases of other foreign vessels which have lately been admitted into this port, in violation of the decree of his Catholic Majesty, dated in September 1817.

Unfortunately, however, the intendant arrived here only the day previous to the paralytic attack which caused his death, and I had not an opportunity of conversing with him.

After that melancholy event, I took the earliest occasion to draw the attention of the governor to the subject.

I apprized

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I apprized his Excellency of the determination taken by his predecessor and the intendast to grant five months, in addition to the term allowed by treaty, for the completion of the voyages of slave vessels, which five months had expired on the 30th March, and that, notwithstanding, one Spanish and several foreign slave vessels had been permitted to land their cargoes since that date. I observed, that, with respect to the Spanish vessel, I had been informed that she was admitted on the ground of her having sailed from a Spanish port in legal time, and having given sufficient reasons for her detention; but that even this excuse, which I was far from admitting to be valid, could not be alleged in favour of the foreign vessels, which never had a legal time for clearing out, the traffic having been abolished by the nation to which they belong. The Governor replied, that he recollected the cases to which I referred; that they had come before him, in the regular routine of office, from the department of the intendast, with a recommendation that the vessels in question should be allowed to enter. That he had, as was customary, referred the matter to his assessor or legal counsel, who also gave a report in favour of their being admitted; and that he had accordingly, issued an order for that purpose.

I then requested his Excellency to inform me whether it was his intention to admit Spanish or foreign slave ships hereafter, if his assessor should give an opinion to that effect. He replied, that he would take the subject into consideration, and inform me of his determination in a few days.

Since the above conversation, his Excellency has been very unwell, and I have not been able to renew the subject with him.

I have, &c. (signed) *H. Theo. Kilbee.*

N° 104.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, Havannah, July 7th, 1821.—(Received 10th August.)

SINCE the date of my report of the 10th ultimo, two vessels have been admitted with negroes, namely, the Spanish schooner *Dos Hermanos*, D. Andres José Pellicer master, consigned to D. Juan Madrazo, with sixty-seven negroes, which she is stated to have brought from Cuba, and to have landed at Batabano; and the Spanish schooner *Concepcion*, with 100 female slaves, which are stated to have come from the same port of Batabano.

I have lately had an opportunity of renewing with the Governor the conversation reported in former letters, and I am happy to inform you, that his Excellency expressed himself in the most satisfactory manner. He declared his determination not to admit any more slave ships, whether Spanish or foreign, into the ports of this island, and to do every thing in his power to prevent illicit traffic in slaves. He stated, that he had received instructions to that effect from his government: and he assured me of his readiness to attend to any suggestion which I should make to him for the purpose of contributing to the effectual suppression of the traffic.

I thanked his Excellency for his friendly and satisfactory communication; and availing myself of the permission he had given me, I pointed out to him the suspicious circumstances attending the cases of the two vessels mentioned in a former part of this letter, one of which was stated to have come from Cuba and Batabano, and the other from Batabano, it being more than probable, that the very same vessels had conveyed their cargoes of negroes from the coast of Africa, or at least had received them from others, whose admission into the ports of the island was contrary to treaty; and I added, that Batabano had frequently before been used as a kind of depôt for illicit slave trading.

The Governor said he would make enquiries respecting the cases I had mentioned, and promised that for the future the papers of vessels arriving here under similar circumstances should be carefully examined.

Before we separated I asked his Excellency, whether he had received any information of a successor having been named to the late Don Alexandro Ramirez, as commissary judge of this mixed commission. He replied, that the appointment of that gentleman to the intendancy of Mexico, and of Don Julian Roldan to that of this island, had been duly notified to him, but that no mention whatever had been made of the office of commissary judge.

I am, &c. (signed) *H. Theo. Kilbee.*

N° 105.—H. Theo. Kilbee, Esq. to William Hamilton, Esq.)

(Extract.) Havannah, July 7th, 1821.—(Received 10th August.)

THE abolition of the Slave Trade has been most beneficial to the negro cause, in one respect; it has had the effect of improving their treatment and condition in an extraordinary

extraordinary degree; and within the last two years, the general mortality of the slaves has diminished, as nearly as can be calculated, one-half, although the number of importations has considerably increased.

I shall continue to have confidential communications with the governor, whenever I shall see a necessity, for the purpose of contributing as far as possible to the final suppression of the traffic. I repeat, that I fully believe him to be sincere in his professions, and as long as he shall remain here, I am in hopes that some considerable progress may be made in the cause of humanity.

I have the honour, &c. (signed) *H. Theo. Kilbee.*

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N° 106.—H. T. Kilbee, Esq. to the Earl of Clanwilliam.

My Lord, Havannah, August 4th, 1821.—(Received 13th Sept.)

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 16th February, inclosing for the information of Mr. Jameson and myself, copy of a dispatch addressed by Lord Castlereagh to his Majesty's ambassador at Madrid, upon the subject of the admission of slave ships into this port, subsequent to the expiration of the term allowed by treaty for the completion of Spanish Slave Trade voyages.

No slave ships have entered this port since the date of my last letter.

I have, &c. (signed) *H. Theo. Kilbee.*

N° 107.—H. T. Kilbee, Esq. to William Hamilton, Esq.

Sir, Havannah, August 28th, 1821.—(Received 9th October.)

ON the 12th instant, the Portuguese brig San Francisco, Don Antonio Justisano master, entered this port from Pernambuco, having on board a cargo of salt, and fifty-nine negroes, consigned to Messrs. Cuesta, Manzanal & Toso.

As soon as I was apprized of this circumstance, I waited upon the captain-general, when his Excellency informed me that he had already refused permission for the negroes to land, even for the purpose of vaccination, for which an application had been made after the permission to land them for sale had been refused. In the course of the conversation which passed upon the occasion, it was suggested that I might address an official written representation upon the subject. This I thought it advisable to decline, alleging that his Majesty's commissioners had no authority or instructions from their government to interfere upon this and similar occasions; that their powers to act were confined to cases of vessels carried into this port for adjudication, in conformity with the stipulations of the treaty between Great Britain and Spain; and that when I ventured to address his Excellency upon the subject, it was quite confidentially, and solely for the purpose of being able to show hereafter that, as I was actually resident in the Havannah, and could not be ignorant of those transactions, I had adopted the only step in my power of preventing them, namely, by apprizing his Excellency of the facts, in order that, if he thought proper, the decree of his Catholic Majesty, of September 1817, might be enforced.

Two Spanish schooners, namely, El Correo de Bahia Honda, and the Josefa, have lately cleared out for Africa, without specifying to what part or for what purpose; but I have been informed that one of them has been purchased and fitted out by sixteen negroes, who, having acquired their liberty and some property, are desirous of returning to their own country. The other schooner, it is said, has cleared out for the general purposes of commerce on the African coast.

