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Class A.

CORRESPONDENCE

WITH

FOREIGN POWERS,

RELATIVE TO

THE SLAVE TRADE.

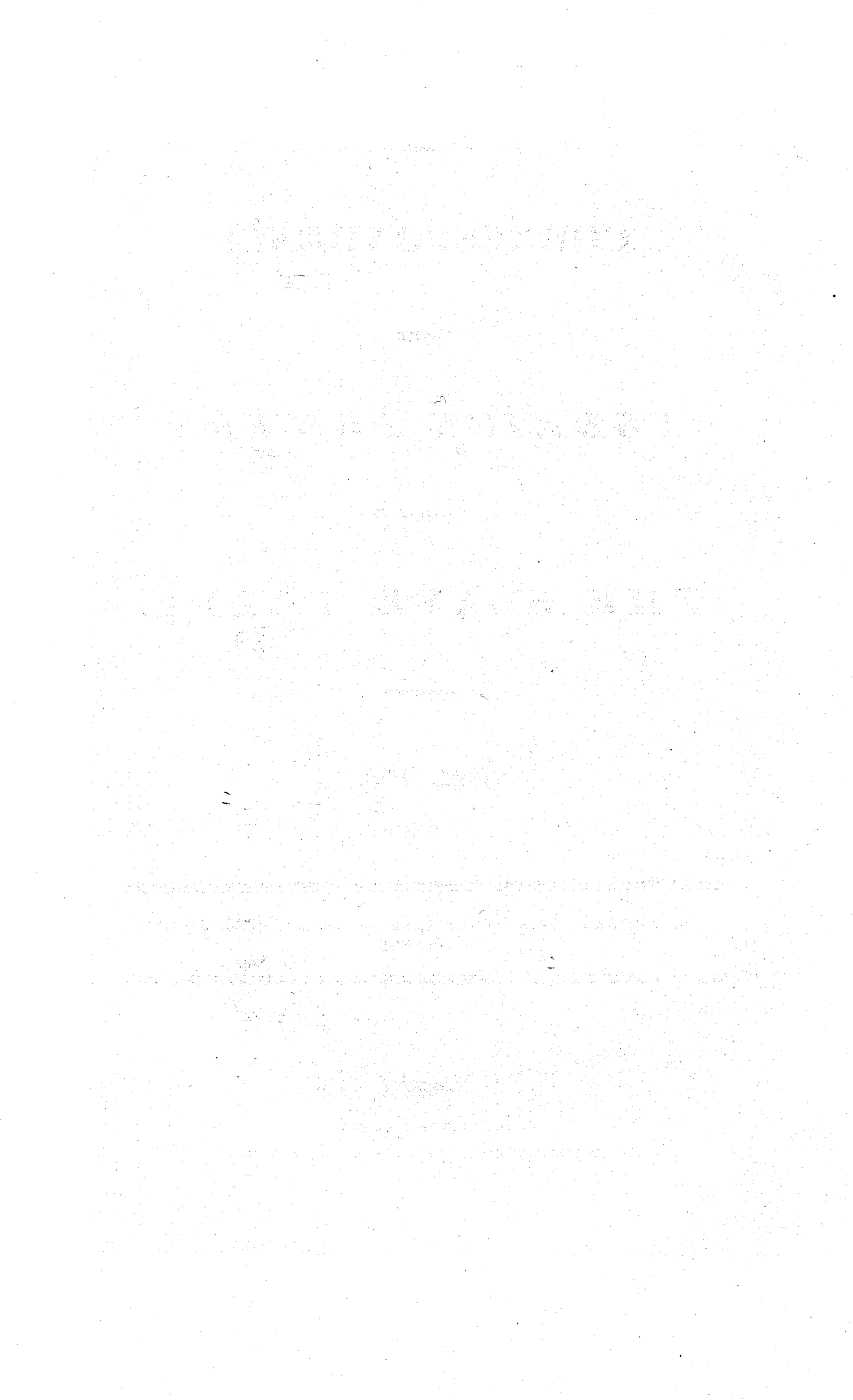
1822. 1823.

*Presented to both Houses of Parliament, by Command of His Majesty,
July 1823.*

LONDON:

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Class A.

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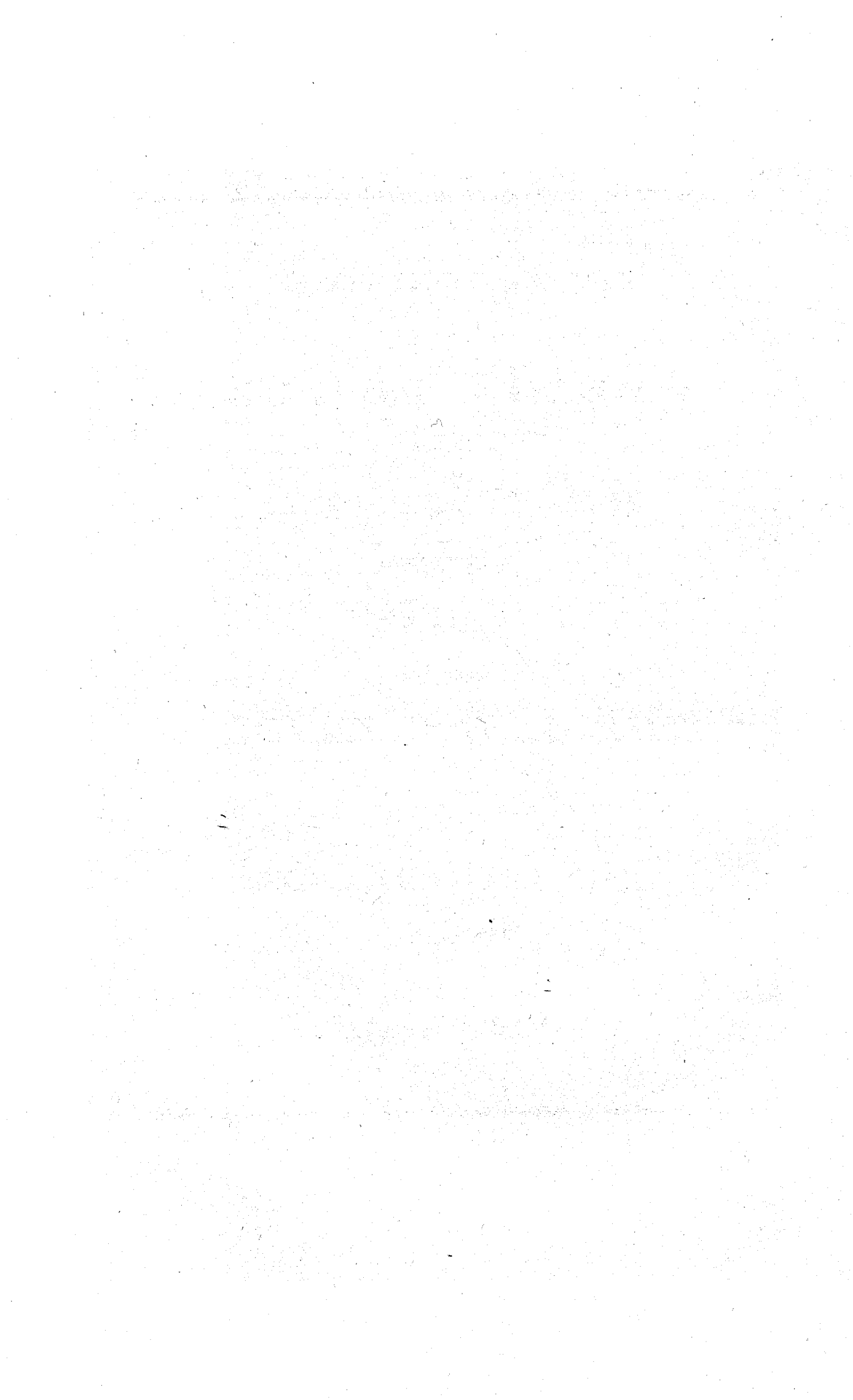
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RELATIVE TO
THE SLAVE TRADE;
VIZ:
THE NETHERLANDS,
SPAIN,
AND
PORTUGAL.



Class A.

CORRESPONDENCE

WITH

FOREIGN POWERS.

NETHERLANDS.

No. 1.

The Marquess of Londonderry to The Earl of Clancarty, (and to E. M. Ward and Lionel Hervey, Esqrs.)

(Circular.)

Foreign Office, February 22, 1822.

IT appears by a reference to the Treaty for preventing illegal Traffick in Slaves, signed between this Court and the Court of that no provision is made for supplying, temporarily, the *Vacancies* occurring in the Mixed Commissions from any other cause than death. As it has already happened at Sierra Leone, and as it may probably happen elsewhere, that a Commissioner, from illness, is unable to perform his functions, I am commanded by His Majesty to direct that you will suggest to the Government of His Majesty, the expediency of extending to the cases, of absence of the Commissioners from illness, or from the permission, regularly notified, of their respective Governments—those provisions of the Treaty which apply to the temporary vacancy occasioned by the death of one or more of the Commissioners.

By the provisions of the Treaty, the disadvantage, if any should arise, will always fall on the side of the Contracting Party who neglects or delays to supply the vacancy; and, while a sufficient guard is thus placed against the abuse of this extension of the stipulations in case of vacancy, the arrangement of it will, possibly, prevent much serious inconvenience, occasioned by an omission in the Treaty which could not have been intended.

If the Government of shall view this matter in the same light in which it is here placed, you are authorised to sign a Declaration to the effect proposed, and you will give me notice of the same, that the necessary instructions may be given to His Majesty's Commissioners, respectively.

I am, &c.

(Signed)

LONDONDERRY:

*His Majesty's Ambassador at the Hague,
Chargé d'Affaires at Lisbon, and
Minister at Madrid.*

No. 2.

The Earl of Clancarty to The Marquess of Londonderry.—(Received March 14.)

MY LORD,

The Hague, March 5, 1822.

I HAVE had the honour of receiving Your Lordship's Despatch of the 22d of February.

By this I am directed, in consequence of an alledged omission in the Treaty signed with this Court on the 4th May 1818, to suggest to them the expediency of rectifying the same by a Subsidiary Declaration, which I am thereby authorized to sign to the effect proposed.

Your Lordship will perceive from the inclosed copy of a Note, officially addressed by me to His Excellency The Baron de Nagell on the 2d instant, that I have lost no time in obeying your instructions in this respect.

I have the honour to be, &c.

(Signed)

CLANCARTY.

The Marquess of Londonderry, K. G.

&c. &c. &c.

(Inclosure in No. 2.)

The Earl of Clancarty to The Baron de Nagell.

The Hague, March 2, 1822.

THE Undersigned, &c., has received instructions to call the attention of this Court to the following statement:

By reference to the Treaty for preventing Traffick in Slaves, signed between the two Crowns on the 4th May 1818, it appears that no provision is *specifically* made for supplying, temporarily, such *vacancies* as might occur in the Mixed Commissions from any other cause than that of death.

It is obvious, as has indeed already happened at Sierra Leone, that a Commissioner may, from illness, become unable to perform his functions, by which much, and possibly serious, inconvenience might be occasioned.

By the ninth Article of the Regulations for the Mixed Courts, annexed to and incorporated with the Treaty, "The Two High Contracting Parties have agreed, that in the event of the death or *legal impeachment* of one or more of the Judges or Arbitrators composing the above-mentioned Mixed Courts, their Posts shall be supplied, *ad interim*, in the following manner:"—

Now, though the temporary absence, from duty, of one or more of the Commissioners, from sickness or from the permission of their respective Governments, regularly notified, would certainly fall directly within the meaning of *legal impeachment*, against which both Parties have already engaged themselves to provide, in the manner described in the remaining part of the said ninth Article, yet, as neither of these causes of absence have been specifically mentioned in the Treaty, and as some inconvenience has, and more may arise, from the omission,—the Undersigned has been directed to suggest to the Government of His Netherlands Majesty, the expediency of extending *specifically* to the cases of absence of the Commissioners from illness, or from the permission regularly notified of their respective Governments, those Provisions which, in expressed terms, apply to the temporary supply of vacancies occasioned by the *death* of one or more of the Commissioners.

By the provisions of the Treaty, the disadvantage, if any should arise, will

always fall on the side of the Contracting Party who may delay or neglect to supply the vacancy;—inasmuch as the reciprocity, so desirable to maintain on this subject, will for the time be suspended, with reference to the equal participation of that Power, through it's Commissioners, in such adjudications as may occur within the period of such vacancy.

It seems, therefore, to be desirable that this matter should be specifically rectified, and, if The King of the Netherlands shall view this matter in the same light, the Undersigned has been authorized and instructed to sign on the part of his Court a Declaration to the effect proposed, with such Person as shall be equally authorized on the part of His Netherlands Majesty.

The Undersigned requests Monsieur le Baron de Nagell will have the goodness to lay this proposal before his Court, and to make known to him the decision that shall be taken thereon, and he avails himself, &c.

The Baron de Nagell,
&c. &c. &c.

(Signed) CLANCARTY.

No. 3.

G. W. Chad, Esq. to The Marquess of Londonderry.—(Received May 12.)

MY LORD,

The Hague, May 10, 1822.

I HAVE the honour to transmit to Your Lordship copy of a Note from The Baron de Nagell, in which His Excellency desires that I will communicate to His Majesty's Government, and to The Earl of Clancarty, that he is now empowered to sign, conjointly with his Lordship, a Declaration in explanation of the 9th Article of the Regulations for the Mixed Courts, annexed to the Treaty of the 4th of May 1818, for the suppression of the Slave Trade.

I have, &c.

(Signed) G. W. CHAD.

The Marquess of Londonderry, K. G.
&c. &c. &c.

(Inclosure in No. 3.)

The Baron de Nagell to G. W. Chad, Esq.

La Haye, le 7 Mai, 1822.

PAR son office du 2 Mars dernier, Son Excellence Le Comte de Clancarty, &c. a proposé, au nom de sa Cour, de pourvoir réciproquement par une disposition ultérieure aux Vacances temporaires éventuelles dans les Cours de Justice Mixtes, pour la répression de la Traite des Nègres, et pour cet effet, à stipuler par une Declaration spéciale que l'Article 9 du Règlement, qui se rapporte au cas de décès et d'empêchement légal des Juges ou des Arbitres composant les Cours sus-mentionnées, est entendu s'étendre et être rendu applicable aux absences des Membres de ces Tribunaux occasionnées soit par maladie, congé temporaire, ou telle autre *cause légitime*.

D'après les motifs allégués à l'appui de cette proposition, Sa Majesté le Roi des Pays-Bas ne trouve aucune difficulté à y consentir, et le Soussigné a été autorisé à signer une Declaration, *ad hoc*, avec l'Ambassadeur de Sa Majesté

Britannique, qui, d'après son office, a pareillement été qualifié par son Gouvernement à la signature d'un Acte qui règle définitivement cet objet.

Il prie M. Chad de faire part de cette disposition à sa Cour, et d'en prévenir également Son Excellence Le Comte de Clancarty, tandis qu'il saisit cette occasion, &c.

(Signé) A. W. C. DE NAGELL.

M. Chad,
&c. &c. &c.

(Inclosure in No. 3.)

(Translation.)

The Hague, May 7, 1822.

BY his Note of the 2d of March last, His Excellency Lord Clancarty, &c. proposed, in the name of his Court, to provide reciprocally by an ulterior arrangement, for temporary vacancies in the Mixed Courts established for the repression of the Slave Trade, and for this object, to stipulate, by a special Declaration, that the 9th Article of the Regulations, which relates to the decease and legal inability of the Judges or Arbitrators composing the above-mentioned Courts, should be understood to extend and be rendered applicable, to the absence of the Members of those Tribunals, whether occasioned by sickness, temporary leave, or any other *legitimate cause*.

From the reasons alledged in support of this proposition, His Majesty The King of the Netherlands feels no difficulty in consenting thereto, and the Undersigned has been authorized to sign a Declaration, *ad hoc*, conjointly with the British Ambassador, who, according to his Note, has been likewise empowered by his Government to sign an Act for the definitive regulation of this object.

He begs Mr. Chad to communicate the above to his Court, and likewise to acquaint Lord Clancarty therewith ;

And he avails himself, &c.

(Signed) A. W. C. DE NAGELL.

G. W. Chad, Esq.
&c. &c. &c.

No. 4.

The Earl of Clanwilliam to G. W. Chad, Esq. (and to E. M. Ward, and Lionel Hervey, Esqrs.)

(Circular.)

Foreign Office, May 4, 1822.

I AM directed by The Marquess of Londonderry to transmit for your information and guidance, a printed copy of certain Papers, relative to the Traffick in Slaves, which have lately been laid before both Houses of Parliament.

I am, &c.

(Signed) CLANWILLIAM.

His Majesty's Ministers at the Hague and Madrid,
and Chargé d'Affaires at Lisbon.

No. 5.

The Marquess of Londonderry to G. W. Chad, Esq. (and to Lionel Hervey, and E. M. Ward, Esqrs.)

(Circular.)

Foreign Office, May 17, 1822.

I FURNISH you, herewith, with a copy of a Letter, dated the 2d of April 1822, from the Secretary to the Admiralty to one of the Under-Secretaries for this Department, by which you will perceive that there will be in future only *two* Signatures of the Lords Commissioners of the Admiralty to the Instructions issued, in conformity to the Treaties, for preventing the illicit Traffick in Slaves.

I have to desire that you will make a communication of this fact to the Government to which you are accredited.

I am, &c.

(Signed) LONDONDERRY.

*His Majesty's Ministers at the Hague and Madrid,
and Chargé d'Affaires at Lisbon.*

No. 6.

The Marquess of Londonderry to G. W. Chad, Esq.

SIR,

Foreign Office, June 11, 1822.

IN reference to the third Article of the Treaty with the Netherlands for the prevention of the Slave Trade, I am to desire that you will make known to the Netherlands Government, that the Instructions therein alluded to have been issued to the following vessels of His Majesty's Navy, viz:—

The *Bann*,... twenty guns, C. Phillips, Commander.

... *Cyrene*,... twenty guns, Percy Grace, Commander.

... *Driver*,... eightenguns, Thomas Woolridge, Commander.

And that the Dutch Instructions issued to the Pheasant, Myrmidon, and Morgiana, will be recalled and cancelled.

I am, &c.

G. W. Chad, Esq.

(Signed) LONDONDERRY.

&c. &c. &c.

No. 7.

The Marquess of Londonderry to G. W. Chad, Esq.

(Extract.)

Foreign Office, July 29, 1822.

I TRANSMIT to you the copy of a Despatch, dated the 1st of May last, and of its Inclosures, which I have received from His Majesty's Commissary Judge at Surinam, complaining of the continued indifference and supineness of the Dutch Authorities, both Civil and Military, at that Colony, in co-operating with the British Commissioners to carry into execution the stipulations of the Treaty of the 4th of May 1818, for the abolition of the Traffick in Slaves.

It appears that no Process, with respect to the forms of proceeding of the Mixed Court, has hitherto been adopted or agreed to by the Dutch Commissioners; that the Dutch ships of war, furnished with the instructions under the Treaty, permit Slave-vessels to land their cargoes even within sight of their anchorage; and it further appears, from Mr. Lefroy's Despatch, that no Successor has, as yet, been named in the Place of the late Dutch Commissary Judge, Mr. Chagnion.

I have received His Majesty's commands, therefore, to desire you will lose no time in stating these circumstances to the Dutch Ministers, and that you will again urge them, in the strongest manner, to cause immediate and effectual instructions to be sent to the Dutch Authorities at Surinam; not only for the adoption of the forms of practice with regard to the proceedings of the Mixed Courts, furnished to the British Commissioners, which were founded upon general principles of Law, and which have been agreed to and acted upon by the Commissioners of Spain and Portugal, but that every assistance should be given by the Governor and Military Officers for the most effectual execution of the stipulations of the Treaty.

His Majesty sees with pain and regret that this indifference and neglect of the conditions of the Treaty on the part of the Dutch Authorities, is likely to lead to the extension of the abominable traffick in human flesh, and He relies with confidence, on the principles of justice and humanity which actuate The King of the Netherlands, that, so soon as His Majesty shall be made acquainted with these circumstances, His Majesty will direct measures to be taken for causing the Orders He has already given to be obeyed, and that He will no longer suffer His Subjects to violate the conditions of the Treaty which He has solemnly entered into with this Government for the abolition of this detestable traffick.