On the 20th instant, public notice was given of the sale of eighty negroes, which had been imported into Batabano, consigned to Don Tomas Lasfuentes. As it was manifest, that they must have been admitted into that port after the time allowed by treaty; I mentioned the subject to the captain-general, who said that he was not aware of the circumstances of the case, but that he would make enquiries respecting it. His Excellency has been indisposed lately, and I have not had an opportunity of renewing the subject.

The vacancies occasioned in this mixed commission, by the death of the intendant Ramirez, and the promotion of D. Francisco Arango to the council of state, have not yet been filled up by the Spanish government.

No vessel has yet arrived here for adjudication.

I have, &c. (signed) *H. Theo. Kilbee.*

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N° 108.—H. T. Kilbee, Esq. to William Hamilton, Esq.

(Extract.) Havannah, August 28th, 1821.—(Received 9th Oct.)

THE Portuguese vessel, San Francisco, still continues in this harbour, and I much fear that she will manage, in some way or other, to get her cargo on shore.

It is with much regret that I am under the necessity of expressing my apprehensions that the captain-general will not suppress illicit traffic in slaves so effectually as I was induced to hope.

The case of the negroes brought here from Batabano, and advertised publicly for sale, is a flagrant breach of law and treaty; and yet his Excellency did not take up the matter when I mentioned it to him with the interest I could have wished. He promised, however, to investigate the affair.

(signed) *H. Theo. Kilbee.*

N° 109.—R. F. Jameson, Esq. to the Earl of Clanwilliam.

(Extract.) Havannah, 1st Sept. 1821.—(Received 9th Oct.)

Statement respecting the illicit Slave Trade of the Island of Cuba.

TWENTY-SIX vessels have entered the port of Havannah (with slaves to the amount of 6,415) since the 31st October 1820, the period assigned by treaty for the total abolition of the Spanish Slave Trade. Of these vessels, eighteen were Spanish, five French, two Portuguese, and one American. Not one of these has been judicially noticed by the government of the island. On the contrary, the merchants declare they received assurances that their vessels entering from Africa, after the 31st October, would not be molested. Six months from that time were mentioned as the extent of such immunity; but the tenth month has ended, and slave ships still enter openly and unquestioned. Certain it is also, that vessels are still permitted to fit out for the Slave Trade, as well as to enter with cargoes from Africa; nor has any order, notice, or other public document been issued, declaratory of the disapprobation of this government, or an intention to enforce the abolition of the traffic.

With respect to the preventive influence of the British and Spanish cruizers, it is to be observed, that since the residence of the mixed commission in this city, ninety-five slave ships have entered the port, (twenty-six of them in open violation of the treaty) besides about forty others in the minor ports of the island; yet not one of these has been visited or detained by the cruizers of either power.

This, however, I conceive may be easily explained. When the Spanish Slave Trade was allowed to the south of the equator, it was clearly impossible for naval officers on this station to detain such vessels as were returning from Africa, on the conjectural ground of their deviation. After the 31st October 1820, also, it was so currently given out (and that from authority) that the term of abolition was, or would be, extended, that to have detained slave ships, in the face of such general intimation, would have been an extremely irritating measure, and probably ineffectual, from the declaration of the Spanish commissioners, that they would not join in their condemnation. At present, such understanding cannot be allowed any weight; but since, in the illicit traffic now carrying on, foreign flags are generally used, little I apprehend, can be expected from the efforts of the navy in union with this commission. The track of sea which surrounds the 2,000 miles of coast which Cuba possesses, scarcely affords a cruising ground, and is justly dreaded by vessels of war; and, as above 1,500 vessels annually enter the ports of the island, (while slave ships in these seas are not marked out to cruizers by their appearance or course, as they are when hovering on the African shore,) it is evident, to effectually detect, that all must be brought to and examined, a service so molesting and difficult, that it would seem beyond possibility, even if the first-named obstacle to naval exertion did not exist. Independently of these physical difficulties, I much fear there are some moral ones which merit consideration. The general custom of naval officers (English and Spanish) advertising the commercial world of the Havannah, in the public prints, of their arrival and time of departure, in order to procure a freight of silver, must of course be relinquished as fruitless by the captor of a slave ship; and it is also to be considered that great difficulty and responsibility attach to the captor, since transshipments of slaves from one Spanish colony to another is still permitted, and the abuse of flags is carried to a great height. On the coast of Africa none of these impediments exist. Our squadrons there have but the one specific service, and find the chief difficulty to be the number of offenders: two hundred sail of vessels annually

annually centering round the scene of plunder, where the presence of one ship of war is worth the service of a fleet on other stations.

From the above-mentioned causes, it would appear that the power of preventing and punishing illicit trade does, and must, rest almost entirely with the local government. The tone it takes, and the apparent insufficiency of naval police, seem to have given encouragement to illegal traffic, which, even in the supposition of the zealous and unimpeded vigilance of both, it would too strongly meet with in the enormous profits usually realized by slaving dealing. Vessels are publicly clearing out for Africa, whether in legitimate trade for gold dust and ivory is a doubt that is only answered here by a smile. Two schooners are now fitting out in the harbour of Havannah, expressly for the Slave Trade. At Matangas, Nuevitas, Trinidad, Barasoa, and Batabano, it is carried on with perfect impunity; and it is only ten days ago, that a cargo of negroes, landed at the latter port from a French brig, were publicly advertised for sale in the Havannah. The majority of the vessels that have latterly sailed on the well-understood voyage to the African coast, have cleared out for other destinations. Some to Monte Video, others to Tenerife, Cape Verd Islands, and Princes Island. The voyage is patronized by some person of established credit, and accionistas (or shareholders) are admitted to bear its charges. The shares are as low as 100 dollars, and are eagerly sought for.

When the vessel returns from Africa, if the principal owners have sufficient weight and influence, she touches at Puerto Rico and provides herself with a passport, for the total or surplus cargo to this island, thus removing all subsequent danger of seizure, under article seven, of the instructions appended to the treaty of 1817. If she is without this, she directs her course through the Cayos, which lie round the north and south-east point of the island, into one of the bays on the coast; the cargo is frequently bespoke; if it is not, it is conveyed to the plantations of the consignee, and either sold from thence in parcels, or as I have known in several instances, marched to the Havannah as "the stock of a planter about to retire."

There are at present (according to the best estimate I can make), about 3,000 slaves on sale in the island; notwithstanding this, adventures are pressing on to Africa, but it is to be observed that this period of the year is usually heavy for the slave market, because the planters in general, have no command of money and can only purchase with produce. It is at the commencement of the year that this becomes available, and they are consequently in funds to supply the deficiencies of their stock or enlarge their speculations.

The ordinary supply of slaves which this island received from Africa, from the period of its commerce being unshackled to that of the abolition treaty, was about 10,000 annually; since the latter period 65,000 negroes have been imported, and nearly entirely absorbed by the rapid advance of cultivation, particularly of coffee.*

The following, I believe, will be found a tolerably correct statement of the allotment of these unfortunate beings.