(Signed) LONDONDERRY.

G. W. Chad, Esq.
&c. &c. &c.

No. 8.

G. W. Chad, Esq. to The Marquess of Londonderry.—(Received August 9.)

MY LORD,

The Hague, August 6, 1822.

IN obedience to the instructions contained in Your Lordship's Despatch of the 29th ultimo, I addressed a Note to The Baron de Nagell, of which I have the honour herewith to transmit a copy.

The Marquess of Londonderry, K. G.
&c. &c. &c.

I have, &c.

(Signed)

G. W. CHAD.

(*Inclosure in No. 8.*)

G. W. Chad, Esq. to The Baron de Nagell.

The Hague, August 4, 1822.

IT is with great regret that the Undersigned, &c. is compelled, in obedience to the orders of his Court, to call the attention of the Government of the Netherlands to a subject which has already been the cause of many painful representations.—Confident hopes were entertained that the instructions issued to the Dutch Colonial Magistrates would have prevented any further evasions of the Treaty of May 4th 1818.

These hopes, however, have proved unfounded. The British Commissary Judge at Surinam has reported to his Government, various instances in which the late Governor of that Colony, and his Successor, have refused their assistance for the attainment of the humane object of that Treaty, and the Documents in support of this statement exhibit sufficient proof of the justness of the complaint.

It appears that the Commissary Judge deemed it expedient to offer a reward for such information as should lead to the detection of British subjects engaged in the Slave Trade. The late Governor, Mr. Vaillant, and his Successor Mr. de Veer, refused to permit this advertisement to appear in the newspapers, and thus prevented it's publication.

A similar prohibition was extended to a Despatch of Baron Portal of the 17th July 1821, to which it was essential to the interests of the Abolition that publicity should be given.

The correspondence which has taken place between the Commissary Judge and the Governor, far from betraying any marks of irritation, affords proof that a general good understanding existed between these Persons.

The conduct of the Governor, therefore, cannot be ascribed to personal hostility,—it can only be attributed to a desire to evade the object of the Treaty.—This disposition seems not confined to the operations of the interior of the Colony :

The *Thetis*, brig of war, belonging to Surinam, has permitted vessels laden with Slaves to approach the mouths of the rivers without opposition; nay, the *Comet*, frigate, and the *Swallow*, brig, both commissioned under the Treaty for the prevention of the Slave Trade, have betrayed equal supineness.

The Naval Commanders may, however, be free from reproach, for it appears by the Baron de Nagell's Note of the 9th November 1820, that in the Dutch Colonies these Officers are subject to the Colonial Authorities.

The Undersigned is further directed to represent to the Netherland Government, that, notwithstanding the repeated remonstrances of the Commissary Judge, and of his late Colleague, the Mixed Court is still at this moment without any Process by which it can act.

The English forms of practice which, in obedience to the instructions of the Marquess of Londonderry, were recommended for adoption, have been rejected; and a Note of the 17th April last from the Governor, Mr. Vaillant, shews that, up to that date, nothing had been done towards the substitution of any other.

Lastly, no Successor has as yet been appointed in the place of the late Dutch Commissary Judge, M. Chagnion, who died in November 1820,

The Undersigned has received the commands of The King, his Master, to state these circumstances, without loss of time, to the Court of the Netherlands, and to urge the Netherlands Government, in the strongest manner, to direct that those Forms of practice which have been accepted and are used by the Commissioners of Spain and Portugal, be adopted in the Mixed Court at Surinam, and that cordial assistance be given by the Civil and Military Authorities for the complete execution of the Treaty.

His Majesty sees with pain and regret that the indifference of the Dutch Colonial Authorities, their neglect of the stipulations of that Treaty, and their disregard of the Orders already given by the Netherlands Government, will tend to perpetuate and extend the abominable Traffick in Slaves.

His Majesty relies, however, with confidence on the justice and humanity of The King of the Netherlands,—is convinced of the sincerity of His wishes for the extinction of this detestable trade,—and trusts that He will no longer suffer the execution of His own Commands, and the conditions of a solemn Treaty, to be evaded with impunity.

The Undersigned, &c.

(Signed)

G. W. CHAD.

The Baron de Nagell,
&c. &c. &c.

No. 9.

Joseph Planta, jun. Esq. to G. W. Chad, Esq.

Foreign Office, August 21, 1822.

MR. PLANTA presents his compliments to Mr. Chad, and, in reference to Lord Londonderry's Despatch of the 29th of July last, is directed to acquaint him that, by a Despatch just received from His Majesty's Commissary Judge at Surinam, under date of the 4th of June last, it appears that Mr. Lammens has been appointed Commissary Judge of the Mixed Court at Surinam by The King of the Netherlands, and that Mr. Lammens has since duly taken the Oath prescribed by the Treaty of the 4th of May 1818, for such appointment.

No. 10.

Earl Bathurst to G. W. Chad, Esq. (and to Sir Charles Stuart, and Stratford Canning, Lionel Hervey, and E. M. Ward, Esqrs.)

(Circular.)

Foreign Office, September 6, 1822.

AN humble Address having been presented by the House of Commons to His Majesty, pursuant to a Resolution of the House, dated the 27th of June last, upon the subject of the Traffick in Slaves, in which Address allusion is made, particularly, to the existing State of the Negotiations between this Country and Foreign Powers, upon this important and interesting matter: I have the honour to forward to you herewith a copy of the Address for your information; and I have to direct your especial attention to the purport of it, in any communication which you may have with the Ministers of the Court at which you reside, upon the subject of the Traffick in Slaves.

I am, &c.

His Majesty's Ministers

(Signed

BATHURST,

at The Hague, Washington, and Madrid,

Ambassador at Paris, and

Chargé d'Affaires at Lisbon.

No. 11.

Mr. Secretary Canning to The Earl of Glancarty, (and to E. M. Ward, and Lionel Hervey, Esqrs.)

(Circular.)

Foreign Office, September 30, 1822.

REFERRING you to the Circular Despatch of His Majesty's Secretary of State for Foreign Affairs, of the 22d of September 1820, upon the subject of that part of the Treaty (Convention) between Great Britain and for preventing illegal Traffick in Slaves, which enacts, that ships of war may detain and bring in vessels suspected of illegal traffick, in the event only of their actually finding Slaves on board, and in reference also to the acquiescence of the Government, as signified by you, in the proposition which, by the Despatch above-mentioned, His Majesty's Ministers were instructed to make upon this Point;

I am now to send to you by The King's command the *Projet* of an Article, drawn up in strict conformity with the proposition then made, with a view of ensuring the true object of the Treaty (Convention) as concluded at that time; and I have to instruct you to lose no time in seeing the Minister, and urging him to take the orders of The King, his Master, with respect to signing an Article to the effect of the Draft accompanying this Despatch.

Full Powers for the purpose required will be transmitted to you without delay; and The King doubts not that His Majesty will promptly issue the necessary authority to His Ministers to sign the Article in question, with the view of giving full effect to the assurances which His Majesty has already conveyed to The King upon this subject.

I am, &c.

(Signed)

GEORGE CANNING.

*His Majesty's Ambassador at the Hague,
Envoy at Madrid, and
Chargé d'Affaires at Lisbon.*

(Inclosure in No. 11.)

Projet of an Explanatory Article to the Treaty (Convention) between His Majesty and The King of....., concluded and signed at on the..... day of..... 181 .

ARTICLE I.

WHEREAS it is stated, in Article I. of "Instructions intended for the "British and ships of war employed to prevent the illicit "Traffick in Slaves," that ships, on board of which no Slaves shall be found intended for purposes of traffick, shall not be detained on any account or pretence whatever; and whereas it has been found by experience that vessels employed in the illegal traffick, have put their Slaves momentarily on shore, immediately prior to their being visited by ships of war, and that such vessels have thus found means to evade forfeiture, and have been enabled to pursue their unlawful course with impunity; contrary to the true object and spirit of the Treaty, (Convention) above-mentioned.

The High Contracting Parties, therefore, feel it necessary to declare, and it is hereby declared by Them, that, if there shall be clear and undeniable proof, that a Slave or Slaves have been put on board a vessel for the purpose of illegal traffick, in the particular voyage on which the vessel shall be captured, then, and on that account, according to the true intent and meaning of the stipulations of the Treaty, (Convention) such vessel is to be detained by the cruizers, and finally condemned by the Commissioners.

This Explanatory Article shall have the same force and effect, as if it were inserted word for word in the said Treaty, (Convention) and shall be held to form part of the same.

In witness whereof the Undersigned, furnished with Full Powers to that effect from their respective Sovereigns, have hereunto signed their names and affixed their Seals.

Done at... .. the..... day of..... 1822.

(Signed)

(L. S.)

(Signed)

(L. S.)

No. 12.

Mr. Secretary Canning to The Earl of Clancarty (and to E. M. Ward, and Lionel Hervey, Esqrs.)

(Circular.)

Foreign Office September 30, 1822.

REFERRING you to the Circular Despatch of His Majesty's Secretary of

State for Foreign Affairs, under date of the 22d of February 1822, in which it was proposed that the Regulations for supplying the case of the death of one or more of the Commissioners under the Treaty (Convention) for preventing illegal Traffick in Slaves, should be extended to the case of the absence of the said Commissioners, on account of illness, or any other unavoidable cause;

I have to send to you the *Projet* of an Article to the effect stated; and I am to convey to you The King's commands, that you propose to the Minister, to take without delay the directions of His Sovereign, for the conclusion and signature of the Article in question.

Full Powers for this purpose will be transmitted to you without delay.

I am, &c.

(Signed)

GEORGE CANNING.

*His Majesty's Ambassador at The Hague,
Minister at Madrid, and
Chargé d'Affaires at Lisbon.*

(Inclosure in No. 12.)

Projet of an Additional Article to the Treaty (Convention) between His Majesty and the King of for the prevention of the illegal Traffick in Slaves, signed at on the day of 181

THE High Contracting Parties hereby agree that, in the event of the absence, on account of illness, or of any other unavoidable cause, of one or more of the Commissioners, Judges and Arbitrators, under the above-mentioned Treaty, (Convention) or in the case of their absence in consequence of leave from their Government, duly notified to the Board of Commission, sitting under the said Treaty, (Convention) their Posts shall be supplied in the same manner in which, by the Article. . . of the "Regulations for the Mixed Commissions," those vacancies in the Commission are to be supplied, which may occur by the death of one or more of the Commissioners aforesaid.

This Article shall have the same force and effect as if it had been inserted word for word in the above-mentioned Treaty, (Convention) and shall be held to form part of the same.

In witness whereof, the undersigned, duly furnished with Full Powers from their respective Sovereigns, have signed the present additional Article, and have affixed thereunto the Seal of their Arms.

(Signed)

(L. S.)

(Signed)

(L. S.)

No. 13.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, October 4, 1822.

YOUR Excellency is authorised by my Despatch of 30th September to proceed to the signature of an Article, extending to vessels which shall be proved to *have had* Slaves on board, the penalties of capture and condemnation, hitherto applicable to those only, on board of which Slaves should be actually found at the moment of visiting them.

As this extension has been already agreed to by the Government of His Netherlands Majesty, I have not thought it advisable to risk the retraction of their consent, by opening a new proposition, until the signature of the Article prepared for giving effect to it shall have been obtained. But as soon as that object is accomplished, Your Excellency will, in discoursing with the Netherlands Minister upon the effects of the Article, and the mode of carrying it into execution, observe that, in the absence of other evidence, the fitting-up of a vessel evidently for the purposes of the Slave Trade, must be held to shew so plainly the intention of her voyage, as to be received in proof of the fact against the interested testimony of the Navigators.

It is indeed quite impossible to imagine any pretext for those arrangements on board a ship, which are calculated for the reception of a living cargo, except the purpose for which they are really destined; and it would be quite mockery to pretend that the purpose so manifested differs in any degree, in guilt, from the total or partial execution of it,—however, under the Convention, as it originally stood, the actual presence of the miserable victims was held to be necessary to substantiate the charge of trading in them. If there be (as the admission of the extended Article gives His Majesty reason to hope) a sincere desire on the part of the Netherlands Government to execute this Engagement fairly, there cannot be a hesitation on the part of the Minister appointed to sign this Article with Your Excellency, to admit, and, if thought necessary, to record, the supplemental Provision, that the fitting up of the ship (which may be described in as precise terms as the Netherlands Minister requires) shall be held to be *prima facie* evidence of the nature of the cargo. The burthen of the proof to the contrary must rest with the Captain of the vessel, who will have to shew, to the satisfaction of the Captors, to what other purpose such fitting-up can be applicable. I inclose a draft of a *Proviso*, which may be added to the clause, and which Your Excellency's Full Power, will equally enable you to sign.—If the Netherlands Minister should prefer its being added to the Treaty in the distinct shape of a separate Article, Your Excellency is equally authorized to sign it in that form; or if any suggestions are offered, for avoiding the possibility of error, as, to the illegal purpose of a voyage, you will profess your readiness to refer them for the consideration of your Government, in the confidence that the real and *bond fide* intention of the Netherlands Government is to give validity and effect to the prevention of illicit Slave Trade.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c.

&c.

&c.

(*Inclosure in No. 13.*)

Draft of Proviso.

IT being well understood, that, in the absence of oral or documentary evidence, the fitting-up of the vessel with. (*Here insert the description*.) shall be considered as *prima facie* proof of the nature of the cargo, and shall render the said vessel liable to capture and condemnation.

Note.—A Despatch inclosing a Draft of this Proviso, was also addressed on the same day to E. M. Ward, and Lionel Hervey, Esqrs.

No. 14.

Mr. Secretary Canning to The Earl of Clancarty (and to E. M. Ward, and Lionel Hervey, Esqrs.)

(Circular.)

Foreign Office, November 1, 1822.

IN reference to my Despatch of the 4th of October, I furnish you with a Memorandum respecting the *fitting-up* of a vessel intended for trading in Slaves. You will insert the substance of this Paper in the *Proviso* inclosed in my Despatch above mentioned.

I am, &c.

(Signed)

GEORGE CANNING.

His Majesty's Ambassador at the Hague,

Minister at Madrid, and

Chargé d'Affaires at Lisbon.

(Inclosure in No. 14.)

MEMORANDUM respecting the fitting-up of Slave-Vessels.

ANY vessel, subject to examination under the Treaties, being found hovering or sailing near to the West Coast of Africa, between the 20th degree of North Latitude and the Equator, or at anchor in any of the rivers or bays of the said Coast, having on board an unreasonable quantity of water in casks or tanks, more than necessary for the consumption of her crew as a Merchant-vessel; or any such vessel having on board an unreasonable number of water-casks, or other vessels for holding water, unless the Commander produce a Certificate from the Custom-House of the Place from which he cleared outwards, stating that a sufficient bond had been given by the Owners of such vessel to guarantee that such extra quantity of casks should only be used for the reception of palm-oil; or any such vessel having on board a greater quantity of mess-tubs or kids than necessary for her crew as a Merchant-vessel; or any such vessel having on board two copper boilers, a small one for her crew, and a larger one, or one of *much* larger size than requisite for the use of her crew as a Merchant-vessel; or any such vessel having on board a quantity of rice or farinha (flour of the manioc of Brazil, or of the Cassada) or maize, or Indian corn, beyond any probable necessary provision for the crew, and such flour or maize not being entered on the Manifest as part of the cargo for trade;

Or any such vessel having on board a number of bolts, shackles, or handcuffs; or any such vessel having on board spare plank in the hold, fit for readily laying a second or moveable Slave-deck, or having more divisions or bulk-heads in the hold or on deck than necessary for trading-vessels; or any such vessel having her hatches fitted as open gratings, instead of being close hatches, as usual in Merchant-vessels, (this last being one of the surest marks of the intention to receive Slaves);—every such vessel is to be detained and sent into port for adjudication, and shall be convicted as a vessel employed in the unlawful Traffick of Slaves, unless the Master can adduce sufficient proof of the legality of his pursuits, to clearly and satisfactorily do away the impression excited by such of the foregoing causes of suspicion as apply to him.

No. 15.

The Earl of Clancarty to Mr. Secretary Canning.—(Received November 8.)

(Extract.)

Brussels, November 5, 1822.

ALTHOUGH I left the Hague on Tuesday last, with the view of immediately embarking on board the Royal Yacht at Rotterdam for the removal of my family to Brussels, yet such was the adverse state of the winds, that we were unable to reach this Residence till yesterday morning, and the baggage-boats with the archives of this Mission are not yet come up.

On arriving here I found the Note, of which the inclosed is a copy.

This I transmit without comment; because I am still unacquainted, otherwise than by the Note itself, of the particular details of the complaints to which it professes to be an answer, and must so remain till the arrival of the Papers of this Embassy shall enable me to refer to the whole Correspondence.

M. le Baron de Nagell called upon me, and asked me whether I had received his Note. I told him I had, but that, uninformed of the particulars

till the Records of the Embassy should arrive, I could pronounce no opinion whether the matters therein stated would prove satisfactory to my Court :— Of this I could, however, take it upon me to assure him, without fear of disavowal, that the last paragraph of his Note would afford sincere pleasure to The King my Master, confirming as it did in the most official form, the assurance given to me, through the Minister of the Colonies, immediately prior to my departure from the Hague in March last, of the strenuous and zealous co-operation of this Court with that of London, for the effectual execution of the Treaty of the 4th of May 1818.

(Signed) CLANCARTY.

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

(Inclosure in No. 15.)

The Baron de Nagell to The Earl of Clancarty.

Bruelles, le 28 Octobre, 1822.

LA Note du 4 Août, remise au Soussigné par M. le Ministre Plénipotentiaire de Sa Majesté Britannique, contenant des représentations sur la manière évasive dont le Traité du 4 Mai 1818, serait exécuté dans la Colonie de Surinam, a fixé particulièrement l'attention du Roi, et provoqué desuite les informations les plus approfondies. Il résulte de cette enquête que les éclaircissemens à donner aux rémonstrances de M. le Commissaire Britannique à Surinam, sont de nature à tranquilliser pleinement le Gouvernement de Sa Majesté Britannique.

La première plainte de M. le Commissaire Britannique à Surinam, porte sur le refus du ci-devant Gouverneur de cette Colonie, M. Vaillant, et de son Successeur, de faire inserer dans les papiers publics l'avertissement, ou promesse de récompense, que ce Juge voulait y faire mettre pour encourager les dénonciations des sujets Anglais engagés dans le Trafic des Esclaves.

Il ne sera pas difficile de justifier la légitimité de ce refus. Partout ces sortes d'encouragement sont du ressort de l'accusateur public. Cette seule considération aurait dû détourner un Juge d'une démarche pareille.

L'intention de borner les enquêtes uniquement à la conduite des sujets Anglais, pouvait faire croire à l'intention de s'attribuer sur ses compatriotes une sorte de juridiction incompatible avec ses fonctions.

Les sujets Anglais, durant leur séjour sur le territoire des Pays-Bas, ne sont responsables et justiciables du fait de leurs transgressions des Lois et Ordonnances du Royaume, que devant les Tribunaux établis sur ce Territoire. Les Tribunaux Mixtes, établis par exception, ne sauraient prendre connaissance que de la saisie des navires, suspects du trafic prohibé des Esclaves. Si M. Le Commissaire Britannique eût pu, à l'aide de l'avertissement dont il s'agit, se procurer des preuves contre un de ses compatriotes établis à Surinam, il n'aurait pu en faire d'autre usage, que de provoquer par le Ministère public la poursuite et le jugement de l'affaire devant la Cour de Police et de Justice Criminelle de la Colonie. Mais alors les Magistrats et les Tribunaux se trouveraient soumis à une surveillance et à une intervention étrangère pour le maintien des Lois de l'Etat, et de cette manière un étranger, soit particulier, soit revêtu de quelque qualité, pourrait se permettre dans un état de provoquer la délation contre ses compatriotes, et de tendre, malgré elles, aux Autorités du Pays un main secourable pour l'accomplissement des devoirs de leur charge.

Les principes de la Souveraineté Territoriale sont les mêmes partout, soit dans la mère-patrie, soit dans les Colonies; et, conséquemment, on ne saurait faire un sujet de reproche aux Autorités Coloniales du Royaume, lorsqu'elles ont décliné poliment une intervention étrangère qui leur paraissait une tentative de s'immiscer dans leurs fonctions.

Un second chef de plainte, qui a beaucoup de rapport avec le précédent, est un refus du même genre, concernant la publication d'une Circulaire française, dont le même Juge Commissaire Anglais aurait volontiers vu l'insertion dans les Gazettes de Surinam.

Il n'est pas aisé de concevoir, en lisant cette pièce, qui a été transmise au Département des Colonies, comment la publication d'une dépêche d'un Ministre Etranger, conçues en termes aussi vagues, aurait pu être réellement de quelque importance.

Le ci-devant Gouverneur *Vaillant*, en porta un jugement tout différent.

Il l'a jugé si insignifiante qu'il ne crut pas devoir adopter l'idée du Juge Commissaire Anglais; qui, au reste, n'avait pas obtenu la connaissance de cette pièce par ses propres relations à la *Cayenne*, mais par une communication obligeante du ci-devant Gouverneur, *Vaillant*, même.

Cette circonstance implique, à ce qu'il paraît, que la bonne intelligence regnait entre M. le Commissaire Anglais, et le ci-devant Gouverneur, *Vaillant*, et fait regretter l'insinuation, qu'il aurait eu le désir d'éluder l'exécution du Traité du 4 Mai 1818.

Une troisième plainte paraît d'une nature plus grave. On prétend que des batimens Négriers, se sont approchés et arrêtés dans le voisinage de la Colonie, au point que la *Comète*, l'*Hirondelle*, ou la corvette Coloniale *Thétis*, auraient pu s'en emparer conformément au Traité.

Les informations transmises au Département des Colonies font révoquer en doute l'exactitude de cette assertion; et il suffira de se fixer aux dates pour disculper les Commandans de ces vaisseaux.

L'arrêté du Roi du 16 Avril 1821, qui interdit l'abord des Négriers français à la Colonie de Surinam, n'y a pu être mis à exécution qu'au mois de Juillet suivant. Or, précisément à cette époque le Gouverneur avait expédié la *Thétis* pour les Pays-Bas; le 28 de ce même mois elle était arrivée au Texel, et depuis elle a été vendue. Le nom de la *Thétis* rappelle le souvenir, que ce bâtiment était un Négrier Espagnol, nommé *Valverde*, poursuivi et capturé dans les eaux de Surinam.

La *Comète* avait dès le mois de Février ou Mars 1821, cessé d'appartenir à la station des Indes Occidentales.

La nomination du Sieur *A. F. Lammens*, comme Juge pour les Pays-Bas près la Cour Mixte à Surinam, fait tomber une quatrième plainte, non seulement qu'on a reçu la nouvelle de son installation, mais le Sieur *Lammens* en réprenant la tâche que le Sieur *Chagnion*, son Prédécesseur, avait laissée incomplète, a déjà rédigé un mode de procédure qui forme actuellement le sujet d'une correspondance entre les Départemens de la Justice et des Colonies, et sur lequel le Roi sera en état de prendre dans peu une décision.

Après avoir répondu en détail aux plaintes de M. le Ministre Plénipotentiaire de Sa Majesté Britannique, il reste au Soussigné une tâche à remplir qui lui est infiniment agréable, celle de lui faire observer que les intentions de Son Auguste Maître répondent parfaitement à celles de Sa Majesté le Roi de la Grande Bretagne, que l'exécution du Traité du 4 Mai 1818, est constamment l'objet de ses soins, et que les Autorités Coloniales, connaissant la volonté précise de leur Souverain, ne sauraient se relâcher des devoirs qu'ils ont à remplir.

Le Soussigné saisit, &c.

(Signé)

A. W. C. DE NAGELL.

Son Excellence M. de Comte de Clancarty,

&c.

&c.

&c.

(Inclosure in No. 15.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, October 28, 1822.

THE Note transmitted to the Undersigned on the 4th of August, by His Britannick Majesty's Minister Plenipotentiary, containing remonstrances as to the evasive manner in which the Treaty of the 4th of May 1818, was executed in the Colony of Surinam, has engaged the particular attention of The King, and consequently occasioned the most thorough investigation. The result of this inquiry has been to afford such explanations to the remonstrances of the British Commissioner at Surinam, as fully to satisfy the Government of His Britannick Majesty.

The first complaint of the British Commissioner at Surinam, is directed against the refusal of the former Governor of that Colony, *Mr. Vaillant*, and of his Successor, to order the insertion in the publick papers of an advertisement, or promise of reward, which this Judge was desirous of having published, encouraging denunciations against British subjects engaged in the Slave Trade.

It is not difficult to prove the right of that refusal. This sort of encouragement always emanates from the publick accuser; this consideration alone, ought to make a Judge avoid such a measure.

The intention of confining the inquiries to the conduct only of British subjects, would give rise to a supposition that he wished to assume a kind of jurisdiction over his countrymen, incompatible with his duties.

British subjects, during their residence in the Netherlands, are only responsible and amenable, for their transgressions against the Laws and Ordinances of the Kingdom, before the Tribunals established in that Country. The Mixed Tribunals, established for particular cases, can only take cognizance of the seizure of vessels suspected of carrying on the illicit Trade in Slaves. If the British Commissioner could, by means of the advertisement in question, adduce proofs against one of his countrymen settled at Surinam, it could have had no other effect than to have had the matter tried and adjudged before the criminal Court of Justice and Police of the Colony, through the means of the publick Agent. But in this case the Magistrates and the Tribunals would become subjected, in the execution of the Laws of the Country, to foreign surveillance and interference; and thus a foreigner, either in a private station, or invested with some official character, would be enabled, in any State, to procure an accusation against his countrymen, and to stretch out to the Authorities of the Country, in spite of themselves, a helping hand for the performance of the duties of their office.

The principles of Territorial Sovereignty are the same every where, both in the mother Country and in the Colonies, and consequently the Colonial Authorities of the Kingdom cannot be blamed, because they have politely declined a foreign interference, which appeared to them like an attempt to intermeddle with their functions.

A second subject of complaint, which is nearly connected with the preceding, is a refusal of the same nature, respecting the publication of a French Circular, which the same English Commissary Judge was desirous should be inserted in the Surinam newspapers.

It is not easy to conceive, on reading this statement, which has been transmitted to the Colonial Department, how any importance could in reality belong to the publication of the Despatch of a foreign Minister, couched in such vague terms.

The previous Governor, *Vaillant*, came to a very different decision. He declared it of so little consequence, that he did not think it worth while adopting the opinion of the British Commissary Judge; who, in fact, had

received no account of this affair from his own Correspondents at *Cayenne*, but through the obliging communication of the previous Governor, *Vaillant*.

This circumstance, as it appears, implies that a good understanding subsisted between the British Commissioner and the previous Governor, *Vaillant*, and gives one reason to regret the imputation, that he wished to avoid the execution of the Treaty of the 4th May 1818.

The third complaint seems to be of a more serious cast. It is stated that some Slave-vessels have approached and anchored in the roads of the Colony, at a Place where the *Comet*, the *Swallow* and the Colonial corvette *Thetis*, might have captured them according to the terms of the Treaty.

The information transmitted to the Colonial Department leaves a doubt as to the correctness of this statement, and it is only necessary to refer to dates to exculpate the Commanders of these vessels.

The King's Decree of the 16th of April 1821, prohibiting French Slave-ships from approaching the Colony of Surinam, could not be carried into effect before the month of July following; and, at that precise time, the Governor had ordered the *Thetis* to the Netherlands. On the 28th of that month she arrived in the Texel, and she has since been sold. The name *Thetis* brings to one's recollection that this vessel was a Spanish Slave-ship, named *Valverde*, chased and captured in the Roads of Surinam.

The *Comet*, since the month of February or March 1821, had ceased to belong to the West India station.

The appointment of the *Sieur A. F. Lammens* as the Judge for the Mixed Commission at Surinam, on the part of the Netherlands, puts an end to the fourth complaint. Not only has advice been received of M. de Lammens having entered on the business of his office, but in undertaking the duties which the *Sieur Chagnion*, his Predecessor, had left unfinished; he had already digested a Mode of Procedure which at present forms the subject of a correspondence between the Departments of Justice and of Colonies,—and upon which The King will shortly be enabled to decide.

Having given a detailed answer to the complaints of the Minister Plenipotentiary of His Britannick Majesty, it only remains for the Undersigned to discharge the infinitely agreeable duty of observing to him, that the wishes of His August Master are entirely conformable to those of His Majesty The King of Great Britain, for the execution of the Treaty of the 4th of May 1818, which is the constant object of His solicitude,—and that the Authorities of the Colony, well knowing the precise intentions of their Sovereign, cannot deviate from the line of duty which is prescribed to them.

The Undersigned avails himself, &c.

(Signed) A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
&c. &c. &c.

No. 16.

The Earl of Clancarty to Mr. Secretary Canning.—(Received November 11.)

(Extract.)

Brussels, November 8, 1822.

I HAVE waited on M. le Baron de Nagell, and, endeavouring to remind him of our former conversations in 1820, have urged him to apply immediately to The King for the requisite authority to sign an *additional Article*, according to the instruction I have received from you, dated the 30th September.

He told me that after such a lapse of time he could scarcely be expected to remember what had passed at the period referred to ; stated he would refer to the communication he had then made to The King, and expressed his readiness to re-urge His Majesty upon the subject ; and recommended me to address a Note to him, containing in detail the evil to be guarded against, as requiring remedy by the signature of an additional Article, and that he would lose no time in laying the same before The King.

I have therefore this morning addressed to His Excellency a Note, of which I have now the honour to inclose a copy, and which I hope will meet with your approbation.

(Signed) CLANCARTY.

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

(Inclosure in No. 16.)

The Earl of Clancarty to The Baron de Nagell.

Brussels, November 8, 1822.

THE Undersigned, &c. has the honour to recall to the recollection of M. le Baron de Nagell, the subject of two conferences held with His Excellency so far back as the 12th and 13th October 1820.

In obedience to the instructions he had then recently received, the Undersigned endeavoured to press upon this Government the necessity of a joint explanatory Declaration, or additional Article, to the Treaty of the 4th of May 1818, and the issue of instructions thereon, in opposition to a gross fraud, by which it was attempted, by the Slave-traders upon the Coast of Africa, in setting up the precise letter, to defeat the obvious meaning and spirit of the said Treaty.

By the fifth Article, no British or Netherlands cruizer is permitted to detain any ship whatever, not having Slaves *actually* on board.

The case upon which the Undersigned was then instructed to apply, was that of a vessel actually concerned in the traffick, and which had already received one Slave on board at the time she was found and perceived by the ship of war pursuing her. She, however, in this extremity, contrived to get the Slave into a boat alongside, before the ship of war boarded her : at this moment, and before the boat could reach the shore, the vessel, the boat, and the Slave, were detained and brought into Sierra Leone.

The circumstances above-mentioned being proved, a difference of opinion took place between the Members of the Commission before whom the cause was brought, whether the capture was legal or not, according to the terms of the Treaty above recited. The matter was then referred by lot to one of the Arbitrators appointed in such cases ; and the Arbitrator on whom the lot fell, adjudged that the vessel was illegally detained, ordered her liberation, and subjected the Capturing Party to the costs of detention.

The Undersigned was expressly informed by his instruction, that no imputation was intended to be thrown upon the Arbitrator for this decision ; neither was it wished to invalidate it, in the instance above detailed : but it being evident that the decision was in opposition to the design of the Treaty, he was instructed to press the matter upon the early attention of The King of the Netherlands, and to urge His Majesty to enter into a joint Declaration, or additional Article, to prevent the effect of a precedent of the nature established by the decision, by which a gross fraud against the spirit of the Treaty

was set up, as founded upon its precise letter, to the manifest defeat of the objects contemplated by the High Contracting Parties.

The Undersigned, in the said conferences had the honour of urging to His Excellency, that this would be the obvious consequence on the African Coast, of leaving the matter without any counteracting measure upon the decision of the Arbitrator already cited: because the vessels there concerned in the Slave Trade keep close along shore, and land or lower into boats, or even force to swim ashore the Slaves whom they have illegally taken on board, upon the appearance of the capturing ship; by which means, under this decision, the real object of the Treaty is effectually evaded.

M. le Baron de Nagell appeared at the time to be impressed with the reasonableness of the proposal, and with the necessity of adopting some immediate counteracting measure, undertaking at the first of these conferences, and giving the Undersigned to understand at the second, that he had actually laid the matter before The King, his Master, for His Majesty's decision thereon. No further answer appears to have been thenceforward made: various circumstances subsequently occurred, which sufficiently account for this silence.

The Undersigned has, however, now received pressing instructions to renew this subject without loss of time, and to propose that the evil should be met by an additional Article to the Treaty of 4th May 1818; and to urge M. le Baron de Nagell to take the orders of The King, his Master, with a view to the early issue by His Majesty's Government of the necessary authority to His Minister, to sign such Article as shall be mutually agreed upon, for the purpose of giving full effect to the real object and spirit of the original Treaty.

The Undersigned cannot omit this, the first opportunity of thanking M. le Baron de Nagell for the concluding paragraph of his Note of the 28th ult., addressed to Mr. Chad, the confirmatory assurance conveyed in which he is convinced will afford sincere pleasure to the Government of The King, his Master.

He avails himself, &c.

(Signed)

CLANCARTY.

His Excellency The Baron de Nagell,
 &c. &c. &c.

No. 17.

The Earl of Clancarty to Mr. Secretary Canning.—(Received November 15.)

(Extract.)

Brussels, November 12, 1822.

I HAD the honour yesterday morning of receiving your Despatch of the 1st instant, with its Inclosure, specifically describing the manner of fitting up a vessel so as to indicate her being intended for Slave Traffick.

This description completes the instruction conveyed by your Despatch of the 4th ultimo, under which it will be my duty to endeavour to obtain the consent of this Government to the signature of a Proviso, or additional Article, rendering vessels falling within the description referred to (if possible to be obtained), subject to condemnation, unless those interested in them shall be enabled, by positive proof, to rebut the inference arising from such *prima facie* evidence.

(Signed)

CLANCARTY.

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

No. 18.

The Earl of Clancarty to Mr. Secretary Canning.—(Received November 22.)

(Extract.)

Brussels, November 19, 1822.

I HAVE great satisfaction in being now enabled to transmit to you, officially, the consent of this Government to the principle of an explanatory or additional Article to the Slave Trade Treaty, by which vessels engaged in that traffick, and endeavouring to evade the provisions of the stipulations now existing, by momentarily unshipping their Slaves, so that none may be found actually on board at the time of capture, will, nevertheless, be subject to condemnation, upon proof thereof.

This consent you will find in the copy of M. le Baron de Nagell's Note herewith transmitted, which, though dated yesterday, has only this moment reached me;—happily, however, in sufficient time to be announced to His Majesty's Government by the present courier.

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

(Signed) CLANCARTY.

(Inclosure in No. 18.)

The Baron de Nagell to The Earl of Clancarty.

Bruzelles, le 18 Novembre 1822.

LE Soussigné, Ministre des Affaires Etrangères, s'est empressé de demander les Ordres du Roi au sujet de la Note que Son Excellence M. Le Comte de Clancarty, &c. lui a fait l'honneur de lui envoyer le 8 de ce mois, pour lui rappeler une proposition verbale sur la nécessité de prévenir, par un arrangement mutuel entre les deux Cours, que les Capitaines des Navires employés à la Traite des Nègres, ne parviennent à éluder les dispositions du Traité du 4 Mai 1818. contre le Trafic des Esclaves, par la seule circonstance qu' étant poursuivis par quelque vaisseau muni des instructions requises, ils descendent les Esclaves dans les chaloupes pour les transporter à terre.

Le Soussigné a la satisfaction d'informer Son Excellence M. le Comte de Clancarty, que Le Roi est très disposé à s'entendre à cet égard avec S. M. Le Roi de la Grande Bretagne, et qu'à cette fin il lui a plu d'autoriser le Soussigné à entrer en conférence avec S. E. à l'effet de convenir ensemble de la rédaction d'un acte, au moyen du quel il serait mis obstacle à de pratiques pareilles.

Le Soussigné saisit cette occasion pour rappeler à S. E. que le 7 Mai dernier il a prevenu M. Chad, &c. qu'il se trouvait muni du consentement de Son Auguste Maître pour négocier et signer avec M. l'Ambassadeur une Déclaration spéciale, tendant à pourvoir aux vacances temporaires éventuelles dans les Cours de Justice Mixtes pour la repression de la Traite des Nègres.

En conséquence de la présente communication, le Soussigné prie S. E. M. l'Ambassadeur et de lui indiquer le jour et l'heure qu'il lui conviendrait de conférer avec lui sur les objets précités, et lui renouvelle en même tems l'assurance de sa haute consideration.

(Signé)

A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
&c. &c. &c.

(Inclosure in No. 18.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, November 18, 1822.

THE Undersigned, &c. hastened to receive the Orders of The King on the subject of the Note which His Excellency The Earl of Clancarty did him the honour to send to him the 8th of this month, to remind him of a verbal proposal upon the necessity of preventing, by a joint arrangement between the two Courts, Captains of vessels employed in the Slave Trade evading the stipulations of the Treaty of the 4th of May 1818, against the Traffick in Slaves, by the circumstance that, when pursued by a ship provided with the requisite instructions, they lower the Slaves into the boats for the purpose of sending them ashore.

The Undersigned has the satisfaction of informing His Excellency The Earl of Clancarty, that The King is quite ready to act in concert upon this subject with His Majesty The King of Great Britain; and that with this view He has been pleased to authorize the Undersigned to confer with His Excellency in order that they may agree together in the drawing out of an Act, by means of which a stop should be put to such practices.

The Undersigned avails himself of this opportunity to recall to His Excellency's recollection, that on the 7th of May last he acquainted Mr. Chad, &c. that he was authorized by his August Master to negotiate and sign with the Ambassador, a special Declaration which should provide for the temporary vacancies that might occur in the Mixed Courts of Justice appointed for the repression of the Slave Trade.

In consequence of the present communication the Undersigned requests His Excellency the Ambassador, to appoint the day and hour that may be convenient to him, to confer with him upon the above-mentioned objects; and renews to him at the same time the assurance of his high consideration.

(Signed) A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
 &c. &c. &c.

No. 19.

*The Earl of Clancarty to Mr. Secretary Canning.—(Received
 November 26.)*

SIR,

Brussels, November 22, 1822.

I HAD yesterday my first conference with M. le Baron de Nagell upon the two additional Articles to the Treaty of the 4th of May 1818; the principles of which have been already assented to by this Court.

At this conference I merely delivered to him, for his consideration, the two Drafts conveyed in your Despatches of this year, proposing, at the same time, that these should be adopted as the form of the Articles.

These he carefully read over, and having stated to me the necessity he was under of having them translated into the French language, and submitted to the Minister of Justice, (who was joined with His Excellency in the Full Powers under which the original Treaty was negociated,) before he could give any answer upon them,—we separated.

I have the honour to be, &c.

(Signed)

CLANCARTY.

The Right Hon. George Canning.

&c. &c. &c.

No. 20.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, November 26, 1822.

I HAVE the honour to transmit to Your Excellency the copy of a Despatch, dated the 20th of September, from His Majesty's Commissary Judge at Surinam, giving an account of the escape of *Charles Beverley*, a British subject, who had been imprisoned on a charge of smuggling Slaves into that Colony, and was also strongly suspected of having been actively and extensively employed in the illegal Traffick in Slaves,—the particulars whereof are fully detailed in Mr. Lefroy's former Despatches, copies of which have been forwarded to Your Excellency.

It is with much regret that I have to call Your Excellency's attention to the statements in Mr. Lefroy's Despatch, of the continuance of that supineness, so frequently complained of, in the Dutch Authorities at Surinam, to give full and entire effect to the provisions of the Treaty for preventing illegal Traffick in Slaves; and thereby setting at naught the positive orders which (as His Majesty's Government have repeatedly been given to understand) have been sent to those Officers by the Government of The King of the Netherlands.

Mr. Lefroy, in his letter, suggests that the introduction into the Colony of Surinam of a Registry of Slaves, similar to that established and enforced in the British Colonies, would be most effectual in tending to check these gross infringements of the Netherlands Colonial Law. I am, therefore, to signify His Majesty's commands to Your Excellency, that, in bringing these circumstances to the notice of the Dutch Ministers, you will take an opportunity of suggesting to them, the great advantages which would accrue towards carrying into complete effect the object of the Treaty of the 4th of May 1818, if such a Slave Registry were introduced into, and enforced in the Dutch West India Colonies.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c. &c. &c.