Total number of slaves	-	-	-	-	-	268,789
Viz. 1.—On 750 sugar plantations	-	-	-	-	-	155,000
2.—On 900 coffee ditto	-	-	-	-	-	54,000
3.—On 13,700 minor estates, as tobacco and rice lands, breeding pens, maize farms, &c.	-	-	-	-	-	36,000
[These minor estates are in many instances owned and worked by free people of colour.]						
4.—Household slaves	-	-	-	-	-	20,000
						<u>265,000</u>

N. B. In the year 1804 there were only 108,000 slaves in the island.

* 1.—Exports from port of Havannah in 1816:

Arrobas of coffee	-	-	-	-	-	370,229.
Boxes of sugar	-	-	-	-	-	200,487.

2.—Exports of 1820:

Arrobas of coffee	-	-	-	-	-	686,046.
Boxes of sugar	-	-	-	-	-	219,593.

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At present the sugar plantations return about seven per cent. (island value), while the coffee estates produced from last year's crop, above thirty per cent. ; the smaller extent of capital required for their establishment, added to the great (though unequal) returns they usually make, has given a stimulus for speculation in this branch of cultivation, which must lead to a consequent demand for slaves.

Other causes are also powerfully operating to maintain the demand ; from the cession of the Floridas to the United States there has been a considerable influx of Spanish families from the opposite shore ; while the disturbed state of the South American provinces has driven many persons of substance to seek an asylum in this island. In consequence, likewise, of the grants of lands, which, since the year 1817, the local government has made, and engages to make, to emigrants from Europe, about 1,500 persons annually are arriving to settle, of these various classes, those above the rank of labourers can not form a settlement, even of a domestic kind, without the aid of slaves ; and thence new sources of demand are continually opening, which in a rising country such as this (where, out of nearly 14,000,000 acres of land, scarcely 3,000,000 acres are beneficially occupied), afford every prospect of extensive increase. This summary will, I conceive, plainly show that incitement is not likely to be wanting to illicit adventure, and that without further checks than are at present provided, a system will be organised that will defeat the philanthropic views of the English government in this quarter.

(signed) R. F. Jameson.

N° 110.—R. F. Jameson, Esq. to the Earl of Clanwilliam.

(Extract.) Havannah, October 26th, 1821.—(Received 20th Dec.)

Two articles of intelligence, published in the official paper of this city, are of such a nature, that I think it my duty to inclose a copy of the paper, in which (marked 1. 2.) your Lordship will find the articles I allude to, and of which I here beg leave to subjoin a translation :—

“ *Departures of yesterday.*—1. For Africa, Spanish schooner Vecua, Captain Don Vincente Gomez, with goods, for the Slave Trade.

“ 2. For the same destination, Spanish schooner Icanam, Captain Don Antonio Moreira, with ditto.”—The above vessels were openly and regularly cleared out at the custom-house, “ para la trata,” a term exclusively used in the Spanish islands to express *par excellence*, the (Slave) Trade.

(signed) R. F. Jameson.

Memorandum.—The paper inclosed is the Diaro del Gobierno Constitucional de la Habana, (No. 298), of the 25th October 1821.

N° 111.—Messrs. Kilbee and Jameson to the Marquess of Londonderry.

My Lord, Havannah, October 30th, 1821.—(Received 19th Dec.)

ON the 12th August, the Portuguese brig San Francisco, Don Antonio Justisano master, entered this port from Pernambuco, with a cargo of salt and fifty-nine negroes, consigned to Messrs. Cuesta, Manzanal & Toso.

Shortly after her arrival, we learnt that the captain-general had refused permission for the negroes to be landed ; and, in a confidential conversation which passed with his Excellency upon that occasion, he declared his resolution to carry into effect, as far as lay in his power, the stipulations of our treaty with Spain, for preventing illicit traffic in slaves.

The vessel in question, however, continued for a considerable time in the harbour, and finally the consignees obtained permission to land and sell the negroes. We were informed that the captain-general had been induced to grant this permission in consequence of the report upon the case made by the assessors or legal counsel of the government. We have not been able to obtain a copy of the report, but we understand that it is founded generally upon the hospitality due to the vessel of a friendly nation driven into these seas by stress of weather, and not in a condition to pursue her voyage.

In the confidential conversations which have subsequently passed upon this subject, we have not been able to obtain any more satisfactory explanation of the transaction ; and although the grounds upon which the legal counsel are said to have rested their report, namely, the arrival at this port, through stress of weather, of a Portuguese vessel with negroes on board, are highly improbable, not to say impossible, and moreover do not by any means authorize the violation of our treaty and of his Catholic Majesty's decree, yet, upon mature deliberation, we were clearly of opinion

opinion that we are not warranted by your Lordship's instructions to make any official representation or remonstrance upon the case.

We regret to have to inform your Lordship, that on the 24th instant, two Spanish vessels, viz. the schooners Vecua and Icanam, Don Vincente Gomez and Don Antonio Morceira, masters, publicly cleared out from this port for the coast of Africa, with effects for the Slave Trade.

We have, &c. (signed) *H. Theo. Kilbee.*
R. F. Jameson.

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N° 112.—William Hamilton, Esq. to Messrs. Kilbee and Jameson.

Gentlemen,

Foreign Office, November 20th, 1821.

I AM directed by the Marquess of Londonderry to return you his thanks for your respective communications on the subject of the illicit traffic in slaves, which is still carried on by subjects of his Catholic Majesty, and not interrupted by the Spanish authorities. I am also to recommend you to continue to direct your attention to this subject, and to keep His Majesty's government regularly informed of all circumstances which bear on the more or less punctual execution of the stipulations of treaty subsisting between the two countries.

I am only further to recommend to you a perseverance in the same watchfulness over the illicit Slave Trade, as it may come under your observation, which you have shown hitherto; and the same prudent and conciliatory language and conduct in your intercourse with the Spanish authority; whenever you have to call their attention to apparent violations of their own laws for the abolition of this odious traffic.

I am, &c. (signed) *William Hamilton.*

N° 113.—Messrs. Kilbee and Jameson to the Marquess of Londonderry.

My Lord, Havannah, Dec. 10th, 1821.—(Received 19th Jan. 1822.)

A SPANISH privateer, named the Paxaro Verde, on the 6th ultimo, brought into this port a vessel having on board a cargo of negroes belonging to the Spanish schooner Antonica, Don Joaquim Zorrilla master, which had been wrecked on Cayo Verde, near the port of Guanaja, on the 19th October.

The negroes were captured in boats which were conveying them on shore from Cayo Verde, and were put on board a coasting vessel, in which they arrived here.

Having conversed with the captain-general upon this subject, his Excellency readily agreed that this was a case which ought to be tried by this mixed commission; and he accordingly ordered that the only document he had yet received, viz. a memorial from the owner of the privateer, praying that the negroes might be declared lawful prize, should be transmitted to the register. In the mean time, by order of his Excellency, the negroes were landed and deposited in proper hands.