No. 21.

The Earl of Clancarty to Mr. Secretary Canning.—(Received December 3.)

(Extract.)

Brussels, November 29, 1822.

I YESTERDAY evening received your Despatch of the 26th instant, with its Inclosures; and immediately after the present Messenger shall have been despatched, I shall proceed to execute the instructions therein conveyed.

(Signed)

CLANCARTY.

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

No. 22.

The Earl of Clancarty to Mr. Secretary Canning.—(Received December 6.)

(Extract.)

Brussels, December 3, 1822.

I HAVE the honour herewith to inclose, for your information, the copy of a Note addressed by me to M. le Baron de Nagell on the 30th ultimo, in obedience to your instructions of the 26th of November.

In this paper I have endeavoured to enforce every point of a tangible nature, brought forward in Mr. Lefroy's Letter of the 20th of September last, transmitted with your Despatch.

(Signed)

CLANCARTY.

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

(Inclosure in No. 22.)

The Earl of Clancarty to The Baron de Nagell.

Brussels, November 30, 1822.

THE Undersigned, &c. has received instructions from his Government to express the regret they feel at hearing of the escape, on the 16th of September last, of Charles Beverley, a British subject, from the Criminal Gaol of Surinam, where he was confined for the purpose of being brought to trial upon a charge of having been engaged in the illicit importation of Slaves into that Colony.

The Proclamation of Major-General de Veer, Governor of Surinam, issued immediately after the event, and which, with the exception of omitting the offer of a reward—the better to stimulate exertion—is perhaps all that could have been done upon the spur of the occasion,—authorizes the expectation on the part of the British Government, not only that no effort will have been left untried by His Excellency to secure the recapture of the escaped delinquent, but also that the Governor will have instituted an immediate and rigid inquiry, in order to discover whether, through the neglect or collusion of any of the Persons in the employment of the Dutch Government, or of others, the escape of Beverley has not been favoured, and in that event to visit the guilty Party

with punishment sufficiently severe to secure the publick against the like occurrence in future. For the purpose of still further insuring the accomplishment of this double object, by exciting to the utmost the exertions of the Colonial Authorities, as well for the recapture of Beverley, as for the punishment of those who may be found to have favoured his escape, the Undersigned has received the commands of The King, his Master, to press upon His Majesty The King of the Netherlands, the issue of Instructions to the Governor of Surinam at the earliest opportunity, to this effect.

From the intelligence received by the British Government from Surinam, it appears that the Fiscal of that Colony had caused the Negroes imported by Beverley to be restored to the Consignee, M. de Martineau, upon security, as it is stated, being given by this Person, that sufficient proof should be adduced of the legality of the importation under the Dutch Law. M. le Baron de Nagell must be well aware, that in every point of view the importation of these Negroes was contrary to the stipulations of the Treaty of the 4th of May 1818, and, consequently, that under the provisions of the same, these wretched beings should now be liberated in the manner therein prescribed; and the Undersigned has been instructed to reclaim their liberation accordingly.

If, by having resided at Martinique since the month of September 1818, (which, however, there is good reason to believe was not the case), their subsequent importation into Surinam should fall under the sanction of the Dutch Law, still it is not less at variance with the Treaty; and consequently still these Negroes are entitled to liberation, and to be rendered free labourers under that Instrument, — leaving it to The King of the Netherlands, if His Majesty shall so think fit, to give such indemnity to the Consignee as He may deem expedient; at least, as it is presumed, even under the Dutch Law, that till the question as to the legality of the importation shall be decided, these wretched Negroes should not be condemned to slavery, but should be taken proper care of by the Colonial Government.

The Undersigned, therefore, requests upon the part of his Government, that the Fiscal may be called upon to explain his conduct in this instance, and that the Negroes may be taken into His Netherlands Majesty's service, at least till the matter shall be decided, and afterwards duly certificated under the provisions of the Treaty, as having been imported contrary to its stipulations.

The Undersigned has further been directed to seek for information on the part of his Government, whether any other British subject, besides Beverley, was engaged in the importation of Negroes, for which he was imprisoned; and if so, to request the name or names, and, as far as it may be known, the description of such British subjects: he has, therefore, the honour to suggest to M. le Baron de Nagell, the propriety of this Government calling upon the Fiscal to report the facts as they may be in this respect, as perhaps the best means of attaining the required information.

The strong assurances of the anxiety of this Government entirely to abolish all Traffick in Slaves by its subjects, given by His Excellency the Minister of the Colonies, in the month of March last, confirmed as they have subsequently been by M. le Baron de Nagell's Note, addressed to Mr. Chad on the 28th October, convince the Undersigned, that the above several Points will not fail to be immediately considered, and properly acted upon, by the Netherlands Government.

The same assurances likewise induce him confidently to expect, that a measure which he has been commanded by The King, his Master, to press forcibly upon the favourable consideration and adoption of this Government, will be received with all that cordiality, and with that sincere desire to cooperate by its acceptance, to which it is so well entitled.

The measure recommended is, that of the establishment of a Registry for Slaves in the Colonies of His Majesty The King of the Netherlands, and a correspondent Registration of the same Slaves in the Mother Country, similar to those adopted in His Britannick Majesty's Dominions.

The adoption of this proposal, besides producing the most simple and effectual bar to all future importations of Slaves, affords at the same time an indefeasible title to the legitimate Slave Owner, capable of the highest, simplest, and most easy proof; while it also effectually opposes all fraud on transfer to fellow-subjects, or loans, secured by the pledge of such Slaves, and enables such Parties, by the duplicate Registry, to contract for sales and loans on such Slaves in Europe, without the fear of inconvenience or disappointment arising from any fraudulent practice.

Had it been possible that such a Registry of Slaves had been then established at Martinique, it could not have remained long a question, whether the Slaves imported into Surinam by Beverley were resident in the Island of Martinique in September 1818.

In the strong hope that the measure thus pressed upon the favourable consideration of the Court of The King of the Netherlands, will meet with its adoption, the Undersigned avails himself, &c.

(Signed) CLANCARTY.

His Excellency The Baron de Nagell.
 &c. &c. &c.

No. 23.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, December 3, 1822.

I TRANSMIT to you herewith, a Full Power, which The King has been pleased to grant to Your Excellency, under the Great Seal, authorizing and empowering you to conclude, with any Minister vested with similar Full Powers on the part of The King of the Netherlands, certain additional Articles to the Treaty already subsisting between His Majesty and that Sovereign, for the prevention of the Traffick in Slaves.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.
 &c. &c. &c.

No. 24.

Mr. Secretary Canning to The Earl of Clancarty.

(Extract.)

Foreign Office, December 13, 1822.

I HAVE received and laid before The King, Your Excellency's Despatches of the 29th of November, and of the 3d of December instant, on the subject of the Slave Trade at Surinam. I am happy to have to convey to Your Excellency The King's gracious approbation of the manner in which you have executed His Majesty's commands, signified to you in my Despatch of the 26th November, urging the Netherlands Government to a more full and due execution of the Treaty abolishing the Trade in Slaves, and to the enforcement of a Registry of Slaves in the Colonies.

I transmit for Your Excellency's information and guidance, the inclosed copies of instructions forwarded from this Office to His Majesty's Commissioners at Surinam, for the regulation of their conduct.

Your Excellency seems so fully to have entered into these views of His Majesty's Government, that I should hardly have thought it necessary, on that account, to send to you these Despatches; but as they refer to the subject of my Despatch above quoted, which is likely to become a point of further discussion with the Government of the Netherlands, it may be useful and satisfactory to Your Excellency to be in possession of them.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c. &c. &c.

No. 25.

The Earl of Clancarty to Mr. Secretary Canning.—(Received December 23.)

(Extract.)

Brussels, December 20, 1822.

THE two Drafts of Articles for carrying into effect the principle of those additions agreed upon to be added to the Treaty of 4th May 1818, and which I have already acquainted you had been delivered to M. le Baron de Nagell on the 21st ultimo, have since been referred to and reported on, severally, by the Minister of Justice, and by the Minister of the Colonies, and are now before The King, for His final commands thereon.

I have been obliged, in order to adapt the form of the Proviso (to be proposed) to the insertion of the specifick description of the vessel transmitted in your Despatch of 1st November, somewhat to alter the wording of the former, but I should hope you will be of opinion, not materially. The accompanying Draft will present the change which I have thus made.

I have also thought it expedient somewhat to transpose the several items of description comprised in the inclosure to your Despatch, by placing those points of description, some of which are most relied upon, and others of which appear the most forcibly to indicate the illicit employment of the vessel, in the front ground. A copy of the description thus transposed, I have the honour herewith to transmit for your information.

The Right Hon. George Canning,

&c. &c. &c.

(Signed) CLANCARTY.

(First Inclosure in No. 25.)

Draft of *Proviso*, as amended.

PROVIDED always, and it is hereby further agreed, that upon proof being duly given before the Mixed Court, whereupon it shall appear, that any vessel subject to examination under the Treaty, and detained (here might be inserted the qualification of "hovering near" and within a certain latitude),

and which, in her outfit and equipment, shall fall within one or more of the following designations, viz.

1.—Having, &c.

(Here insert such of the indications which mark the employment of such vessel for the purposes of the Slave Trade, as may be agreed upon.) The proof of these, or of any of these several indications, shall be considered as *prima facie* evidence of her actual employment in the Slave Trade, and unless rebutted by satisfactory proof upon the part of the Master or Owners, that such vessel was otherwise legally employed at the time of capture, the vessel shall thereupon be condemned by the Mixed Court, and shall be declared lawful prize.

(*Second Inclosure in No. 25.*)

Indications which each evidently and respectively mark the employment of a Vessel on, or hovering near, the Coast of Africa, for the purposes of the Slave Trade.

1.—HAVING her hatches fitted with open gratings, instead of being close hatches as usual in Merchant vessels.

2.—Having more divisions or bulk heads in the hold or on deck, than necessary for trading vessels.

3.—Having on board spare plank, either actually fitted in that shape, or fit for readily laying a second or moveable deck, or Slave deck.

4.—Having on board shackles, bolts, or handcuffs.

5.—Having on board an unreasonable quantity of water in casks or tanks, more than sufficient for the consumption of her crew as a Merchant vessel.

6.—Having on board an unreasonable number of water-casks, or other vessels for holding water, unless the Master shall produce a certificate from the Custom-House from the Place from which he cleared outwards, stating that a sufficient security had been given by the Owners of such vessel, that such extra quantity of casks or other vessels should only be used for the reception of palm oil.

7.—Having on board a greater quantity of mess-tubs or kids than requisite for the use of her crew, as a Merchant vessel.

8.—Having on board two or more copper boilers, or even one of an unreasonable size, larger than requisite for the use of the crew as a Merchant vessel.

9.—Having on board an unreasonable quantity of rice or farinha (flour of the manioc of Brazil, or of Cassada,) or maize, or Indian corn, beyond any probable requisite provision for the use of her crew, and such rice, flour, maize, or Indian corn, not being entered on the manifest as part of the cargo for trade.

The Article may be made to apply to any vessel subject to examination under the Treaty, and confined to those of this description, hovering or sailing near to the West Coast of Africa, (say within one or more degrees distance from the shore,) and within a certain compass of latitude, viz. between the 20th degree of North latitude, and 20th of latitude South of the Equator; or at anchor in any of the rivers or bays of the said Coasts.

No. 26.

The Earl of Clancarty to Mr. Secretary Canning.—(Received December 23.)

(Extract.)

Brussels, December 20, 1822.

I HAD yesterday the honour of receiving your Despatch of the 13th instant.

I feel deeply penetrated with a grateful sense of His Majesty's condescension in the approbation He has been graciously pleased to express of the manner in which I have executed His Royal commands, signified to me in your Despatch of the 26th of November.

I very much thank you also for the copies of the Instructions to His Majesty's Commissioners at Surinam; they are highly interesting Papers, and I doubt not will prove of considerable service.

My Note of the 30th ultimo to The Baron de Nagell, passed in obedience to the instructions conveyed to me in your Despatch of the 26th ultimo, has been referred to M. de Falck, Minister for the Colonies:—with this Gentleman I have had some conversation of late upon the subject of it: he says he has not yet received any Despatches from Surinam of so late a date as the 20th September, or any other intimation of the escape of *Beverley* than what was conveyed in my Note. He assures me that due inquiry shall be made into the parts requiring inquiry in that document, and reassured me so late as Wednesday last, in the most solemn manner, that my Court should have no cause to complain of his, for want of thorough co-operation in the execution of the Treaty. He seemed to look favourably upon the proposal for the establishment of Colonial Slave Registries, and expressed himself to be pleased when I informed him that I had written home for copies of our Laws and Forms upon this subject.

I have, &c.

(Signed)

CLANCARTY.

The Right Hon. George Canning,

&c. &c. &c.

No. 27.

The Earl of Clancarty to Mr. Secretary Canning.—(Received December 26.)

(Extract.)

Brussels, December 24, 1822.

THE Protocols with their several Annexes, which I have now the honour to transmit, will present to you the progress made, up to absolute agreement, in the negotiation of the two Articles in addition to the Treaty of 4th May 1818, into which, under your instructions, I was directed to enter with this Government.

After this transaction had been gone through, M. le Baron de Nagell observed, that either in the Conventional Document itself, or by a precise understanding between the two Governments, some fixed date,

from the time of the ratification, should be marked, at which the additional Articles should commence their operation, in order that a sufficient interval should take place, during which, notification and proper orders for carrying them into effect, might be sent out to the Colonies of each of the High Contracting Parties.

This seemed reasonable; and now that the two Articles have been absolutely agreed upon, as I was not averse to hold the final signature of the more solemn act open for a short time, in the hope of comprizing within it some Proviso or additional Article relative to the outfit, in obedience to your later instructions, I therefore told M. de Nagell that I would refer the matter to His Majesty's Government.

The time allowed to the Netherlands by the Treaty of May 4, 1818, (see Art. 1) to put that Act into execution, was *eight months from the ratification, or sooner if possible*. Two or three months, it would appear to me, would be sufficient to allow here.

I have not herewith inclosed (though annexed to the original Protocol) copies of the Proviso, and of the description of a vessel indicating her employment in the Slave Trade, because these have already been transmitted home by me.

I have the honour, &c.

(Signed) CLANCARTY.

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

(First Inclosure in No. 27.)

Preliminary Protocol.

Brussels, November 21, 1822.

THEIR Majesties, The King of the United Kingdom of Great Britain and Ireland, and The King of the Netherlands, having agreed upon the expediency of entering into two further additional Articles, in addition to and explanatory of the Treaty of the 4th of May 1818; Conferences were agreed to be held between Their Excellencies M. le Baron de Nagell, Plenipotentiary upon the part of His Netherlands Majesty, and The Earl of Clancarty on the part of His Britannick Majesty, for the purpose of concerting and adopting the proper form by which the intentions of Their Majesties should be carried into effect.

Protocol of First Preliminary Conference.

Foreign Office of His Majesty The King of the Netherlands at Brussels,
November 21, 1822.

Present, THE EARL OF CLANCARTY.
 M. LE BARON DE NAGELL.

THE Earl of Clancarty presented to M. le Baron de Nagell the Drafts of two Projects of Articles in the English Language, which he proposed should be adopted and signed, for the purpose of being hereafter ratified by their respective Sovereigns.

These Drafts His Excellency M. le Baron de Nagell received, stating, that he should be under the necessity of having them first translated into French, in order that they might be subsequently duly considered.

His Excellency, therefore, for the present postponed any observation on them, deferring his Answer to a future conference.

(Signed) CLANCARTY.
A. W. C. DE NAGELL.

(Second Inclosure in No. 27.)

Annex No. 1. to Protocol of the First Conference.

Additional Article to the Treaty between His Britannick Majesty and The King of the Netherlands, for the Prevention of the Illegal Traffick in Slaves, signed at The Hague, May 4, 1818.

THE High Contracting Parties hereby agree that, in the event of the absence, on account of illness or of any other unavoidable cause, of one or more of the Commissioners, Judges and Arbitrators under the above-mentioned Treaty, or in the case of their absence in consequence of leave of absence from their Government, duly notified to the Board of Commission sitting under the said Treaty, their Posts shall be supplied in the same manner in which, by the Article IX. of the Regulations for the Mixed Commissions, those vacancies in the Commissions are to be supplied, which may occur by the death of one or more of the Commissioners aforesaid.

This Article shall have the same force and effect as if it had been inserted word for word in the above-mentioned Treaty, and shall be held to form part of the same.

In witness whereof, the Undersigned, duly furnished with Full Powers from their respective Sovereigns, have signed the present additional Article, and have affixed thereunto the seal of their Arms.

Done at..... the..... day of.....

(Signed)

(Third Inclosure in No. 27.)

Annex No. 2. to Protocol of the First Conference.

Explanatory Article to the Treaty between His Majesty and The King of the Netherlands, concluded and signed at The Hague, May 4, 1818.

ARTICLE.

WHEREAS it is stated in Article I. of "Instructions intended for the British and Dutch ships of war, employed to prevent the illicit Traffick in Slaves," that, "ships on board of which no Slaves shall be found intended for purposes of traffick, shall not be detained on any account or pretence whatever." And whereas it has been found by experience, that vessels employed in the illegal traffick, have unshipped their Slaves immediately prior to their being visited by the ships of war, and that such vessels have thus found means to evade forfeiture, and have been enabled to pursue their unlawful course with impunity, contrary to the true object and spirit of the Treaty above-mentioned:—

The High Contracting Parties therefore feel it necessary to declare, and it is hereby declared by them, that, if there shall be clear and undeniable proof,

that a Slave or Slaves has or have been put on board a vessel for the purpose of illegal traffick, in the particular voyage on which the vessel shall be captured, then, and on that account, according to the true intent and meaning of the stipulations of the Treaty, such vessel shall be detained by the cruizers, and finally condemned by the Commissioners.

This explanatory Article shall have the same force and effect as if it were inserted word for word in the said Treaty, and shall be held to form part of the same.

In witness whereof, the Undersigned, furnished with Full Powers to that effect from their respective Sovereigns, have hereunto signed their names, and affixed their seals.

Done at the day of

(Signed)

(Fourth Inclosure in No. 27.)

Protocol.—Second Conference, 23d December 1822.

Foreign Office of the Court of the Netherlands.

Present, THE EARL OF CLANCARTY.
 M. LE BARON DE NAGELL.

FULL Powers presented by each of the Plenipotentiaries, in original, from their respective Sovereigns, read and approved.

Certified Copies thereof exchanged.

Protocol read, approved, and signed.

M. le Baron de Nagell presented the French copies of the Projects of Articles, delivered in on the 21st November, together with the English versions, and stated his agreement thereto.

The Articles were then read, compared, and signed.

After which, Monsieur de Nagell suggested that it would be better, in lieu of having the heading and conclusion of each Article, as adopted, continued when prepared for final signature, that a general heading and general conclusion would be more in form, and he proposed a Draft for the same accordingly in the French language, which was acceded to by Lord Clancarty.

Lord Clancarty then stated, that he had received instructions to propose an additional Proviso to the second Article, or, if thought more expedient, a substantive additional Article, rendering evidence of the peculiar mode of outfit of vessels within a certain latitude and distance from the Coast of Africa, *prima facie* proof of their engagement in the Slave Trade, and if not rebutted by satisfactory evidence of other employment, declaring the same sufficient to warrant their capture and condemnation by the Commissioners;—he then presented the form of such Proviso, and a Paper containing the several Indications by which a vessel might be known, as fitted for the Slave Trade.

Monsieur le Baron de Nagell stated that he was not warranted by his Court to receive, as matter of negociation, any thing further than what had already been delivered and agreed to; he could not therefore even accept the Papers tendered by Lord Clancarty, otherwise than for the purpose of laying them before The King, his Master, and certainly should feel quite unauthorized to express any opinion, whatever, upon their subject.

And on this understanding, he consented to lay them before The King.

(Signed)

A. W. C. DE NAGELL.
CLANCARTY.

(Fifth Inclosure in No. 27.)

Annex No. 1. to Protocol of the Second Conference.

Article Additionnel au Traité entre Sa Majesté Britannique et Le Roi des Pays-Bas, pour prévenir le Trafic illégal d'Esclaves, signé à La Haye le 4 Mai 1818.

LES Hautes Parties Contractantes sont convenues, que dans le cas d'absence pour cause de maladie ou quelque autre cause inévitable, d'un ou de plusieurs des Commissaires, Juges et Arbitres du chef du présent Traité, ou en cas d'absence de leur part, en conséquence d'un congé de leur Gouvernement, dûment notifié au Conseil de Commission séant en vertu du dit Traité, leurs Places seront remplies de la manière dont, par l'Article IX. du Règlement pour les Commissions Mixtes, les vacances par cas de mort d'un ou de plusieurs des Commissaires susdits, doivent être remplies dans les dites Commissions.

Le présent Article aura la même force et effet que s'il avait été inséré mot-à-mot dans le Traité sus-mentionné, et sera tenu comme en faisant partie.

En Foi de quoi, les Soussignés dûment munis des Pleins-pouvoirs de leurs Souverains respectifs, ont signé le présent Article additionnel, et y ont apposé le cachet de leurs Armes.

Fait à..... le..... de.....

(Sixth Inclosure in No. 27.)

Annex No. 2. to Protocol of the Second Conference,

Article explicatif du Traité entre Sa Majesté Britannique et Le Roi des Pays-Bas, conclû et signé à La Haye le 4 Mai 1818.

ARTICLE.

COMME il a été statué par l'Article I. des Instructions pour les Vaisseaux des Marines Royales de la Grande Bretagne et des Pays-Bas "employés à prévenir le Trafic d'Esclaves, que les navires à bord desquels on ne trouvera point d'Esclaves destinés à des objets de commerce, ne seront détenus sous aucune raison ou prétexte quelconques;" et que l'expérience a démontré que les navires employés à ce trafic illégitimé ont débarqué leurs Esclaves immédiatement avant d'avoir été visités par des vaisseaux de guerre, et que les navires ont ainsi trouvé moyen d'esquiver leur confiscation, et ont pu poursuivre leur procédé illicite avec impunité, en opposition au bût et à l'esprit du Traité prémentionné;

Les Hautes Parties Contractantes ont, à ces causes, jugé nécessaire de déclarer par les présentes, que s'il existe des preuves claires et indubitables, que quelques Esclave ou Esclaves ait ou aient été placés à bord d'un navire dans l'intention d'un trafic illégal, pendant le voyage durant lequel le navire sera capturé, pour lors et de ce chef conformément à la véritable intention et au sens des stipulations du Traité, un tel navire sera détenu par les croiseurs, et finalement condamné par les Commissaires.

Le présent Article explicatif aura la même force et effet que s'il se trouvait inséré mot-à-mot dans le dit Traité, et sera tenu comme en faisant partie.

En Foi de quoi, les Soussignés, munis à cet effet des Pleins-pouvoirs de leurs Souverains respectifs, ont signé le dit Article et y ont fait apposer le cachet de leurs Armes.

Fait à..... le..... de.....

(*Seventh Inclosure in No. 27.*)

Annex No. 3. to Protocol of the Second Conference.

SA Majesté Le Roi des Pays-Bas, et Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, ayant trouvé à propos de convenir ensemble sur les dispositions suivantes, additionnelles ou explicatives du Traité conclu entre leurs dites Majestés à la Haye le 4 Mai 1818, pour la répression du Trafic des Esclaves, ont nommé à cette fin leurs Plénipotentiaires, *ad hoc*, savoir :

Sa Majesté Le Roi des Pays-Bas, Le Sieur Anne Willem Carel, Baron de Nageil d'Ampsen, &c.

Et Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, le très Honorable Richard, Comte de Clancarty, &c.

Lesquels, après avoir échangé leurs Plein-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles explicatifs et additionnels suivans :

(*Fiat Insertio.*)

Les Articles explicatifs et additionnels précités, seront soumis à la Ratification des Souverains respectifs, et auront la même force et effet que s'ils se trouvaient insérés mot-à-mot dans le Traité du 4 Mai 1818, ci-dessus indiqué, et seront tenus comme en faisant partie. Les Actes de Ratification seront échangés dans l'espace d'un mois, ou plutôt, si faire se peut.

En Foi de quoi, les Plénipotentiaires respectifs ont signé le présent Acte, et y ont apposé le cachet de leurs Armes.

Fait, &c.

(*Eighth Inclosure in No. 27.*)

Annex No. 4. to Protocol of the Second Conference.

HIS Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty The King of the Netherlands, having thought fit to agree upon the following Arrangements, additional to and explanatory of the Treaty concluded between their aforesaid Majesties, at the Hague, May 4, 1818, for the prevention of the Trade in Slaves, have therefore named as Their Plenipotentiaries, *ad hoc* :—

His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable Richard Earl of Clancarty, (here follow the Titles, &c. &c.), Ambassador Extraordinary and Plenipotentiary of His said Majesty, to His Majesty The King of the Netherlands, Grand Duke of Luxembourg ;

And His Majesty The King of the Netherlands, Anne William Charles Baron de Nagell d'Ampsen, &c. (here follow the Titles), and Minister of State holding the Department of Foreign Affairs: who having exchanged their Full Powers, found in good and due form, have agreed on the following explanatory and additional Articles :

(*Fiat Insertio.*)

The *two* explanatory and additional Articles above-mentioned, shall be submitted to the approval and to the ratification of the respective Sovereigns, and shall have the same force and effect as if they were inserted word for word in the Treaty of May 4, 1818, above-mentioned, and shall be held to form part of the same.

The Acts of Ratification shall be exchanged within the space of one month from this date, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the present Act, and thereunto affixed the Seal of their Arms.

No. 28.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, December 27, 1822.

YOUR Excellency's Despatches to the 24th instant, inclusive, have been received and laid before The King.

His Majesty has seen, with great satisfaction, by your last Despatch of that date, that the Netherlands Government has definitively agreed to the conclusion of two of the Articles in addition to the Slave Trade Treaty of the 4th of May 1818, which Your Excellency has been directed to propose.

His Majesty's Government approve of the slight verbal alteration which Your Excellency has made in one of those Articles, of the form in which you intend to sign them, and of the term at which you propose that their operation is to commence, viz. three months from the date of their ratification.

As we have already received from Spain additional Articles of a similar import, duly executed, it is very important that Your Excellency should proceed without delay, to the immediate signature of the two additional Articles, which you have agreed upon with the Netherlands Government, leaving the further additional Article containing the *Proviso*, treated of in your Despatch of the 20th instant, as matter for further discussion.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c. &c. &c.

No. 29.

The Earl of Clancarty to Mr. Secretary Canning.— (Received January 2, 1823.)

(Extract.)

Brussels, December 31, 1822.

ON Sunday last I had the honour to receive your Despatches, dated the 27th instant.

In obedience to the instructions contained therein, I immediately proceeded to arrange with M. le Baron de Nagell, for the execution, by seal and signature, of the two Articles already agreed upon between the two Governments.

This measure has been accomplished this morning, and I have now the pleasure to transmit herewith, the additional Convention, legally completed, in this matter.

The Original, herewith transmitted, will, I should hope, be graciously approved by His Majesty, and made effective by His Royal Ratification.

Under the sanction conveyed in your Despatch, I proposed to M. de Nagell, that the term at which the new stipulations should become binding upon the High Contracting Parties, should be at the end of three months *from the exchange of the Ratifications, or sooner, if possible.*

His Excellency doubted the sufficiency of this period of time to allow of due notification and orders thereon, to be sent out to the Dutch Settlements and Colonies, and cited the original Treaty, wherein the term of eight months

from Ratification is stipulated as the period at which that Instrument should come into force.

I mentioned the striking difference between the two cases; and as M. de Nagell agreed with me, that this point could as well be settled by Note, as by inserting a substantive Article thereon in the more solemn Act, we have postponed its settlement accordingly, till he shall be able to take The King of the Netherlands' pleasure thereon.

In order, however, to bring this matter officially forward, I have addressed a formal Note to him upon the subject, a copy of which I have the honour herewith to inclose for your information.

(Signed)

CLANCARTY.

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

(Inclosure in No. 29.)

The Earl of Clancarty to The Baron de Nagell.

Brussels, December 31, 1822.

THE Undersigned, &c. has the honour to refer to certain conversations with His Excellency M. le Baron de Nagell, relative to the period subsequent to Ratification of the two Articles lately agreed upon, in explanation of and in addition to the Treaty of 4th May 1818, at which the said Articles should be understood to become binding upon the High Contracting Parties, so as to admit of a sufficient interval of time for sending out orders and directions for the strict observance thereof, to the Colonies.

In these conversations it was understood, that this matter could be as effectually arranged between the two Governments by official Note, as by incorporating with the two Articles, a substantive stipulation upon the subject, and therefore the mode of determining this matter by official Note was agreed upon. The Undersigned has now, in obedience to the instructions he has received for this purpose, the honour to propose, that the two Articles shall be considered as coming into full operation at the end of *three months from the exchange of Ratifications*, or as much sooner than this period, as the orders and instructions for their due execution, may be received in the Colonies.

It is true that in the original Treaty, the term of *eight months* from the Ratifications was taken as that at which that Convention should become absolutely binding upon the High Contracting Parties; but then the matter was new to this Country; all the machinery, in all its several branches for carrying it into effect, was to be created *ab initio*, while, in the present instance, two very simple regulations alone are to be carried into execution, easily applicable to a state of things already in existence.

This consideration, it is hoped, will induce the Netherlands Government to accede to the term herein-before proposed, as sufficient for every purpose of due notification to their Colonial Settlements on the Coast of Africa, and in the Western Hemisphere.

The Undersigned, &c.

(Signed)

CLANCARTY.

His Excellency The Baron de Nagell,
 &c. &c. &c.

No. 30.

Mr. Secretary Canning to The Earl of Clancarty.

(Extract.)

Foreign Office, January 3, 1823.

YOUR Excellency's Despatches to the 31st ultimo, inclusive, have been received and laid before The King.

It was particularly satisfactory to His Majesty to observe, that the additional Articles to the Slave Trade Treaty have received the assent of the Netherlands Government.

(Signed)

GEORGE CANNING.

*His Excellency The Earl of Clancarty, G. C. B.**&c. &c. &c.*

No. 31.

The Earl of Clancarty to Mr. Secretary Canning.—(Received January 6.)

SIR,

Brussels, January 3, 1823.

I HAVE the honour herewith to inclose, for your information, copies of the Protocols of the two last Conferences between Monsieur le Baron de Nagell and me, upon the subject of the additional Articles to the Treaty of the 4th of May 1818, as well those which have been recently signed, as that still under the consideration of the Court of the Netherlands.

With great respect, &c.

(Signed)

CLANCARTY.

*The Right Hon. George Canning,**&c. &c. &c.**(First Inclosure in No. 31.)**Protocol.—Third Conference, 30th December 1822.**Foreign Office of the Court of the Netherlands.*

Present,

MONSIEUR LE BARON DE NAGELL.
THE EARL OF CLANCARTY.

LORD CLANCARTY acquainted Monsieur de Nagell that his Court was desirous that the Act containing the two Articles already agreed to, should be executed by the signature and sealing of both Plenipotentiaries thereto, as early as might be convenient, and without waiting for the answer of the Netherlands Government to the proposal for a Proviso, or further additional Article, advanced by Lord Clancarty at the last Conference, which might stand over for further discussion till this Court should be enabled to give its opinion thereon. He therefore proposed, that this mode of proceeding should be adopted, which was immediately agreed to by Monsieur de Nagell, and directions given by both for writing out two Counterparts of the two Articles in the form agreed upon, for conjoint signature, the one in the English

language for the Ratification of His Majesty The King of the United Kingdom of Great Britain and Ireland, the other in the French language for that of His Majesty The King of the Netherlands.

(*Second Inclosure in No. 31.*)

Protocol. — Fourth Conference, 31st December 1822.

Foreign Office of the Court of the Netherlands.

Present, M. LE BARON DE NAGELL.
THE EARL OF CLANCARTY.

THE two Articles having been written out fair for signature, according to the form agreed upon, and in the manner directed, Their Excellencies signed and sealed the same; and each having possessed himself of the proper counterpart for his respective Court, they mutually exchanged with each other certified copies of the counterparts retained by them; *i. e.* Monsieur le Baron de Nagell delivered over to the Earl of Clancarty a certified copy of the French counterpart, and the Earl of Clancarty, in like manner, delivered over to Monsieur le Baron de Nagell a copy, certified by him, of the counterpart in which the English language was used.

Preserving, therefore, for future consideration and discussion the Proviso, or further additional Article, proposed by the British Plenipotentiary at the second Conference held the 23d December instant, the Parties separated.

No. 32.

The Earl of Clancarty to Mr. Secretary Canning. — (Received January 9.)

(Extract.)

Brussels, January 7, 1823.

I HAVE the honour herewith to inclose, for your information and future instruction to me, the copy of a Note received this morning from His Excellency The Baron de Nagell, wherein, in lieu of acceding to the term of *three months* proposed by me to him, as that at the end of which, from the exchange of Ratifications the additional Articles lately signed between the two Crowns, should become binding, — he proposes that *five months* should be substituted.

(Signed) CLANCARTY.

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

(*Inclosure in No. 32.*)

The Baron de Nagell to The Earl of Clancarty.

Bruxelles, le 7 Janvier 1823.

LE Soussigné, &c. a mis sous les yeux du Roi son Maître la Note de M. Le Comte de Clancarty, &c. par laquelle Son Excellence propose de convenir, que les stipulations des Articles explicatif et additionnel au Traité du 4 Mai

1818, qui ont été arrêtés par les Soussignés le 31 Decembre dernier, seront exécutoires trois mois à dater de la Ratification des dits Articles par les Souverains respectifs.

Cette espace de tems ayant paru un peu court, pour avoir la certitude que les ordres à dépêcher de part et d'autre puissent opérer réciproquement et au même instant, le Soussigné a été chargé de proposer à Son Excellence un terme de *cinq* au lieu de *trois* mois. Si le Gouvernement de Sa Majesté Britannique adopte cette modification, le Soussigné se trouve autorisé de régler définitivement cet objet avec Son Excellence moyennant l'échange des Notes, lors de la remise des Actes de Ratification.

(Signé)

A. W. C. DE NAGELL.

Son Excellence M. Le Comte de Clancarty,
 &c. &c. &c.

(Inclosure in No. 32.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, January 7, 1823.

THE Undersigned, &c. has laid before The King, his Master, the Note of The Earl of Clancarty, &c. by which His Excellency proposes to agree that the stipulations of the explanatory and additional Articles of the Treaty of the 4th May 1818, which have been agreed upon by the Undersigned on 31st of last December, shall be enforcable three months from the date of the Ratification of the said Articles by the respective Sovereigns.

This period being considered rather too short for the certainty that the orders to be issued by both Parties should operate reciprocally, and at the same moment, the Undersigned has been directed to propose to His Excellency a term of *five* instead of *three* months. Should the Government of His Britannick Majesty adopt this modification, the Undersigned will be authorized to arrange definitively this affair with His Excellency, by means of the exchange of Notes, at the time of the return of the Acts of Ratification.

(Signed)

A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
 &c. &c. &c.

No. 33.

The Earl of Clancarty to Mr. Secretary Canning.—(Received January 20.)

SIR,

Brussels, January 17, 1823.

I HAVE the honour herewith to inclose, the copy of a Note received yesterday from M. le Baron de Nagell, in which he states himself to be authorized to agree in the proposal made by me, at a Conference held with His Excellency on the 23d ultimo, for a further Proviso, or additional Article, to the Treaty of 1818, provided its operation should be confined within the limits of 20 degrees to the North, and 20 degrees to the South of the Line, and further, that it should not extend to the Westward beyond a degree from the African Coast.

The reason of this Western limitation I understand to be, that the ships in the Java and Eastern Trade, the former of which are said often to fall

within the description of outfit, by which they might be exposed to capture, always take a course to the Westward further than a degree from the African Coast.

The limitation is, therefore, interposed as a necessary caution to secure them from detention, to which they might otherwise become liable.

Conceiving myself authorized under your instructions to accede to this modification, I immediately addressed the Note, of which the inclosed is a copy, to M. le Baron de Nagell.

In an interview which I have since had with His Excellency, he has stated his readiness to proceed to the final arrangement with me of the additional Article in the early part of the next week.

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

I am, &c.
(Signed)

CLANCARTY.

(First Inclosure in No. 33.)

The Baron de Nagell to The Earl of Clancarty.

Bruxelles, le 16 Janvier, 1823.

LE Soussigné, &c. &c. se fait un plaisir de faire part à Monsieur Le Comte de Clancarty, &c. &c. qu'il se trouve autorisé par Le Roi, Son Maître, de convenir avec Son Excellence sur les nouvelles stipulations à ajouter au 2 Article du Traité de 4 Mai 1818, pour la répression du Trafic des Esclaves, et dont la proposition a été faite de la part de Sa Majesté Britannique dans l'une des Conférences que le Soussigné a eu l'honneur d'avoir avec Son Excellence, à l'occasion de l'adoption de certains Articles additionnels aux dispositions du même Traité, bien entendu toutefois que les stipulations, dont il s'agit, ne pourront être obligatoires pour l'une et l'autre des deux Puissances qu'à la distance d'un degré de la Côte occidentale de l'Afrique, entre le 20 degré de latitude septentrionale et le 20 degré de latitude meridionale.

Le Soussigné, &c.

(Signé)

A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
&c. &c. &c.

(First Inclosure in No. 33.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, January 16, 1823.

THE Undersigned, &c. has great pleasure in making known to The Earl of Clancarty, &c. that he is authorised by The King, His Master, to agree with His Excellency to the new stipulations to be added to the second Article of the Treaty of the 4th May 1818, for the repression of the Traffick in Slaves, and of which a proposal was made, on the part of His Britannick Majesty, in one of the Conferences which the Undersigned had the honour of having with His Excellency, respecting the adoption of certain additional Articles to the dispositions of the same Treaty, on condition, however, that the stipulations, of which it treats, shall not be binding upon either of the two Powers, except at the distance of a degree from the western Coast of Africa, between the 20th degree of north, and 20th degree of south latitude.

The Undersigned, &c.

(Signed)

A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
&c. &c. &c.

(Second Inclosure in No. 33.)

The Earl of Clancarty to The Baron de Nagell.

Brussels, January 16, 1823.

THE Undersigned, His Britannick Majesty's Ambassador Extraordinary and Minister Plenipotentiary to His Majesty The King of the Netherlands, has experienced great satisfaction in receiving Monsieur le Baron de Nagell's Note of this date, in which the communication is conveyed, that His Excellency is authorized to agree in the proposal made by the Undersigned for a further Proviso, or additional Article, to the Treaty of the 4th May 1818, provided the operation thereof shall be comprised within the limits expressed in His Excellency's Note.

The Undersigned will have great pleasure in renewing Conferences with Monsieur de Nagell upon this subject, at the earliest date that shall be agreeable to His Excellency, and avails himself of this occasion to renew to him the assurances of his high consideration.

(Signed) CLANCARTY.

Monsieur Le Baron de Nagell,
 &c. &c. &c.

No. 34.

The Earl of Clancarty to Mr. Secretary Canning.—(Received January 28.)

SIR,

Brussels, January 24, 1823.

I HAD yesterday a Conference with Monsieur le Baron de Nagell upon the further additional Article to the Treaty of 4th May 1818, last referred to in my Despatch of the 17th instant.

A copy of the Protocol of this Conference, with its Annexes, is herewith inclosed for your information.

I should hope the manner in which the Article, as agreed upon, has been drawn up, will meet the approbation of His Majesty's Government.

It appearing to be the wish of Monsieur de Nagell, and of His Chief Secretary, that time should be afforded till Saturday, (to-morrow) or till Monday, in order the better to write out the Article fair for signature, I readily agreed thereto.

By the next, or Tuesday's Messenger, you may, therefore, confidently expect the receipt of this additional Arrangement, duly signed.

I have, &c.

(Signed) CLANCARTY.

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

(First Inclosure in No. 34.)

Protocol.—January 23, 1823.

Hotel of His Excellency The Minister for Foreign Affairs of The King of the Netherlands.

Present,

HIS EXCELLENCY M. LE BARON DE NAGELL.
 THE EARL OF CLANCARTY.