The vacancy occasioned in this mixed commission, by the death of Don Alexandro Ramirez, Spanish commissary judge, in May last, having not yet been filled up; and the Spanish commissioner of arbitration, considering the duties of his office to be incompatible with those of commissary judge, a note, of which a copy is enclosed, was addressed to the captain-general, requesting his Excellency, in virtue of the power invested in him by treaty, to fill up the aforesaid vacancy. A translation of his answer, notifying the appointment of Don Claudio Martinez de Pinillos to succeed Don Alexandro Ramirez, is likewise enclosed. M. Pinillos subsequently took the oath prescribed by treaty. On the 12th November, the two commissary judges met to take into consideration the circumstances of the case. From the first perusal of the memorial transmitted by the captain-general, it was evident that the legality of the capture could not be tried by the mixed commission, the vessel which made the capture not belonging to the Spanish royal navy. And accordingly, at a second meeting, at which the captain of the privateer appeared, and in his declaration upon oath stated, that his vessel was private property, that he was not an officer in the Spanish navy, and that he was not provided with the special instructions annexed to the treaty of 1817; it appeared to the court that any further proceedings would be unnecessary, as the ninth article of that treaty expressly states, "that the visit and detention of slave ships, specified in this article, shall only be effected by those British or Spanish vessels which may form part of the two royal navies; and by those only of such vessels which are provided with the special instructions annexed to the present treaty." A decree, pronouncing the

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incompetency of the mixed commission to try this case, was extended by the registrar; and it was ordered, that the documents presented to the court should be transmitted to the captain-general, to be by him referred to the proper tribunal, which was to decide upon the case, in conformity with the law of the kingdom, published in December 1817, relative to illicit traffic in slaves.

An abstract of the documents, and of the proceedings, is herewith enclosed, together with a translation of the decree of the court.

We have much satisfaction in reporting to your Lordship, that in this first case which has come before the mixed commission, we have experienced every facility and attention on the part of the captain-general that could be required, to give efficiency to our proceedings.

We have, &c. (signed) *H. T. Kilbee.*
R. F. Jameson.

(First Inclosure in N° 113.)

The British Commissary Judge to the Captain-General of Cuba.

Havannah, 9th November 1821.

THE undersigned, His Britannic Majesty's commissary judge, having learnt that the case of a Spanish slave vessel detained and carried into this port by a Spanish cruiser, is about to be brought to adjudication before the mixed commission established here, in conformity with the stipulations of the treaty for the abolition of the Slave Trade, concluded between Great Britain and Spain in September 1817, takes the liberty of suggesting to the captain-general, the expediency of filling up the vacancy which has occurred in the said mixed commission, by the death of Don Alexandro Ramirez, who held the office of his Catholic Majesty's commissary judge. The thirteenth article of the regulations for the mixed commissions annexed to the aforesaid treaty, and forming an integral part of the same, states, that on the part of Spain, the vacancies shall be supplied, in the possession of H. C. M. by such persons of trust as the principal authority of the country shall appoint. The captain-general is therefore fully authorized to fill up the actual vacancy; and the undersigned ventures to request, that his Excellency will be pleased to do so with as little delay as possible, in order that the person who shall be appointed, together with the undersigned, may proceed without delay to the adjudication of the vessel in question, in conformity with the stipulations of the aforesaid treaty.

(signed) *H. Theo. Kilbee.*

(Second Inclosure in N° 113.)

The Captain-General to the British Commissary Judge.

(Translation.)

Sir,

Havannah, November 10th, 1821.

I HAVE received your letter, dated yesterday, respecting the appointment of commissary judge on the part of H. C. M. in the place of the Intendant, Don Alexandro Ramirez, who held that office, and in reply, I have to inform you, that I have named Don Claudio Martinez de Pinillos, senior principal minister of the finance department, to that office; and I have directed him to present himself before me in order to take the oath in conformity with the constitution and the laws.

(signed) *Nicolas Mahy.*

(Third Inclosure in N° 113.)

(Abstract of the documents and proceedings in the case of the Negroes belonging to the Spanish schooner Antonica, captured by the privateer Paxaro Verde.)

MEMORIAL of Don Francisco Vidal, owner of the Paxaro Verde, dated November 9th, 1821, praying the captain-general to allow him to land and sell the negroes captured by his vessel, as lawful prize. He enters into several arguments against granting those negroes their liberty.

The captain-general directs this memorial to be referred to the mixed commission for its decision.

Minute of the secretary, stating that he had received the said memorial from the captain-general, and also two letters, notifying the appointment of Don Claudio M. Pinillos to be commissary judge, on the part of his Catholic Majesty, and his having taken the proper oath.

Minute of the decree of the court, dated the 12th November, stating, that it was necessary that the captain of the Paxaro Verde should appear personally,
and

and directing that the captain-general should be requested to take steps for that purpose.

On the 15th November, Don Nicolas de Ribes, captain of the Paxaro Verde, appeared personally before the two commissary judges, the secretary being present, and declared upon oath, in answer to the questions put to him by the latter, that he was named as above, was a native of Palamos in Catalonia, and was captain of the schooner Paxaro Verde; that the said schooner was the property of a private individual, and did not belong to the royal navy; that he was provided with a commission (which he produced) authorizing him to capture vessels engaged in smuggling; that he had not received any special instructions relative to vessels engaged in illicit traffic of slaves; and that he was not an officer of the royal navy, nor was there any such officer on board his vessel.

Minute of the decree of the court, stating, that it was not competent to decide upon the present case, the capture having been made by a vessel which did not belong to the royal navy, and was not provided with the special instructions annexed to the treaty.

This decree was notified to the parties on the 17th November, and the proceedings were sent to the captain-general, in order that they might be referred to the competent tribunal.

On the same day Don Joaquim Zorrilla, master of the vessel to which the negroes belonged, presented a memorial, accompanied by various documents, to the mixed commission, praying that the said negroes might be restored to him. The case, as set forth by him, is as follows:—

In the month of May last he sailed from Matanzas in the schooner Antonica, of which he was captain and owner, for Buena Vista, one of the Cape de Verd islands. The object of his voyage was to recover some debts due to him there; but upon his arrival, he found that it was impossible to obtain payment in any other manner than by taking negroes, to which he at length consented. On his voyage back to the Havannah, his vessel was wrecked on Cayo Verde, where with difficulty he landed the negroes, and proceeded himself to the port of Guanaja on the north coast of this island, near to the Cayo, where he was wrecked, and from thence to Puerto Principe, where he applied to the authorities for assistance and for permission to land the negroes, which was granted on condition that they should be deposited in proper hands until the determination of the government at the Havannah upon the case should be known. In consequence of this permission four boats were obtained from the commandant at Guanaja and proceeded to Cayo Verde to convey the negroes on shore, but upon their return they were attacked by the Paxaro Verde, and captured. Upon hearing this, Zorrilla again recurred to the authorities at Puerto Principe, and orders were issued by them to the captain of the Paxaro Verde to deliver up the negroes, which orders the latter refused to obey, put the negroes on board a coasting vessel, and carried them into the Havannah.