M. LE BARON DE NAGELL having intimated to Lord Clancarty, that The King, His Master, was willing to accede to the proposal made to His Excel :

lency at the Conference of the 23d December last, provided that the operation of the proposed Article should not extend beyond one geographical degree to the Westward of the Coast of Africa, and beyond the space between the 20th deg. of lat. to the North of the Equator, and the 20th deg. of lat. to the Southward thereof;

Their Excellencies met this day for the purpose of arranging an Article for this purpose, and having agreed upon the same, as hereto annexed in the two languages, they gave directions that the same should be immediately prepared for signature.

(Signed) CLANCARTY.
A. W. C. DE NAGELL.

(*Second Inclosure in No. 34.*)

Annex No. 1 to the Protocol of 23d January.

HIS Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty The King of the Netherlands, having thought fit to agree upon the following further Arrangement, additional to the Treaty concluded between Their aforesaid Majesties at the Hague 4th May 1818, for the prevention of the Trade in Slaves, and also in addition to the two explanatory and additional Articles, executed by the Plenipotentiaries of Their said Majesties on 31st December 1822; have named, authorized and directed the same Plenipotentiaries to sign in Their Names an Agreement, *ad hoc*, His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable Richard, Earl of Clancarty, &c. &c., and His Majesty The King of the Netherlands, Anne William Charles Baron de Nagell d'Ampsen, &c. &c., who, having exchanged their Full Powers, found in good and due form, have agreed on the following additional Article:

(*Third Inclosure in No. 34.*)

Annex No. 2 to the Protocol of 23d January.

SA Majesté Le Roi des Pays-Bas, et Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, ayant trouvé à propos de convenir de l'arrangement ultérieure suivant, additionnel au Traité conclu entre leurs dites Majestés à la Haye le 4 Mai 1818, pour la repression du Trafic des Esclaves, et ainsi en addition des Articles explicatif et additionnel conclus par les Plénipotentiaires de Leurs Majestés le 31 Decembre 1822, ont nommé, autorisé et commis les dits Plénipotentiaires à signer en Leurs Noms un Accord, *ad hoc*, savoir; Sa Majesté Le Roi des Pays-Bas, Le Sieur Anne William Carel Barou de Nagell d'Ampsen, &c. &c. et Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, Le très Honorable Richard, Comte de Clancarty, &c. &c. lesquels, après avoir échangé leurs Pleins-pouvoirs, trouvés en bonne et due forme, sont convenus de l'Article additionnel suivant:

(*Fourth Inclosure in No. 34.*)

Annex No. 3 to the Protocol of 23d January.

ARTICLE.

AND it is hereby further agreed, that upon proof being duly given before the Mixed Court, whereupon it shall appear that any ship or vessel subject to examination under the Treaty, or under the explanatory or additional

Articles, and detained hovering upon the Coast of Africa, within one geographical degree to the Westward thereof, and between the 20th degree of latitude North of the Equinoctial Line, and the 20th degree of latitude to the Southward thereof, or at anchor within any of the rivers, bays or creeks of the said coast, within the limits above particularly specified, or at anchor in any part within the said limits, and which ship or vessel in her outfit or equipment shall fall within one or more of the following designations, namely:

1.—Having her hatches fitted with open gratings, instead of being close hatches as usual in Merchant vessels.

2.—Having more divisions or bulk heads in the hold or on deck, than necessary for trading vessels.

3.—Having on board spare plank, either actually fitted in that shape, or fit for readily laying a second or moveable deck, or Slave deck.

4.—Having on board shackles, bolts, or hand-cuffs.

5.—Having on board an unreasonable quantity of water in casks or in tanks, more than sufficient for the consumption of her crew as a Merchant vessel.

6.—Having on board an unreasonable number of water casks, or other vessels for holding water, unless the Master shall produce a certificate from the Custom-House from the Place from which he cleared outwards, stating that a sufficient security had been given by the Owners of such vessel, that such extra quantity of casks, or other vessels, should only be used for the reception of palm oil.

7.—Having on board a greater quantity of mess-tubs or kids than requisite for the use of her crew, as a Merchant vessel.

8.—Having on board two or more copper boilers, or even one of an unreasonable size, larger than requisite for the use of her crew as a Merchant vessel.

9.—Having on board an unreasonable quantity of rice or farinha (flour of the manioc of Brazil, or of Cassada,) or maize, or Indian corn, beyond any probable requisite provision for the use of her crew, and such rice, flour, maize, or Indian corn, not being entered on the Manifest as part of the cargo for trade.

The proof of these, or of any or more of these several indications, shall be considered as *prima facie* evidence of her actual employment in the Slave Trade, and unless rebutted by satisfactory evidence upon the part of the Master or Owners, that such ship or vessel was otherwise legally employed at the time of detention, or capture, the ship or vessel shall thereupon be condemned and declared lawful prize.

(Fifth Inclosure in No. 34.)

Annex No. 4. to the Protocol of 23d January.

ARTICLE ADDITIONNEL.

IL est également convenu par les presentes que lorsque d'après des preuves, dûment formés par devant la Cour Mixte, il apparaitra qu'un vaisseau ou navire, sujet à l'examen, ou aux termes du Traité, ou aux termes des Articles explicatifs et additionnels, et detenu rodant ou naviguant sur, ou proche de la Côte d'Afrique, dans l'espace d'un degré géographique à l'ouest d'icelle, et entre le 20 degré de latitude Nord de la Ligne Equinoctiale et le 20 degré de latitude sud de la dite Ligne, ou à l'ancre dans une des rivières, bayes, ou criques, de la dite Côte dans la circonscription des limites spécialement designées ci-dessus; ou à l'ancre en quelque endroit que ce soit, dans la circonscription des dites limites, et lequel vaisseau ou navire offrira dans son appropriation et équipement une ou quelques unes des designations suivantes:

1.—D'avoir ses écoutilles en caillebotis ou treillis, ouverts au lieu de les avoirs fermées, comme le sont d'ordinaire celles des navires Marchands.

2.—D'avoir plus de séparations, ou cloisons à fond de cale ou sur le pont, qu'il n'en faut à des navires Marchands.

3.—D'avoir à bord des ais en reserve déjà appropriés ou de nature à l'être pour poser aisément un second pont, pont mobile ou pont Negrier.

4.—D'avoir à bord des chaînes, des entraves, ou des menottes.

5.—D'avoir à bord une quantité exorbitante d'eau en barriques ou en cuves, et plus qu'il n'en faudrait pour la consommation de l'équipage d'un navire Marchand.

6.—D'avoir à bord un nombre exorbitant de barriques à eau ou autres vaisseaux à eau, à moins que le patron ne produisit un certificat de la Douane de l'endroit de son départ, constatant l'établissement d'une caution suffisante par les propriétaires du navire, que cette quantité surabondante de barriques ou autres vaisseaux ne servirait qu'à recevoir de l'huile de palmier.

7.—D'avoir à bord une plus grande quantité de baquets à portion que de réquis pour le service de l'équipage d'un navire Marchand.

8.—D'avoir à bord deux chaudières de cuivre ou d'avantage, ou même une seule d'une dimension exorbitante et plus grande que ne l'exigeraient les besoins de l'équipage d'un navire Marchand.

9.—D'avoir à bord une quantité extraordinaire de ris ou de farinha (fleur de manihoc du Brésil ou de Cassada,) ou de maïs, ou de blé des Indes, excédant la provision raisonnablement réquise pour la consommation de l'équipage, et lorsque ce ris, fleur, maïs, ou blé des Indes, ne se trouverait pas annoncé sur le manifeste, comme faisant partie de la cargaison mercantile.

La preuve de l'une ou de quelques unes de ces indications sera considérée comme évidence, *prima facie*, de son emploi actuel du Trafic des Esclaves, et à moins d'être réfutée par des preuves satisfaisantes, à fournir par le patron ou les propriétaires, que le vaisseau ou navire avait été légalement employé à un autre usage, au tems de sa détention ou capture, le vaisseau ou navire sera condamné la dessus et déclaré de bonne prise.

(Sixth Inclosure in No. 34.)

Annex No. 5. to the Protocol of 23d January.

THE aforesaid additional Article shall be submitted to the Ratification of the respective Sovereigns, and shall have the same force and effect as if it were inserted, word for word, in the Treaty of 4th May 1818, above-mentioned, and shall be held to form part of the same. The Acts of Ratification shall be exchanged within the space of one month from this date, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed the present Act, and thereunto affixed the Seal of their Arms.

Done at Brussels, &c.

(Seventh Inclosure in No. 34.)

Annex, No. 6. to the Protocol of 23d January.

LE présent Article additionnel sera soumis à la Ratification des Souverains respectifs, et aura le même force et effet que s'il se trouvait inséré mot-à-mot dans le Traité du 4 Mai 1818, ci-dessus mentionné, et sera tenu comme en faisant partie.

Les Actes de Ratification seront échangés dans l'espace d'un mois où plutôt si faire se peut.

En foi de quoi, &c.

Fait à Bruxelles, &c.

(Signé)

No. 35.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, January 28, 1823.

IN reference to that part of your Excellency's Correspondence which relates to the proposition which you had been instructed to make to the Netherlands Government, for the establishment of a Slave Registry in their Colonial Possessions in the West Indies,—I now forward to Your Excellency the copy of a Letter received from the Colonial Department, dated the 21st instant, together with its several Inclosures, containing such information and details as appear most applicable towards enabling Your Excellency to follow up the proposition made to the Dutch Government, for the formation of a Colonial Slave Registry.

Should any further information be required, it will be furnished with readiness, upon an intimation to that effect from Your Excellency.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c. &c. &c.

No. 36.

The Earl of Clancarty to Mr. Secretary Canning.—(Received January 31.)

(Extract.)

Brussels, January 28, 1823.

I HAVE the honour herewith to transmit a further additional Article to the Treaty between His Majesty and The King of the Netherlands, for the abolition of the Slave Trade, signed at the Hague 4th May 1818.

To this is added, the certified copy of the French counterpart, executed by the Plenipotentiaries for the use of this Court; and I inclose a copy of the Protocol of the Conference at which this matter was terminated.

I should hope the Article will meet with the approbation of my Government, and become effective by His Majesty's Ratification.

In substance, I flatter myself, it exactly coincides with the instructions I had received, and though there may be found some variance in the form, yet I can scarcely think that this will be deemed material.

The Right Hon. George Canning,

&c. &c. &c.

(Signed) CLANCARTY.

*(Inclosure in No. 36.)**Protocol of the 25th of January 1823.**Hotel of the Minister for Foreign Affairs of His Majesty The King of the Netherlands, at Brussels.*

Present, HIS EXCELLENCY MONSIEUR LE BARON DE NAGELL.
THE EARL OF CLANCARTY.

THE further additional Article, as agreed upon between Their Excellencies at the last Conference, having been fairly written out, final signature in both languages, as at that time directed, was read over and found correct.

The two Plenipotentiaries then agreed, each on the part of his respective Sovereign, that the Article then before them, when signed, should, nevertheless, be withheld from coming into operation till the lapse of five months from the date of the exchange of the Ratifications thereof, after which its stipulations should come into full force and effect.

With this understanding, Their Excellencies immediately signed and sealed two counterparts of the same, one in the English, and the other in the French language, and each undertook to procure to his counterpart the Ratification of his Government.

(Signed)

CLANCARTY.
A. W. C. DE NAGELL.

No. 37.

*The Earl of Clancarty to Mr. Secretary Canning.—(Received February 14.)**Brussels, February 11, 1823.*

SIR,

I RECEIVED your Despatch of the 31st ultimo, accompanied by His Majesty's Ratification of the Articles signed by the Baron de Nagell and me, on the 31st of December last, and also the form of a Certificate of the exchange of the said Ratifications, against those of this Government, on the evening of the 9th instant.

In obedience to the instructions therein contained, I this morning effected the exchange I was directed to make, and have now the honour herewith to transmit the Ratifications of His Majesty The King of the Netherlands to the said Articles.

I have also the honour to return the Certificate of the said exchange properly filled up, and duly executed by His Excellency The Baron de Nagell and by me.

The additional Document you will find likewise herewith, establishing the time when these Articles should come into full force and effect, Monsieur le Baron de Nagell was desirous of having signed and exchanged, more especially as nothing had been entered in the Protocols of our proceedings, in the negociation of these Articles, upon the subject.

As there appeared to me no objection to this course, I very willingly acceded to his wishes, and His Excellency, therefore, has been furnished with a translated counterpart of that now transmitted, signed by me.

I have the honour, &c.

(Signed)

CLANCARTY.

The Right Hon. George Canning.
&c. &c. &c.

No 38.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, February 18, 1823.

I FURNISH to Your Excellency, herewith, the copies of two Despatches, and of their Inclosures, from His Majesty's Commissary Judge at Surinam, and the copy of a Communication from the Colonial Department here, the former dated the 24th and 28th of October 1822, and the latter the 7th of February 1823.

These Papers tend to shew that contraband importations of Slaves still continue to take place in the Colony of Surinam; they mention the name of one vessel, the *Hermaphrodite*, and the particulars of other vessels concerned in this illegal trade; and they give the details of a Case in which the crew and boat of an English vessel, the *Olive Branch*, were forced to assist in the contraband landing of Slaves at Surinam.

I have to desire that Your Excellency will communicate to the Netherlands Government such a portion of these Papers as you shall deem to be expedient for the purpose of establishing the facts. You will accompany the communication of these facts by an urgent call upon His Netherlands Majesty to take strenuous measures for the fulfilment of the Treaty on the Slave Trade, either by increasing His Netherlands Majesty's naval force on the Coast of Africa, or by directing His Colonial Authorities to make use of all the means in their power to repress these continued violations of His Majesty's orders. And you will take this opportunity of renewing your suggestion for the Registry of Slaves, the establishment of which measure would alone furnish the best chance of bringing such delinquents to justice.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c.

&c.

&c.

No. 39.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, February 18, 1823.

I FURNISH Your Excellency with an Extract of a Letter, dated the 24th December last, and its Inclosures, which I have received from Mr. Hesketh, His Majesty's Consul at Maranham, giving an account of a Dutch vessel, named the *Aurora*, which sailed from Maranham for Surinam in the month of December last, in company with the Portuguese vessel the *Mendengo*, and is suspected of being intended to be employed in landing Slaves clandestinely in Surinam.

Your Excellency will communicate these Papers to the Netherlands Government, and request them to send out to their Colonial Authorities, directions to take measures for preventing the intended infraction of the Treaty.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.

&c.

&c.

&c.

(First Inclosure in No. 39.)

Robert Hesketh, Esq. to Mr. Secretary Canning.

(Extract.)

Maranhao, December 24, 1822.

I INCLOSE copies of Communications I have made to Barbadoes and Surinam, respecting a Dutch Schooner, called the *Aurora*, C. H. Andres, Master, the object of whose voyage to this Port I suspect to have been an illicit Traffick in Slaves, against which there are no effectual regulations in this Port.

(Signed)

ROBERT HESKETH.

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

(Second Inclosure in No. 39.)

The British Consul at Maranhao to The Governor of Barbadoes.

SIR,

Maranhao, December 11, 1822.

I HAVE the honour to transmit an Affidavit made by Robert Jackson, lately a seaman on board the Dutch schooner *Aurora*, C. H. Andres, Master, respecting the *Aurora's* intended voyage with Slaves to the Colony of Surinam.

The *Aurora* continues in this Port, and as I feel convinced, from every circumstance of the case, that it is the intention of the Parties concerned to attempt the illicit proceeding alluded to in the inclosed Affidavit, and that every preventive measure on the part of the Government of this Province can be easily evaded, I have thought it my duty to give Your Excellency this information.

I have sent Robert Jackson, the bearer hereof, as a supernumerary on board the British brig *John*, instructing John Foster, the Master, to report this supernumerary to Your Excellency on his arrival.

It is impossible to ascertain how many days more the *Aurora* may yet remain in this Harbour; should the period of her detention extend to ten days further, there is every chance that she may be intercepted: however, as it is possible that she may sail before the expiration of ten days, I intend, in that event, to desire Thomas Wilson (the man mentioned in the Affidavit) to report himself personally, on his arrival at Surinam, to the Commissary, Edward Lefroy, Esq.; and I presume that Your Excellency will direct that this arrangement be communicated to the Commissary.

There is not at present any impediment against a Portuguese vessel with Slaves on board clearing from any Brazil Port for another western one, and afterwards proceeding beyond the Brazil Dominions and landing her cargo clandestinely; in fact, the probability is, that Slaves have been smuggled in this manner into the Colony of Surinam.

I have the honour to be, &c.

(Signed)

ROBERT HESKETH.

His Excellency Sir Henry Warde, K. C. B.
Captain General and Governor of the
Leeward Islands, &c. &c. &c.

(Third Inclosure in No. 39.)

Affidavit of Robert Jackson.

ROBERT JACKSON, a native of the County of Durham, in England, does make oath and declare, that he arrived at this Port on board a Dutch schooner belonging to Surinam, called the *Aurora*, C. H. Andres, Master, on board of which the Deponent was shipped at Surinam as a seaman, in the month of May last, and having gone in the vessel on a voyage to Martinique and back to Surinam, sailed again from Surinam about the middle of August last, bound to Martinique and Maranhao, and, after being at the former, arrived at this latter Port of Maranhao on or about the fifth of October last, with a cargo of sundry articles from Martinique: that no other part of the cargo has been landed here except coffee and rum, and that the schooner has continued in this Port, with three Custom-House Officers on board, to the present date. And this Deponent further declares that he was requested by C. H. Andres to leave the vessel, but that the Deponent could not get his wages settled, and was forced to make an application at the British Consul's Office for the purpose, at which Office, the Deponent declared, and now again repeats on his solemn oath, that Thomas Wilson, one of the crew of the *Aurora*, informed the Deponent, that the Master of the said schooner told him (the said Thomas Wilson) that he was waiting here for the arrival of a Slave vessel, from which Slaves were to be taken on board the schooner *Aurora*, and that the Master would then proceed with them in the schooner towards Surinam, and smuggle them into that Colony.

Sworn to in Maranhao, this }
tenth day of December 1822, }
before me, }

ROBERT HESKETH,
His Britannick Majesty's
Consul.

ROBERT JACKSON,
his X mark.

Witness (Signed) IGNACIO VIEGA.

(Fourth Inclosure in No. 39.)

Description of the Schooner Aurora, C. H. Andres, Master, annexed to the Affidavit made by Robert Jackson.

A FORE top-sail schooner, about fifty or sixty tons; a great rake in her main-mast; mast heads white, and a new fore-sail; American, and very sharp built; no figure head; painted black, with one white streak; very low bulwarks, and a trunk reaching from the break of the deck right aft to the companion head; coppered; carries her boat on one side of the deck, and two small swivels on the tafferell.

(Fifth Inclosure in No. 39.)

His Majesty's Consul at Maranhao to the British Commissary Judge at Surinam.

SIR,

Maranhao, December 19, 1822.

I HAVE to acquaint you that a Dutch schooner, called the *Aurora*, C. H. Andres, Master, belonging to Surinam, arrived at this Port about the com-

mencement of October last, and that on the 10th instant, Robert Jackson, one of the crew, made an Affidavit at this Office, a copy of which I transmit inclosed. As many circumstances induced me to suspect that the illicit proceedings alluded to in the Affidavit would be attempted, and easily carried into effect, I availed myself of an opportunity to send the Deponent to Barbadoes, with a Letter to His Excellency Sir Henry Warde, supposing that there was a chance of intercepting the Aurora, having been led to believe that she would continue in this port for some days longer.

I also intended to have induced another of the crew (Thomas Wilson,) to report himself to you on his arrival at Surinam :

But the Aurora sailed most unexpectedly, two days after the vessel by which I had written to Barbadoes, and this not only destroyed every chance of intercepting her, but also prevented my having an opportunity of speaking to Thomas Wilson, the person mentioned in the Affidavit.

However, as you may have it in your power (aided by the information which may be obtained from Robert Jackson,) to investigate the objects of the Aurora's voyage to this Port, I now acquaint you that she sailed on the 13th instant, in company with a Portuguese smack, rigged vessel, called the Mendengo.

The Aurora cleared out for Surinam, and had her hold filled up with American flour, (which she took in here,) and sundry articles brought from Martinique; and it does not appear that she had any Slaves on board, but I am informed that there were one hundred and eighty Slaves on board the Portuguese smack that sailed with her, and that she cleared out for Para.