Zorrilla rests his claim for the restoration of the negroes upon the circumstance that they were not embarked on the coast of Africa, but at one of the Cape de Verd islands, and were received from Portuguese subjects, to whom it was lawful to carry on the traffic.

The court directed that a copy of this memorial should be annexed to the proceedings, and that the party should be informed of the decree, pronouncing that the mixed commission was not competent to decide upon the present case.

The same resolution was adopted with respect to another memorial from the owner of the Paxaro Verde, referred to the court by the captain-general, the object of which was that the court of Admiralty might be directed to stop the proceedings which it seems had been commenced there respecting this case.

(signed) *H. T. Kilbee.*

(Fourth Inclosure in N^o 113.)

(Translation.)

Decree of the British and Spanish Commissary Judges, in the case of the Negroes belonging to the Spanish schooner Antonica, Don Joaquim Zorrilla master, captured by the Spanish privateer Nuestra Senora del Carmen, *alias* el Paxaro Verde, Don Nicholas Ribes captain.—Present: Don Rafael Gonzales, secretary.

Havannah, 17th November 1821.

THE powers of this mixed commission being limited to take cognizance of and to try the cases of detention and captures made by vessels of war of the royal British

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and Spanish navies, as appears by the ninth and eleventh articles of the treaty between their Catholic and Britannic Majesties; by the fifth article of the instructions with which the commanders of the vessels of war of both powers should be provided, and by the first article of the regulations for the mixed commissions, annexed to the said treaty; and it appearing, by the declaration upon oath of the captain of the schooner Nuestra Senora del Carmen, *alias* el Paxaro Verde, that that vessel is a privateer, belonging to a private individual, in which the nation has no share; that she was not commanded by an officer of the royal navy, and, consequently, was not provided with the special instructions for detaining and capturing slave ships; it is therefore hereby declared, that this case does not come within the powers of this mixed commission, but belongs to the tribunals of the country, to be tried in conformity with the internal law of the kingdom, contained in the royal cedula of the 19th December 1817, printed in continuation of the treaty, and the documents annexed thereto, as having been issued by his Catholic Majesty, in conformity with the sixth article of the said treaty. It is therefore ordered, that the proceedings shall be transmitted to his Excellency the superior civil chief (captain-general), in order that he may be pleased to send them to the proper tribunal, a copy of them being left in the office of the secretary.

(signed) *Pimillos. H. T. Kilbee.*
Rafael Gonzales, secretary.

N° 114.—Messrs. Kilbee and Jameson to the Marquess of Londonderry.

My Lord, Havannah, Dec. 10th, 1821.—(Received 19th Jan. 1822.)

WE have the honour to inform your Lordship, that the Spanish members of this mixed commission have apprized us that they have received from their government instructions to carry punctually into effect, in all their proceedings, the stipulations of the Slave Trade abolition treaty concluded between Great Britain and Spain in September 1817.

We understand that circular orders to the same effect have been received by the captain-general, the admiral, and the intendant, with directions to communicate the same to the several branches of their respective departments.

We would venture to suggest to your Lordship the expediency of moving the government of his Catholic Majesty to provide the several Spanish vessels of war cruizing in these seas with the special instructions annexed to the Slave Trade treaty, as we have reason to believe that none of them are at present authorized to detain slave ships, in conformity with the stipulations of that treaty.

We have, &c. (signed) *H. T. Kilbee.*
R. F. Jameson.

N° 115.—The Marquess of Londonderry to Messrs. Kilbee and Jameson.

Gentlemen,

Foreign Office, March 8th, 1822.

I HAVE to acquaint you that official advices have been received from Madrid of the appointment of Don Claudio Peregillos and Colonel Quesada, to be his Catholic Majesty's commissioners at the Havannah, for carrying into execution the treaty for the abolition of the Slave Trade. The former gentleman in the place of M. Ramirez, the deceased intendant; and the latter to succeed Don Francisco Arango, named counsellor of state.

I am, &c. (signed) *Londonderry.*

3.—RIO JANEIRO.

N° 116.—Messrs. Hayne and Cunningham to Viscount Castlereagh.

(Extract.)

Rio Janeiro, 1st March 1821.—(Received June.)

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WE have the honour to acknowledge the receipt, on the 19th ultimo, of your Lordship's dispatches, dated the 10th and 24th September, and 16th November, with their several inclosures.

Your Lordship's dispatch of September 24th, places us in possession of the just and liberal construction which His Majesty's government have put on that clause of the convention in which detention is admitted, in the event only of their actually finding slaves on board. We shall not fail, my Lord, to impress upon our colleagues the absolute necessity to the fulfilment of the treaties; and, in strict justice to the parties, to adopt the determination most congenial to the spirit and design of the

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the treaties. We feel, my Lord, however fully persuaded of the utility, as well as necessity, of the declaration in explanation of the clause in question, which your Lordship has instructed His Majesty's minister at this court to sign with his most Faithful Majesty's government.

The list of the ships of war furnished with the instructions referred to in the late Slave Trade convention with Portugal, conveyed to us in your Lordship's dispatch of November 16th, shall be laid before the board of commission at our first meeting.

We have to inform your Lordship, that in consequence of M. Silvestre Pinheiro's having been appointed envoy to the United States, and since, minister for foreign affairs, M. Yoze Silvestre Rebello has been nominated commissary judge in his stead, and we are only waiting the necessary formalities attending his appointment to name a day for his installation.

(signed) *Henry Hayne,*
Alexander Cunningham.

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N° 117.—Messrs. Hayne and Cunningham to Viscount Castlereagh.

My Lord, Rio de Janeiro, 30th March 1821.—(Received 3d July.)

WE have the honour to acknowledge the receipt, on the 13th instant, of your Lordship's dispatch of the 28th November 1820, inclosing a copy of the act of the 51 Geo. III. relating to the employment of British subjects on board of slave vessels.

Any cases of this nature that may occur, within our knowledge, shall, without fail, my Lord, be taken cognizance of in the manner directed by your Lordship's dispatch above-mentioned.

We have the honour of informing your Lordship, that M. Joze Silvestre Rebello, the Portuguese commissary judge, appointed to succeed M. Silvestre Pinheiro, was formally installed on the 8th instant; and we seized that opportunity of renewing our request, that we should be furnished with a suitable house, and that those points submitted to the Portuguese government for decision, respecting the regulations for the guidance of the commission, should be decided without further delay. We also obtained a promise from the new commissary judge, as we had done from his predecessor, that he would adopt the regulations, as revised by the commissioners, without awaiting the decision of his government, in the event of a case occurring before he received it.

We likewise communicated, my Lord, to the board of commission, a list of the British cruisers furnished with the necessary instructions, for detaining vessels trafficking illegally in slaves, as we were directed by your Lordship's dispatch of the 16th November last.

We have the honour to be, &c. (signed) *Henry Hayne,*
Alexander Cunningham.

N° 118.—Messrs. Hayne and Cunningham to Viscount Castlereagh.