There is every probability that Portuguese vessels have cleared out for Para from hence, and afterwards landed Slaves clandestinely in the Colony of Surinam, and this illicit proceeding cannot be prevented by the present regulations at this Port.

However, I have thought it my duty to give you this information, and to recapitulate to you the steps I have taken to intercept the Aurora, and though I fear that these steps are not likely to prove successful, still I presume that the information, if it should not reach you in sufficient time to detect the Parties, will, at all events, be in some measure instrumental in leading you to take such preventive measures against a repetition of this illegal proceeding as you may deem fit.

I have the honour to be, &c.

(Signed)

ROBERT HESKETH.

C. E. Lefroy, Esq. &c. &c. &c. Surinam.

(Sixth Inclosure in No. 39.)

The British Consul at Maranhao to the Governor of Demerara and Essequibo.

SIR,

Maranhao, December 19, 1822.

THE inclosed Letter for the Commissary at Surinam, Edward Lefroy, Esq. contains important information connected with the duties of his Office. I feel solicitous for its safe and expeditious conveyance; and in thus taking the liberty of transmitting it to Your Excellency, I adopt the only satisfactory channel that offers for the communications I am making.

I have the honour to be, &c.

Signed

ROBERT HESKETH.

*His Excellency Major-General Murray,
Governor of Demerara and Essequibo,
&c. &c. &c.*

No. 40.

The Earl of Clancarty to Mr. Secretary Canning.—(Received March 8.)

SIR,

Brussels, February 25, 1823.

IN obedience to the instructions conveyed in your Despatch of the 18th instant, and, with its Inclosures, received here on the 21st, I have addressed the Notes, of which the inclosed are copies, to His Excellency M. Le Baron de Nagell.

The Papers conveyed to His Excellency, with the first Note, are those which accompanied your Despatch to me of the 28th of January last, for the information of this Government, with respect to the Acts and particular Forms under which the Registration of Slaves has been carried into effect by His Majesty's Government.

The continued indisposition of His Excellency M. Falck, the Colonial Minister, may possibly postpone the determination of this Government upon the suggestion made to them under your instructions, by my Note of 30th November last, (sent home in my Despatch of the 3d December,) for the adoption of Slave Registries.

I have the honour to be, &c.

(Signed)

CLANCARTY.

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

(*First Inclosure in No. 40.*)

The Earl of Clancarty to The Baron de Nagell.

Brussels, February 22, 1823.

THE Undersigned, &c. &c. has the honour to acquaint M. de Nagell that *Charles Beverley*, a Slave-trader, whose escape from prison in the Colony of Surinam, to which he had been committed as having effected a smuggling importation of Slaves, was notified in the Note addressed to M. de Nagell on the 30th of November last, has been again arrested and re-committed to gaol.

The British Government has, however, received information that it is not intended by the Authorities in that Settlement to proceed against him as a Slave-trader, though taken, as it were, in the very fact; the proofs against him are full and incontrovertible;—and why? Because, forsooth, he has, subsequently to the first seizure of himself and vessel by the Police Officers, obtained Papers from Martinique, asserting that the Negroes then imported were resident in that Island since September 1818—Papers which, if even the fact of such residence could justify the purchase and trade in any Slaves by Dutch subjects under the Treaty, M. de Nagell will not fail to consider could be furnished with equal facility, and with equal truth, so as to cover every importation of Slaves into Surinam; even those brought direct, or with very little deviation of course, immediately from the Coast of Africa.

But the Court of the Netherlands is fully aware that no residence therein, or any thing else, can justify or even palliate any act of Slave importation from any foreign Colony or Place whatsoever.

The strong assurances given to the Court of Great Britain, through the Undersigned, upon this subject, under the commands of His Netherlands Majesty, and more especially by M. de Nagell's Note of the 16th of January 1822, confirmed and still further strengthened at a Conference held with His Excellency The Minister of the Colonies on the 21st of March following,

afford ample satisfaction as to the just construction placed by this Court on the very clear stipulations of the Treaty in this respect, and have confidently persuaded the British Government that, subsequently to the 1st of July 1821, it would have been impossible, after detection, for any Person with impunity to have effected such importation ;

Nevertheless, the illicit import into Surinam, by Charles Beverley, now under consideration, was effected in the latter end of the month of March, or in the course of the month of April, 1822.

The bare statement of these dates, drawn as they are from positive depositions, the Undersigned is persuaded will be quite sufficient to elicit from this Government the most immediate and peremptory orders to the Authorities of Surinam, that the delinquent, Charles Beverley, shall be brought to justice for the foul offence of which he has been guilty ; or if the penal Laws should not yet have been rendered sufficiently strong, adequately to punish his criminal violations of a most solemn Compact, the Undersigned, in the name of his Court, calls upon that of the Netherlands, under the first Article of the Treaty, to render them of sufficient force to repress the repetition of the evil. In the latter alternative, the Undersigned also reclaims the delivery up of the said Charles Beverley, as a British subject, to be dealt with under the British Laws for this offence ; the case of Beverley being the same in principle as that which formed the interchange of Notes between the Undersigned and M. de Nagell, dated respectively the 26th of February and the 26th of March 1821.

The Undersigned further renews the request made to this Government in his Note of the 30th of November last, that the wretched Negroes who formed the importation made by Beverley, and who are twenty-two in number, may be taken into His Netherlands Majesty's service, and employed as servants or free labourers, under the humane principle of the Treaty between the Two Crowns.

The Undersigned has further received the commands of The King, His Master, again to impress upon His Majesty The King of the Netherlands, the great advantage which would result from the establishment of Slave Registries within the Colonies, as proposed by the Note above referred to, of the 30th of November last, upon this subject.

The Undersigned has received various Papers containing the original Orders in Council for the establishment of Registries, the Forms, and Colonial and Home Acts adopted by the British Government upon this subject, which he has now the honour to inclose for the information of this Court, and which would have already been transmitted, had it not been for the indisposition of His Excellency The Minister of the Colonies.

The Undersigned, &c.

(Signed) CLANCARTY.

His Excellency M. Le Baron de Nagell,
 &c. &c. &c.

(Second Inclosure in No. 40.)

The Earl of Clancarty to M. Le Baron de Nagell.

Brussels, February 22, 1823.

The Undersigned, &c. &c., regrets the necessity under which he has received the commands of The King, His Master, again to address M. de Nagell upon the subject of the Slave Trade.

From information received by his Court, he has been directed to state, that contraband importations of Slaves still continue to take place in the Colony of Surinam.

He has the honour herewith to inclose, for the information of this Government, the copy of a Deposition taken upon this subject in the Colony, and also the copies of two Letters, the last addressed to the Governor, from Captain Edwins Rich, of His Majesty's sloop of war the *Bustard*.

These papers give sufficient reason to fear that a vessel, named the *Hermaphrodite*, has succeeded in disembarking a very considerable number of Slaves at Surinam.

Upon receiving this information (the whole of which was imparted to him) the Governor immediately sent down a party of soldiers to the spot: the vessel had, however, disappeared before their arrival, but, from the appearance of a Negro encampment upon the shore, there seems to have been sufficient reason to apprehend that she had succeeded in disembarking her cargo. Exertions were made, and with the assistance of Heimraad, to discover and trace the Parties concerned in this transaction, and to gain information as to the Person or persons in whose power or custody the newly landed Negroes were; but these had proved ineffectual.

Whether the attempt of effecting a contraband landing of Slaves, recorded in the above information, was successful or not, this Government will not fail to deduce from it:

First, and principally, the necessity of adopting Slave Registries, from whence alone all illicit additions to the Slave population can be effectually detected.

Secondly, and more especially, till these Registries shall come into full operation, the policy of endeavouring to prevent all attempts to land cargoes of Negroes on the Coast, and stationing a sufficient number of ships of war upon the Coast, with orders to the Governor to employ them in watching the Coast, and in preventing all illicit debarkations of Slaves. Upon this last subject it appears, by the information received by the British Government, that, subsequently to the month of May last, no Dutch man of war has appeared upon the Surinam Station, and that His Excellency the Governor declares his utter inability to prevent the continuance of a clandestine Slave Trade without naval assistance.

From the great length of the Coast of Surinam, and the number of creeks distant from observation, it is indeed self-evident that till the establishment and full operation of Colonial Registries of Slaves, it would be impossible to prevent the clandestine introduction into that Colony, except by adequate naval means. And though such means, at the disposal of the former Governor, were unexercised by him, hopes are entertained that in the hands of M. de Veer, such essential aid may become effectual.

Another instance of a very considerable debarkation of Slaves on the Coast of Surinam, and the fact of which cannot be controverted, will appear from the inclosed copy of a Letter from the Lieutenant Governor of Berbice to Earl Bathurst, and the copy of the log-book of The United States ship *Olive Branch*, therewith conveyed: whence it will appear that, from the 15th to the 17th of November last, some five hundred new African Negroes were landed in that Colony.

The Undersigned is well assured that these facts will induce immediate and adequate exertions upon the part of this Government to obviate the evil. He has had the honour to suggest for the consideration, and as he hopes for the adoption of His Netherlands Majesty, the means by which it may be effectually prevented in future; and relying upon the sincere and strenuous co-operation of this Court with that of Great Britain, by the adoption of those measures which have from experience been found adequate to effect the object in view, he trusts that the Subjects of both may be absolutely deferred from taking any part hereafter in a trade which is a disgrace to all humanity.

He has the honour to be, &c.

His Excellency M. Le Baron de Nagell, (Signed) CLANCARTY.

&c.

&c.

&c.

No. 41.

The Earl of Clancarty to Mr. Secretary Canning.—(Received March 8.)

SIR,

Brussels, February 25, 1823.

I HAD the honour of receiving your Despatch of the 18th instant, (with its Inclosures) on the 21st instant.

By this I am commanded to communicate the Papers therewith transmitted to the Netherlands Government, and to request them to send out to their Colonial Authorities, directions to take measures for preventing the intended infraction of the Treaty.

As the *Aurora* is stated in Mr. Hesketh's Letters to have sailed from Maranhao for Surinam on the 13th of December last, I should fear, no orders, however expeditiously forwarded from hence, could now reach Surinam in sufficient time to have any effect in impeding the object of that voyage, whether the suspicions entertained of it were correct or otherwise.

The Letter from Mr. Hesketh to the Commissary Judge at Surinam, dated 19th December 1822, it is, however, to be hoped, may have arrived at its destination early enough to warn the Colonial Authorities at that Settlement, and to induce them to adopt efficient measures to prevent any illicit debarkation of Negroes on the Coast, which might have been the intended purpose of that voyage.

The Note of which the accompanying Paper is a copy, has been addressed by me to M. Le Baron de Nagell upon this subject, in consequence of your Instructions, and with it were transmitted to His Excellency, copies of Mr. Hesketh's Letters conveyed to me in your Despatch.

I am, &c.

(Signed)

CLANCARTY.

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

(Inclosure in No. 41.)

The Earl of Clancarty to M. Le Baron de Nagell.

Brussels, February 23, 1823.

THE Undersigned, &c. &c. has the honour to state to His Excellency M. de Nagell, that he has received instructions to communicate the accompanying Papers, in which strong grounds of suspicion were conveyed that a Dutch schooner, the *Aurora*, C. H. Andres, Master, belonging to Surinam, has been, and probably is employed in smuggling Negroes into that Colony. The Undersigned is further instructed to request that such directions may be sent out by this Government to its Colonial Authorities as may induce a sufficient degree of vigilance over this vessel in particular, and also the adoption of all necessary measures for preventing any infraction or intended infraction of the Treaty.

The Undersigned, &c.

(Signed)

CLANCARTY.

His Excellency M. Le Baron de Nagell,
&c. &c. &c.

No. 42.

The Earl of Clancarty to Mr. Secretary Canning.—(Received March 8.)

SIR,

Brussels, February 25, 1823.

HIS Majesty's Ratifications of the further additional Article to the Treaty of the 4th of May 1818, signed at Brussels on the 25th ult. arrived here on the 23d instant.

In pursuance of your Instructions I have this morning exchanged these Ratifications against those of The King of the Netherlands, which are herewith transmitted, together with the usual certificate of the said exchange having been duly made, signed and sealed by M. le Baron de Nagell and me, a duplicate of which was at the same time executed and delivered to His Excellency.

I have the honour to be, &c.

(Signed)

CLANCARTY.

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

No. 43.

The Earl of Clancarty to Mr. Secretary Canning.—(Received March 24.)

SIR,

Brussels, March 21, 1823.

I HAVE the honour to refer you to my Despatch of the 25th of February last, and to the copy of the Note (therewith transmitted) addressed by me, under your instructions, to M. le Baron de Nagell on the 23d ult., respecting the suspicions entertained of the Dutch ship *Aurora*, C. H. Andres, Master, being engaged in an illicit Trade in Slaves between Brazil and Surinam.

The answer of the Netherlands Government to this Note was received by me on Wednesday evening last; a copy of it is herewith inclosed for your information, and it appears to me to afford all the assurance we could have expected in this instance.

I remain, &c.

(Signed)

CLANCARTY.

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

(Inclosure in No. 43.)

The Baron de Nagell to The Earl of Clancarty.

Bruvelles le 19 Mars, 1823.

LE Soussigné, &c. a eu soin de mettre sous les yeux du Roi, son Maître, les Documens que Son Excellence Le Comte de Clancarty, &c. lui avait fait l'honneur de lui communiquer le 23 Fevrier dernier, et suivant lesquels le navire *l'Aurore*, Capitaine C. H. Andres, est soupçonné de servir à introduire frauduleusement, d'un des Ports du Brésil, des Nègres à Surinam; ainsi que la demande d'expédier à cette Colonie l'ordre de surveiller particulièrement le navire susdit et de prendre les mesures propres à prévenir la contrebande dont on le soupçonne.

Le Soussigné vient d'être chargé d'informer Son Excellence Le Comte de Clancarty, que Le Roi, déferant à cette invitation, a autorisé le Ministre des Colonies d'enjoindre au Gouverneur de Surinam de faire du navire l'Aurore, l'objet d'une stricte surveillance.

(Signé)

A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
 &c. &c. &c.

(Inclosure in No. 43.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, March 19, 1823.

THE Undersigned, &c. has not failed to lay before The King, his Master, the Documents which His Excellency Lord Clancarty did him the honour to communicate to him on the 23d of February last, and according to which the ship *Aurora*, C. H. Andres, Master, is suspected of being engaged in fraudulently introducing Negroes from one of the Brazilian Ports into Surinam; and which contains a request that orders may be transmitted to that Colony for a watchful eye to be kept upon the above vessel, and that such measures be taken as shall prevent the contraband traffick of which she is suspected.

The Undersigned has been directed to inform His Excellency Lord Clancarty, that The King, complying with this request, has authorized the Colonial Minister to instruct the Governor of Surinam to cause the *Aurora* to be strictly watched.

(Signed)

NAGELL.

His Excellency The Earl of Clancarty,
 &c. &c. &c.

No. 44.

Mr. Secretary Canning to The Earl of Clancarty.

MY LORD,

Foreign Office, March 25, 1823.

I INCLOSE to Your Excellency the copy of a Letter of the 23d of December 1822, from His Majesty's Commissary Judge at Surinam, stating that in the month of November last the American schooner *Olive Branch*, Captain Boyd, was forcibly employed in landing a cargo of five hundred African Slaves, about twenty miles to windward of Bram's Point, in the Colony of Surinam.

Your Excellency will have the goodness to communicate these facts to the Netherlands Government. It is hoped that such orders will be forthwith issued thereupon, to their Colonial Authorities, as the case appears to require, and as may prevent the recurrence of these flagrant infractions of the Treaty between the Two Countries.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency The Earl of Clancarty, G. C. B.
 &c. &c. &c.

No. 45.

The Earl of Clancarty to Mr. Secretary Canning.—(Received March 31.)

SIR,

Brussels, March 28, 1823.

REFERRING you to my Despatch of the 3d of December last year, and to the copy of the Note, therewith inclosed, addressed by me to M. le Baron de Nagell on the 30th of November 1822, in obedience to your preceding instructions; I have now the honour to transmit, for your information, the copy of a Note from His Excellency, dated and received on the 26th instant, conveying a preliminary answer upon the subject of the communication made by me to this Government, in consequence of Mr. Lefroy's reports of September last from Surinam.

I have further, and in addition to the Papers above referred to, to solicit your attention to a Note addressed by me to M. le Baron de Nagell on the 22d of last month, a copy of which was transmitted for your information in my Despatch of the 25th of February of this year.

As arising out of these Documents, a second Note, dated the 26th instant, was received by me from His Excellency on that day.

This likewise is of a preliminary nature, referring to expected intelligence from Surinam, for the purpose of thereon founding a final answer.

The Paper herewith inclosed is a copy of this last Note.

I am, &c.

(Signed) CLANCARTY.

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

(First Inclosure in No. 45.)

The Baron de Nagell to The Earl of Clancarty.

Bruxelles, le 26 Mars 1823.

LA Note que Son Excellence Le Comte de Clancarty, &c. a fait l'honneur d'adresser au Soussigné le 30 Novembre dernier, a été soumise de suite au Roi, et communiquée par ordre de Sa Majesté au Ministre des Colonies pour réquerir ses informations.

Cet Office coincide pour l'essentiel, avec les rapports du Gouverneur de Surinam, quant au trafiquant d'esclaves *Beverley*.

Seulement on devrait en inférer que le Fiscal aurait restitué, sous caution, les Nègres au Consignataire; tandis que par les rapports du Gouverneur *De Veer*, qui vont jusqu'au 30 Septembre 1822, mais qui n'ont été reçus ici qu'au mois de Fevrier dernier, le Fiscal doit avoir demandé un détachement pour aller au Plantage *Good Inters*, dans le district *Nickerie*, enlever ces Nègres qu'on présuait pouvoir s'y trouver. Ce détachement se rendit de suite à *Nickerie*: mais ici se terminent les rapports, ou proprement le journal du Gouverneur, et oblige d'en attendre la suite pour apprendre le résultat des perquisitions et si les Nègres ont pu être séquestrés ou non par le Fiscal.

Le journal du Gouverneur pour le dernier trimestre de 1822, donnera donc vraisemblablement des éclaircissemens à ce sujet: mais aussi jusqu'à cette époque, il est impossible de répondre positivement à cette partie de l'Office de Son Excellence Le Comte de Clancarty.

Il en est de même par rapport à la demande s'il y a eu d'autres sujets Anglais impliqués dans l'affaire de *Beverley*; le Ministre des Colonies doit

attendre d'être instruit du résultat des procédures, qui se poursuivent contre le prénommé, les pièces mêmes du procès fourniront les renseignemens désirés par Son Excellence.

En attendant donc l'arrivée de toutes les informations ultérieures, concernant les divers objets de l'Office précité de Son Excellence, Le Soussigné a été chargé de lui communiquer provisoirement ces éclaircissemens en se référant d'ailleurs à la Note ci-jointe.

Il a, &c.

(Signé)

A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
 &c. &c. &c.

(First Inclosure in No. 45.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, March 26, 1823.

THE Note which His Excellency The Earl of Clancarty, &c. did The Undersigned the honour to address to him on the 30th of last November, was forthwith laid before The King, and communicated by His Majesty's command to the Minister of the Colonies to obtain the necessary information.

This Note corresponds in effect with the Reports of the Governor of Surinam respecting the Slave-dealer Beverley.

It can only be inferred from it that the Fiscal had restored the Negroes to the Consignee on security, whilst, by the Reports of the Governor De Veer, up to the 30th of September 1822, but which were not received here until the month of February last, the Fiscal had demanded a detachment to proceed to the Plantation *Good Inters*, in the district of *Nickerie*, and to bring away the Slaves which it was presumed might be found there. This detachment proceeded forthwith to *Nickerie*, but here the reports, or rather the journal, of the Governor, terminate, and oblige us to wait for further intelligence, to learn the result of the inquiry, and whether or not the Negroes could have been confiscated by the Fiscal.

The journal of the Governor for the last quarter of the year 1822, will probably throw some light on this subject; but until its arrival it is impossible to reply positively to that part of the Note of His Excellency The Earl of Clancarty.

It is equally impossible to reply to the question, whether there were any other British subjects implicated in the affair of Beverley: the Minister of the Colonies expects to be informed of the result of the proceedings which are in progress against Beverley; the documents of the process will furnish the information desired by His Excellency.