(Extract.) Rio Janeiro, 27th June 1821.—(Received 3d Sept.)

THE Portuguese commissioners laid, on the 10th May, before the board of commission, the additional article to the convention signed by His Majesty's minister at this court, on the 12th April 1821, and forwarded for the sanction of the British government. It was agreed, my Lord, that the said article should be acted upon, as if ratified, until the decision of the British government should arrive.

(signed) *Henry Hayne,*
Alexander Cunningham.

N° 119.—Henry Hayne, Esq. to the Marquess of Londonderry.

My Lord, Rio de Janeiro, 27th August 1821.—(Received 6th Nov.)

I HAVE herewith the honour to transmit to your Lordship a copy of the case of the Emilia, captured by His Majesty's ship Morgiana, and condemned by the mixed commission established at this place, together with the recapitulation of the evidence in the same case.

I have the honour to be, &c. (signed) *Henry Hayne.*

(First Inclosure in N° 119.)

(Case of the schooner Emilia, Severo Leonardo, master.)

THIS vessel sailed from Bahia on the 14th October 1820, with a passport and papers, in order for a voyage to Molembo, with a cargo of tobacco and spirits, (which cargo

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cargo is suited for a voyage to the north of the Line, and not marketable at Molembo.)

She was detained by His Majesty's ship *Morgiana*, Captain Finlaison, on the 14th February 1821, in lat. 3 deg. 50 min. north, long. 3 deg. 30 min. east, with 397 slaves on board.

The captor first steered for Sierra Leone, but finding the slaves dreadfully crowded, he took a great many on board his own ship, and put into Acará and Cape Coast for water and provisions, and there again, out of motives of humanity, he took more of the unhappy creatures on board the *Morgiana*, in all about 200, and finally determined on shaping a course for this place.

On the 21st May, he put into Bahia with the *Emilia*, to replenish her stock of provisions, and on the 7th July, the two ships entered this port.

On the 10th July, the mixed commission proceeded to adjudication, and on the 10th of August, she was condemned; and after giving the slaves each a certificate of emancipation, they were delivered over to the judge of the district, as the alvará directs, and the schooner to the judge of contraband, to be sold for the benefit of the two governments.

At the time of delivery of the slaves to the government, they amounted to 351; 18 having been left sick at Cape Coast, and 28 having died during and since the voyage.

(Second Inclosure in N^o 119.)

(Recapitulation of evidence in the case of the *Emilia*.)

THE captain and all the white men belonging to the *Emilia* fled from her at Bahia, the contremestre, or boatswain, only excepted.

The boatswain, in his examination on oath before the commission, declared, that from Bahia the *Emilia* first went to Acará and Mina to water and buy canoes, being bound from Bahia to Molembo; and that they then went to Molembo, New Molembo, or as some call it Onim. Now, Acará is 12 deg. of lat. to the north of Molembo, there is no other place on the coast by that name, and canoes are not used there.

Two black men belonging to the schooner examined on oath, the one free the other a slave. They both declared, that the *Emilia* after leaving Bahia went to Mina, Cape Coast, Acará, Ajudá, and Onim. The three witnesses agreed in deposing, that the slaves were embarked at Onim, the boatswain only ambiguously calling the same place Molembo, New Molembo, or Onim; he however acknowledged, that it was called by the latter name on shore; they all agreed in their having left the said port three days previous to capture; therefore it is impossible that the *Emilia* could have come from Molembo in thirty hours, a distance from the spot where detained, of at least nine degrees of latitude.

The *Emilia*, by one log-book, is said to have sailed from Molembo on the 23d January 1821, yet letters and notes speaking of embarkation, and even bills of lading signed by the captain, were found on board, dated Molembo, 12th February 1821, only two days prior to the capture. The log-book is evidently fictitious, in corroboration of which, it is composed of half-sheets sewn together with fresh thread, one having been daily added, which, by a note from the captain of the schooner to the mate, ordering him so to prepare it for the homeward voyage, proves such to be the system of deception practised.

A regular log-book was found on board, kept by the pilot, which takes the schooner direct from Bahia to Onim, the port where the slaves, by the evidence of the witnesses and other testimony, are proved to have been embarked. Another kept by the captain, corresponds perfectly with the preceding, till within a few days of their arrival on the coast, and the remaining leaves appear to have been torn out. One letter was also found, dated 6th February, Onim.

In the defence, drawn up by a celebrated lawyer of Bahia, he brings sixteen affidavits, three of people belonging to the schooner, who fled at Bahia, to prove that they received letters on board from a small vessel which had come from the north.

On comparing the letter, dated 6th February, Onim, with the time and spot where said vessel is declared to have been spoken, by a most liberal allowance, it is evidently impossible; had she spoken such a vessel (which appears in no other part of the evidence) that she could have brought a letter of so late a date.

Amongst the above-mentioned affidavits taken at Bahia, one of them taken by Caetano Alberto de França, captain of the *Rosalía*, (another slave vessel belonging to

to the same owner) declares, that he himself witnessed the embarkation of the slaves on board the *Emilia* at Molembo, that he was there in his vessel, (the *Rosalia*) in December and January 1821, and he saw the *Emilia* sail from Molembo late in the latter month. This affidavit is proved to be the grossest perjury, not only by the preceding evidence, but by letters which were found on board written by himself, with precisely the same signature as that attached to the affidavit, and dated the 12th of February, at Molembo, speaking of the sailing of the *Emilia* on the next day. The witnesses examined, declared that they left the *Rosalia* in the port of Onim. All the letters found on board, except one (which was dated Onim) in order to accord with the licence, were systematically dated Molembo.

The proofs alleged in favour of the *Emilia*, I have no hesitation in saying, are doubtless a series of perjuries from beginning to end; and the counter-evidence in favour of the captor being so clear and decided, of the fact of the slaves having been taken on board at Onim (in 6. 50 n.), and of their being for the purpose of traffic, that the sentence of condemnation was passed without hesitation.

N^o 120.—Henry Hayne, Esq. to the Marquess of Londonderry.

My Lord, Rio de Janeiro, 24th Oct. 1821.—(Received 26th Jan. 1822.)

Your Lordship may wish to be informed of the system pursued by this government in the distribution of the captured negroes; I beg leave, therefore, to state the result of my observation in the case of the *Emilia*, for your Lordship's information.

On the condemnation of the captured vessel, a certificate of emancipation was distributed by the mixed commission to each negro; the whole were then given over to the charge of the *ouvidor da comarca*, or judge of the district, as the *alvará* of the 26th January 1818 directs, for the purpose of being apprenticed.

A curator was nominated in the form of the said *alvará*. The judge announced to the public, that the negroes were to be hired to individuals, who were to apply for them to him in writing; and having obtained a Portuguese subject of property as security, and being themselves approved, were deemed competent persons. They were hired to the best bidder, at the judge's door, but to those only whose petitions had been approved by the judge and curator.

A bond was entered into by each successful bidder, for each negro, to maintain, clothe, and instruct him or her in the Christian religion, as well as in some mode of gaining a livelihood, and to pay the sum agreed upon annually in advance, as well as a fee to the judge, his clerk, and the curator, on signing the bond.

Notwithstanding, my Lord, the trouble and expense attending the hire of these negroes, the competition was very considerable, owing, I presume, to their being a very superior race to those usually imported here, and to there being no risk of loss of capital in the event of death or desertion. They were hired, my Lord, at the rate of from nine to thirty-four mil reis per annum, which, on an average, is fully equal to the interest of purchase money of new negroes, and to capitalists, in a pecuniary point of view, a disadvantage rather than an advantage. I am informed, my Lord, by the judge, that an account is to be opened in the name of each negro; that the money received on their account is to be placed in a coffer, which is to have three keys, to be in the possession of the judge, a treasurer, and the curator; and that whatever may be due to each, will be paid to them at the expiration of their servitude. Three hundred were distributed, my Lord, in this manner to individuals; the remaining fifty to the government, in different branches, on the same conditions: I have myself hired three, on the same terms, with a view of securing their freedom to them as soon as they are capable of profiting by it.

I cannot answer for their having been no abuses in the distribution; generally speaking, I believe the negroes are in good hands, and will be well treated; but I should have preferred seeing them hired by private contract, rather than public auction, because character might then be preferred to a trifling pecuniary advantage.

I think, my Lord, all things considered, that if honesty and good faith are maintained to the end, the system is as good as could have been expected.

I have the honour, &c. (signed) *Henry Hayne*.

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N° 121.—Messrs. Lefroy and Wale to Viscount Castlereagh.

(Extract.) Paramaribo, Jan. 12th, 1821.—(Received 30th March.)

WE think it proper to take this opportunity of acquainting your Lordship with the recent death of our colleague, the Dutch commissary judge, M. J. P. Changuion,
(signed) *Chris. Edward Lefroy.*
Thos. S. Wale.

N° 122.—Messrs. Lefroy and Wale to Viscount Castlereagh.

My Lord, Paramaribo, 5th February 1821.—(Received April.)

WE have the honour to acknowledge the receipt of your Lordship's letter of the 7th November last, enclosing the copy of a note from the ambassador of the King of the Netherlands, at the court of London, notifying that the Netherlands brig the *Swallow*, then on her cruize in the West Indies, would be furnished with a copy of the treaty of the 4th May 1818, and of the documents annexed thereto, on the subject of the restriction of the commerce in slaves.

The *Swallow* brig has not yet arrived in this port, nor have we heard of her being in any other part of the West Indies, and we are extremely sorry to say that a fresh arrival of slaves, evidently not coming within the exception contained in the Dutch prohibitory ordonnance of the 1st September 1818, and in obvious evasion of the treaty of the 4th May of the same year, have within these few days been admitted into this colony.

We have, &c. (signed) *C. E. Lefroy,*
Thomas S. Wale.

N° 123.—Messrs. Lefroy and Wale to Viscount Castlereagh.

My Lord, Paramaribo, 16th February 1821.—(Received 17th April.)

WE have the honour to acknowledge the receipt of your Lordship's letters of last December; we have communicated the information contained in the first, (viz. the names and description of the ships of the British navy, commissioned under the treaty with the Netherlands, for the suppression of the illicit traffic in slaves) to the other members of our board, and we shall obey the directions of your Lordship, conveyed in the second, by communicating to your Lordship and to His Britannic Majesty's representative at Brussels, the name of any British subject engaged in this trade in violation of the 51st Geo. III. c. 23, whenever the legal evidence, necessary to make such communication available, shall be brought before us. We beg at the same time to observe, that as these importations are almost all under the French flag, and probably accompanied by regular documents purporting the negroes to be all Creoles, or old imported slaves of the French island, from which the vessel professes to have procured them, although there can be no moral doubt of the contrary being the fact, it will be extremely difficult, if not impossible, to procure evidence of privity to their African origin, sufficiently precise and conclusive against the parties engaged, to ensure their conviction in a British court of justice, or in any way to prevent the continuance of the Slave Trade under this flag, unless some additional measures for its suppression are taken by the French and Dutch governments. It is painful to us to reflect that we have scarcely been able to close a single dispatch to your Lordship since our arrival, without mentioning some case of the admission of slaves into this colony in evasion of the treaty, in the execution of which we have the honour to be employed; and we are compelled to add to the present, that in spite of the strongest remonstrance which we have thought ourselves at liberty to make to his Excellency the governor-general, (who in consequence of the death of our late colleague M. P. I. Changuion, the Dutch commissary judge, is now one of the members of our court), two cargoes of fresh Africans, under the French flag, have been admitted into this place since the date of our last letter.

We have, &c. (signed) *C. E. Lefroy,*
Thomas S. Wale.

N° 124.—Messrs. Lefroy and Wale to Viscount Castlereagh.

My Lord, Surinam, March 1st, 1821.—(Received 11th May.)

WE have the honour to acknowledge your Lordship's letter of the 16th November 1820, accompanied by a copy of the list furnished to your Lordship from the Admiralty

Admiralty Office, under date of the 11th October 1820, of such of His Majesty's ships as are now cruising, supplied with the instructions referred to in the several treaties with foreign powers for the prevention of the illicit traffic in slaves, specifying the names of their commanders, and the stations to which they belong. We have, in obedience to your Lordship's directions, communicated this information to the board of commission, of which we are members.

It is with regret we are made to perceive, by the continued admission of slaves into Surinam, the inefficacy of the measures yet adopted to suppress the illegal traffic. We feel convinced, that as long as the French flag is exempt from foreign inspection, and the authorities in this colony as indifferent on the subject as they have hitherto shown themselves, so long will the Dutch colonists find in the French settlements a ready medium for the supply of Africans, in defiance of any restrictive enactments at present in force.

We have, &c. (signed) *C. E. Lefroy.*
Thomas S. Wale.

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N° 125.—Messrs. Lefroy and Wale to Viscount Castlereagh.

My Lord, Surinam, April 3d, 1821.—(Received 21st May.)

WE have the honour to acknowledge the receipt, on the 28th ultimo, of your Lordship's letter of September 24th, 1820, inclosing a copy of a dispatch addressed by your Lordship to the British ministers at the Hague, Madrid and Rio Janeiro, explanatory of the article in the treaties of the 4th May 1818, for the repressing the Slave Trade, which provides that no vessel shall be liable to seizure under that treaty, unless in the event of slaves being actually found on board. We shall, as far as lies in our power, adopt the construction which His Majesty's government gives to this provision, and shall press its expediency in all our communications with the other members of the court to which we belong.

We have, &c. (signed) *C. E. Lefroy.*
Thomas S. Wale.

N° 126.—Messrs. Lefroy and Wale to Joseph Planta, jun. Esq.

Sir, Surinam, April 3d, 1821.—(Received 21st May.)

WE beg leave to acknowledge the receipt, on the 26th ultimo, of your letter, dated 29th December 1820, informing us by Lord Castlereagh's direction, that his Netherland Majesty's corvette l'Arend (l'Aigle) of 28 guns and 150 men, about to sail for the East Indies, would be provided with a copy of the treaty of the 4th May 1818, and the documents thereto annexed, relative to the repression of the Slave Trade.

We are, &c. (signed) *C. E. Lefroy.*
Thomas S. Wale.

N° 127.—Messrs. Lefroy and Wale to Viscount Castlereagh.

My Lord, Surinam, May 28th, 1821.—(Received 8th August.)

IN obedience to the commands communicated to us by your Lordship, we have the honour to inform you, that on the 19th instant, the French schooner l'Aurore, which sailed from Guadaloupe on the 18th of last month, commanded by M. l'Oiseau, disembarked in the town of Paramaribo 143 slaves, consigned to Mr. Solomon de la Para, a resident proprietor in this colony.

We have no hesitation in giving it as our opinion, derived from actual observation, that this cargo is of a description similar to those which we have before noticed to your Lordship, the negroes having evidently been recently imported from Africa; at the same time, we think it proper to add, that since the 16th February, when we last had occasion to acquaint your Lordship with the arrival of two cargoes of Africans, we understand that two or three slave vessels have been refused admittance to this port, upon what grounds, we are unable to inform your Lordship, no communication on the subject having been made to us by the colonial authorities.

We have, &c. (signed) *C. E. Lefroy,*
Thomas S. Wale.

N° 128.—Messrs. Lefroy and Wale to Joseph Planta, jun. Esq.

Sir, Paramaribo, Surinam, June 3d, 1821.—(Received 13th Aug.)

WE beg leave to acknowledge the receipt of your letter of the 27th of February, acquainting us, by the direction of Viscount Castlereagh, that it had been notified to him by the ambassador from the court of the Netherlands, that his Netherland Majesty's

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Majesty's frigate, the *Melampus*, of 350 men, 44 guns, commanded by Captain Le Man, which is about to sail for the East Indies, will be provided with a copy of the treaty of May 4th, 1818, and with the documents thereto annexed, relating to the repression of the Slave Trade.

We are, &c. (signed) *C. E. Lefroy.*
Thomas S. Wale.

N° 129.—Messrs Lefroy and Wale to the Marquess of Londonderry.

(Extract.) Surinam 4th July, 1821.—(Received 14th Sept.)

WE have the honour to enclose a proclamation of the governor of Surinam, promulgating the copy of a decree of his Netherland Majesty, dated the 16th April 1821, on the subject of the importation of slaves into this colony.

Your Lordship will immediately perceive that this decree leaves the case just where it found it, imposing no new restriction whatever on the trade, inasmuch as none of the neighbouring colonies are affected by the prohibition. The French colonies, your Lordship is aware, are amongst those whose sovereigns have prohibited the African Slave Trade; yet it is from them chiefly, as we have informed your Lordship, that importations to Surinam of new Africans, have been made.

(signed) *C. E. Lefroy.*
Thomas S. Wale.

(Inclosure in N° 129.)

(Translation.)

Gazette of the Government, N° 5.

Proclamation respecting the Slave Trade.

WE, Cornelius Rynhard Vaillant, knight of the order of the Netherlands Lion, governor-general, ad interim, of the colony of Surinam, commander-in-chief of the land and sea forces in the same, &c. &c. To all who shall see these presents, or shall hear them read, greeting: We notify, that his Excellency, the minister for public instruction, national industry, and the colonies, having under date of April 22d last, transmitted to us a decree of his Majesty, dated Brussels, April 16th, 1821, N° 59, of the following tenor:

We, William, by the grace of God, King of the Netherlands, Prince of Orange Nassau, Grand Duke of Luxemburg, &c. &c. &c. (N° 59.)

Being informed that slaves are occasionally imported into the colony of Surinam, from foreign colonies, where the lawful Slave Trade to Africa is still permitted, bearing in mind the treaty concluded between the Netherlands and Great Britain, and the law enacted, November 20th, 1818, (see State Gazette, N° 30); and having seen the reports from our ministers for foreign affairs, justice, public instruction, national industry, and the colonies; having also heard the council of state:

We have thought proper to direct as follows:

The importation of slaves into the colonies of our kingdom, and especially into Surinam, from those colonies where the importation direct from Africa is still permitted, shall be prohibited, and is accordingly prohibited by these presents; and that under the same penalties as are denounced against the introduction of prohibited goods into the same.

And our minister for public instruction, national industry, and the colonies, is charged with carrying into effect these presents, of which information is to be given to our minister of foreign affairs, and of justice, as also to the council of state; and this our resolution shall forthwith be inserted in the State Gazette.

Brussels, April 16th, 1821. (signed) *William.* (By order of the King.)
J. G. de Meyran Streefkerk.

(A true copy.)

In order that no one may plead ignorance of the above, we direct these to be published and affixed in all places where it is customary, to be immediately circulated in the plantations, and to be inserted in the Government Gazette.

Given at Paramaribo, colony of Surinam, July 2d, 1821, the ninth of his Majesty's reign.

(signed) *C. R. Vaillant.*

N° 130.—C. E. Lefroy to the Marquess of Londonderry.

My Lord, Surinam, Sept. 6th, 1821.—(Received 7th Nov.)

WITH the most sincere regret I have to announce to your Lordship the death of my late friend and colleague Mr. Wale, which took place in the night of Monday last,

last, the 4th instant, of the usual tropical fever. His loss will not easily be supplied to me, nor I think to the particular service in which he was engaged, a service equally obnoxious to the Europeans and Creoles, and even such of the slaves themselves as look forward, from any prospect of emancipation, to the advantages of slaver-holding in their turn; and in this colony rendered still more delicate and difficult from the existence of local feelings; notwithstanding which, Mr. Wale completely succeeded in conciliating the esteem of all classes of the inhabitants, without compromising, in the slightest degree, the high principles of justice and philanthropy in which his employment originated; and his abrupt and premature removal has excited as general and unaffected a sympathy as any event which has occurred here since my arrival.

I have, &c. (signed) *C. E. Lefroy.*

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N° 131.—Christopher Edward Lefroy, Esq. to the Marquess of Londonderry.

(Extract.) Surinam, Dec. 6th, 1821.—(Received 18th Jan. 1822.)

I AM happy to report to your Lordship, an assurance which his Excellency has this morning given to me, not only of the sincerity of the Dutch government, in their determined co-operation with that of His Britannic Majesty, evinced in their instructions to him, to put down the execrable traffic in slaves, but of his own; and that he has, within these few days, refused admission to a slave vessel under the French flag, notwithstanding the strongest importunity for its admission, and that he is most anxious to shut the port entirely to such cargoes; but that great difficulties arise from the connivance of the authorities in the French islands, from whom the vessels (whatever be the character of their cargoes) are frequently furnished with documents of undoubted authenticity.

(signed) *C. E. Lefroy.*