Whilst expecting the arrival of further information concerning the several subjects of the aforesaid Note of His Excellency, the Undersigned has been charged to communicate to him these explanations, referring him at the same time to the accompanying Note.

He has, &c.

(Signed)

A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
 &c. &c. &c.

(Second Inclosure in No. 45.)

*The Baron de Nagell to The Earl of Clancarty.**Bruelles, le 26 Mars 1823.*

SON Excellence Le Comte de Clancarty, &c. &c. par la Note qu'il a fait l'honneur d'adresser au Soussigné le 22 Fevrier dernier, a communiqué la nouvelle arrestation de Charles Beverley, qui s'était évadé de sa prison à Surinam, et transmet les représentations du Gouvernement Anglais, contre l'intention présumée des Autorités Coloniales de ne pas poursuivre cet individu comme trafiquant d'Esclaves; réclame en ce cas son extradition comme sujet Anglais; demande l'affranchissement des Esclaves repris sur lui; et enfin en prend occasion pour insister du nouveau sur la nécessité de l'établissement de Régistres d'Esclaves, à l'instar de ceux adoptés par le Gouvernement Anglais, dont Son Excellence communique les réglemens.

Le Gouvernement des Pays-Bas n'a pu qu'apprendre avec satisfaction, la nouvelle preuve de vigilance déployée par le Gouverneur de Surinam, et que les mesures telles qu'il les avait mises en usage, avaient été suffisantes pour atteindre leur but. Mais il se voit obligé, d'ailleurs à se référer à l'Office de ce jour, dans lequel il lui communique que les rapports reçus du Gouverneur De Veer, ne vont que jusqu'au 30 Septembre 1822, et qu'aussi long-tems que des informations officielles ultérieures ne seront pas parvenues au Gouvernement des Pays-Bas, il lui est impossible de donner encore de réponse définitive, tant au sujet des poursuites contre Beverley, qu'à l'égard du recouvrement et de la destination de ses Nègres.

Cependant, d'après l'intérêt que le Gouvernement Anglais annonce prendre à l'affaire, Le Roi a ordonné d'anticiper à cet égard, sur la réception des rapports attendus; et d'en faire l'objet immédiat d'une correspondance avec le Gouvernement de la Colonie. Si contre toute attente et même toute probabilité, les informations requises ici, pouvaient confirmer les présomptions que la fraude de Beverley resterait impunie, le Gouvernement Anglais peut être sur qu'il trouvera celui des Pays-Bas pleinement disposé à justifier par la promptitude et la nature de ses mesures, sa fidélité à maintenir ses engagements avec l'Angleterre.

L'établissement des Régistres d'Esclaves à Surinam, recommandé par le Gouvernement Britannique, n'a pas moins fixé l'attention de Sa Majesté; et le Ministre des Colonies a été autorisé, en conséquence, de réquerir au plus tôt du Gouverneur et de la Cour de Police de Surinam, toutes les informations propres à éclairer et à diriger le Gouvernement dans ses délibérations sur cet objet, dont le résultat sera communiqué au Gouvernement Anglais.

Le Soussigné, &c.

(Signé)

A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
 &c. &c. &c.

(Second Inclosure in No. 45.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, March 26, 1823.

HIS Excellency The Earl of Clancarty, &c. &c. by the Note which he did the Undersigned the honour to address to him on the 22d of February last, communicated the re-arrest of Charles Beverley, who had escaped from prison at Surinam, and transmits the representations of the British Government, against the presumed intention of the Colonial Authorities not to proceed

against that individual as a Slave-dealer; claiming in this case his delivery up as a British subject; demanding the liberation of the Slaves taken from him; and availing himself of the opportunity to insist anew upon the necessity of establishing Slave Registries, on the principle of those adopted by the British Government, of which His Excellency communicates the Regulations.

The Government of the Netherlands could not but learn with satisfaction, the new proof of vigilance displayed by the Governor of Surinam, and that the measures which had been adopted had been sufficient to attain their end. But it is obliged at the same time to refer to the Note of this day, in which it is stated that the Reports received from the Governor De Veer, go no farther than the 30th of September 1822, and that until further official information shall reach the Government of the Netherlands, it will be impossible for it to give any definitive answer, either on the subject of the proceedings against Beverley, or with regard to the recovery and destination of his Negroes.

However, in consequence of the interest which the British Government declares itself to take in this affair, The King has directed that it shall be proceeded in before the arrival of the expected Reports, and that it shall be made the immediate subject of a correspondence with the Government of the Colony. If, in spite of every hope, and even every probability, the information required here should confirm the presumption that the fraud of Beverley would pass unpunished; the British Government may rest assured that it will find that of the Netherlands fully disposed to prove, by the promptitude and the nature of its measures, its fidelity in maintaining its engagements with Great Britain.

The establishment of Slave Registries at Surinam, recommended by the British Government, has not less excited the attention of His Majesty; and the Minister of the Colonies has been authorized in consequence to require, as soon as possible, of the Governor and the Court of Police of Surinam, all the necessary informations to enlighten and direct the Government in its deliberations on this subject, the result of which shall be communicated to the British Government.

The Undersigned, &c.

(Signed) A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
&c. &c. &c.

No. 46.

The Earl of Clancarty to Mr. Secretary Canning—(Received April 5.)

SIR,

Brussels, March 31, 1823.

HEREWITH inclosed I have the honour to transmit, for your information, the copy of a Note, dated and received by me the day before yesterday, from M. le Baron de Nagell.

This Note, so far as it relates to an alledged disembarkation of Negroes on the Coast of Surinam, from the ship *Hermaphrodite*, and also to the application therein made for a Dutch Naval force to be sent to Surinam, is an answer to my Note of the 22d of February last, a copy of which was forwarded to you with my Despatch of the 25th ultimo.

Upon the first of these subjects this Court seems, from the report of their Governor of Surinam, to draw the conclusion, that though an illicit attempt to introduce Slaves into that Colony from the *Hermaphrodite* might have been made, yet that it had altogether proved abortive.

Between the evidence stated in M. de Nagell's Note as received from the Governor, and the facts connected with this case as conveyed by Mr. Lefroy's Despatch to Mr. Planta of the 24th of October 1822, there appears to be no

essential variance ; and though from these it might on the one hand, be too much absolutely to conclude, that the negative proof was completely established ; yet on the other hand, there certainly exists no evidence hitherto furnished by which any introduction of Slaves from the Hermaphrodite can be assumed as proved. The main fact is still doubtful.

Two advantages, however, have proceeded from this case, the one, that it has additionally furnished a potent argument in favour of Colonial Registries, the other, that the conduct of the Governor of Surinam seems to have been marked with all the zeal upon this occasion, which the circumstances would admit, or which could have been reasonably expected.

Upon the second part of M. de Nagell's Note, it seems that there is a thorough agreement with us, in the necessity of having a Dutch Naval Force stationed at Surinam ; that the temporary absence of such Naval force was merely accidental, and that means had already been taken to supply this defect.

Upon the whole, I am inclined to look upon this, in conjunction with His Excellency's two Notes of the 26th instant, copies of which were forwarded in my Despatch of the 28th, as far as they proceed, with satisfaction ; because they seem to me, to indicate an increasing desire upon the part of this Government loyally to co-operate in the execution of their Treaty with us.

I remain, &c.

(Signed) CLANCARTY.

The Right Hon. George Canning.
 &c. &c. &c.

(Inclosure in No. 46.)

The Baron de Nagell to The Earl of Clancarty.

Bruxelles, le 29 Mars 1823.

LE Roi, sous les yeux duquel le Soussigné avait placé la Note que Son Excellence le Comte de Clancarty, &c. &c. lui a fait l'honneur de lui adresser le 22 Fevrier dernier, en a fait de suite donner communication au Ministre des Colonies, et requis son rapport au sujet des plaintes, que cet Office renouvelle contre le Trafic illicite des Esclaves à Surinam.

L'Office de Son Excellence transmettait divers Documens destinés à constater l'existence de ce trafic, et relevait l'impossibilité de s'y opposer à moins de l'envoi d'une force navale, et de l'établissement de Registres d'Esclaves.

Le débarquement supposé d'un certain nombre d'Esclaves par le Navire l'*Hermaphrodite*, est le fait le plus positif que la Note articule ; c'est aussi le seul sur lequel le Gouverneur *De Veer*, dans sa dépêche du 31 d'Octobre de l'année passée (mais qui n'a été reçue qu'au mois de Fevrier dernier) fournisse quelques informations. Jusques ici le Ministre des Colonies n'a aucune connoissance des autres inculpations ; et dans l'attente des lumières que les rapports ultérieures attendus de Surinam pourront donner sur elles, c'est donc à ce fait unique qu'il s'est vu obligé de se restreindre.

Selon la dépêche précitée du Gouverneur *De Veer*, au commencement du mois d'Octobre dernier, un bric de Guerre Anglais fut signalé à l'embouchure de la riviere de Surinam : le 8 du même mois, le Sieur Lefroy, Juge en la Cour Mixte, accompagné du Commandant du bric, se rendit auprès du Gouverneur, et lui donna connoissance par écrit des motifs qui faisaient soupçonner qu'un bâtiment sous Pavillon Français, ancré à la hauteur de la crique *Warappa*, aurait l'intention de débarquer frauduleusement des Nègres.

Le Gouverneur envoya sans delai un détachement sur les lieux, avec ordre de s'opposer à tout débarquement, et, supposé qu'il s'en fut déjà effectué avant son arrivée, d'aller à la recherche, et dans tous les cas de ne revenir qu'après s'être assuré du départ du navire suspect.

Le rapport de l'Officier Commandant fut, que sa course avait été infructueuse, qu'il n'avait rien découvert, que les patrouilles le long de la Côte entre Warappa et Matopicca n'avoient trouvé que quelques vestiges d'une espèce de campement, au sujet desquels ni les perquisitions ouvertes, ni les informations recueillies sous main, auprès de quelques Nègres des Plantations du Voisinage, dans l'espérance que ceux-ci seraient le plus en état et le mieux disposés à faire des révélations, avoient abouti à rien. Le Gouverneur De Veer, n'en avait pas moins cru devoir communiquer ces détails et ces présomptions aux Autorités des endroits designés, avec ordre de renouveler les perquisitions dans tout le district, mais le resultat en avait été également infructueux et tous les renseignements donnés furent reconnus inexacts. Le Gouverneur en informa par écrit le Juge Lefroy, en lui exprimant sa satisfaction que les soupçons ne se fussent pas réalisés, mais que c'était un nouvel avertissement du peu de fond qu'il y avait à faire sur les informations reçues.

L'activité et le zèle du Gouverneur ont remplis les ordres réitérés du Roi, de s'opposer avec toute l'énergie possible au Trafic des Esclaves, lui ont mérité les éloges du Gouvernement Anglais. Et il n'y a aucun lieu de douter, qu'il n'approfondisse, avec le même soin les autres présomptions mentionnées dans l'Office de Son Excellence le Comte de Clancarty.

Quant aux deux moyens de repression proposés dans cet Office, le Soussigné se permettra de se référer à sa Note du 26 de ce mois pour ce qui regarde l'établissement de Registres d'Esclaves, et se bornera ici à l'article de la nécessité d'une force navale.

Il peut avoir l'honneur de communiquer à Son Excellence que l'envoi d'un bâtiment armé dans ces parages a déjà été prescrit il y a longtems, et sans l'accident arrivé au bric *De Merkuur*, qui a été jeté à la côte à Curaçao, le bric *De Zwalurr*, aurait pu remplir pleinement sa destination primitive pour Surinam, mais quoi qu'il en soit, par le départ du bric *De Eendragt*, et l'envoi d'hommes pour le complètement de l'équipage du bric *De Kempphaan*, tous les obstacles qui ont empêché le bâtiment, de *Zwalurr*, de se rendre à Surinam doivent avoir été levés, et le Gouverneur De Veer se trouvera en état d'opposer la surveillance maritime désirée aux tentatives frauduleuses, contre lesquelles le Gouvernement Anglais a cru devoir appeler de nouveau l'attention du Gouvernement des Pays-Bas.

Le Soussigné, &c. &c.

(Signé) A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
&c. &c. &c.

(Inclosure in No. 46.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, March 29, 1823.

THE KING, to whom the Undersigned submitted the Note which His Excellency The Earl of Clancarty, &c. &c. did him the honour of addressing to him on the 22d of February last, ordered it to be forthwith communicated to the Minister for the Colonies, for his Report respecting the renewed complaints against the illicit Traffick in Slaves at Surinam, contained in that official Paper.

His Excellency's Note transmitted various Documents to prove the existence of the traffick, and stated the impossibility of opposing it, effectually, except by sending a naval force, and establishing Registries for Slaves.

The supposed landing of a certain number of Slaves from the ship *P'Hermaphrodite* is the most positive fact particularized in the Note; it is likewise the only one upon which the Governor De Veer in his Despatch of the 31st of October of last year (but which was only received in the month of February last) furnishes any intelligence. Up to the present time the Minister for the Colonies has no knowledge of the other subjects of complaint, and waiting for the information which ulterior reports expected from Surinam upon those matters may supply, he is for the present obliged to confine himself solely to the above case.

According to the Despatch of the Governor De Veer, above referred to, at the beginning of last October, signals were made at the mouth of the river of Surinam, of an English brig of war being in sight:—on the 8th of the same month, Mr. Lefroy, Judge in the Mixed Court, accompanied by the Commander of the brig, waited on the Governor, and informed him, in writing, of the reasons which led them to suspect that a vessel under French Colours was anchored off the creek Warappa, with the intention of landing Negroes fraudulently.

The Governor sent, without delay, a detachment to the spot, with orders to oppose any landing, and in case a landing should have been effected previous to its arrival, to go on the look out, and at all events not to return until it was ascertained that the suspected vessel had departed.

The report of the Commanding Officer was, that his expedition had been unsuccessful; that he had made no discovery; that the Patroles stationed along the Coast between Warappa and Matopicca had only found some vestiges of a sort of encampment, respecting which, neither the public enquiries, nor the private information which had been secretly collected from several Negroes belonging to the neighbouring Plantations, in the hope that these latter would be more able and more disposed to make discoveries, had been of any avail.

The Governor De Veer had, nevertheless, thought it his duty to communicate these details and these surmises to the Authorities of the Places described, with orders to renew the researches throughout the district, but the result had been equally fruitless, and all the information given was found to be incorrect.

The Governor acquainted Judge Lefroy of this, by Letter, expressing his satisfaction that the suspicions had not been realized, but that it was an additional proof of the little reliance which could be placed on the informations received.

The activity and the zeal of the Governor have fulfilled the reiterated commands of The King to oppose the Slave Trade with all his energy; and have merited the approbation of the British Government. And there is not the least room to doubt that he will examine with equal care the other causes of suspicion mentioned in the official Note of His Excellency the Earl of Clancarty.

With regard to the two modes of repression therein proposed, the Under-signed begs leave to refer to his Note of the 26th instant, as far as relates to the establishing of Registries for Slaves, and will confine himself to the article of the necessity of a naval force. He has the honour to inform His Excellency that it has long since been determined upon to send an armed vessel into those latitudes, and but for the accident which befell the brig, *de Merkuur*, which was wrecked on the Coast of Curaçao, the brig, *de Zwalurr*, would have reached its original destination, Surinam; but at all events, by the sailing of the brig, *Eendragt*, and the draft of men to complete the crew of the brig, *de Kemphaan*, all the obstacles which have prevented the ship, *de Zwalurr*, from sailing for Surinam will have been removed, and the Governor De Veer will find himself in a situation to oppose the maritime check required, to the fraudulent

attempts, against which the English Government has again thought it right to call the attention of the Government of the Netherlands.

The Undersigned, &c. &c.

(Signed)

A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
&c. &c. &c.

No. 47.

The Earl of Clancarty to Mr. Secretary Canning.—(Received April 7.)

(Extract.)

Brussels, April 4, 1823.

I HAD yesterday the honour of receiving your Despatch of the 25th of March, with its Inclosures.

The only new fact which the Inclosures in that Despatch contain, is, that the landing of the Slaves was effected upon a particular point of the coast, viz. about twenty miles to the Westward of Bram's Point.

In the Note which I have addressed to M. de Nagell upon this subject, (a copy of which is herewith inclosed), I have pointed out the additional fact, and endeavoured to press the whole of this subject, already under their consideration, upon the serious attention of this Court.

I remain, &c.

The Right Hon. George Canning.

(Signed) CLANCARTY.

&c. &c. &c.

(Inclosure in No. 47.)

The Earl of Clancarty to The Baron de Nagell.

Brussels, April 3, 1823.

THE Undersigned, &c. &c. has the honour to refer M. de Nagell to the latter part of a Note addressed to His Excellency by the Undersigned, upon 22d February last, and to the two Inclosures therewith transmitted, respecting the debarkation of about five hundred new African Negroes in the month of November last, in the Colony of Surinam. The accompanying copies of Letters upon this subject have subsequently been received by His Majesty's Government from the British Commissary Judge at that Settlement; and the Undersigned has received the commands of The King, his Master, to communicate the facts therein conveyed to the Netherlands Government, as serving to confirm the contents of the Inclosures transmitted in the Note above referred to, with the additional information, that the debarkation of these new African Negroes upon the Coast of Surinam, was effected about twenty miles to the Westward of Bram's Point.

As the facts of this case are incontrovertible, the Undersigned has been instructed to press it most seriously upon the attention and immediate exertion of this Government; to express the anxious hopes of that of Great Britain, that such orders will be issued thereupon to the Netherlands Colonial Authorities, as the case appears to require, and as may prevent the recurrence of such infractions of the Treaty between the two Countries; and he has further to request the attention of this Court to the reference made in both his Notes of the 22d February last, to the establishment of Colonial Registries, as a measure by which, in conjunction with the strenuous efforts of the Government, and of their Authorities in their Settlements, effectual advantage may be derived in putting down this execrable traffick.

The Undersigned, &c. &c.

His Excellency M. le Baron de Nagell,

(Signed) CLANCARTY.

&c. &c. &c.

No. 48.

The Earl of Clancarty to Mr. Secretary Canning.—(Received April 10.)

(Extract.)

Brussels, April 8, 1823.

I SEND herewith, for your information, the copy of a Note received by me on Saturday last from M. le Baron de Nagell.

(Signed)

CLANCARTY.

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

(Inclosure in No. 48.)

The Baron de Nagell to The Earl of Clancarty.

Bruxelles, le 5 Avril 1823.

Le 19 Mars dernier, le Soussigné a eu l'honneur d'informer Son Excellence le Comte de Clancarty, &c. que Le Roi, déférant à l'invitation du Gouvernement Anglois, venait de faire recommander par le Ministre des Colonies, au Gouverneur De Veer à Surinam la surveillance particulière du navire *l'Aurore*, Capitaine C. H. Andres, Maître, soupçonné de vouloir introduire frauduleusement des Esclaves dans cette Colonie.

Par les dépêches de ce Gouverneur, en date du 15 Janvier 1823, reçues dans l'intervalle, il avait déjà prévenir à cet égard les ordres de Sa Majesté.

Il y fait rapport que le Sieur Lefroy, Juge Anglois en la Cour Mixte à Surinam, lui avait donné connoissance par écrit que, selon des avertissemens dignes de foi, mais dont il ne lui était pas permis de révéler la source, le Capitaine Andres, pendant sa relache à Maranham, aurait annoncé l'intention d'attendre dans ce Port un navire Négrier Portugais dont il transporterait à son bord des Esclaves pour les introduire en fraude à Surinam.

Qu'il fit reponse au Juge, que bien que des informations anonymes, et des discours du Capitaine Andres à un tiers, ne fussent pas des preuves démonstratives; néanmoins la nature de ces inculpations, était trop grave pour ne pas engager à prendre les plus rigoureuses précautions:—qu'à cet effet, il avait de suite transmis au Fiscal, copie de la Lettre du Sieur Lefroy, ainsi que d'une Proclamation antérieure de la Cour de Police de Demerary, y annexée, laquelle promettait 500 livres sterlings, de récompense aux dénonciateurs de ces sortes de tentatives; autorisant le Fiscal à instituer les perquisitions les plus exactes pour parvenir à la découverte, la conviction et le châtiment des infracteurs de la Loi contre ce barbare trafic;—et pressa le Sieur Lefroy de le mettre en état de procurer au Fiscal des renseignemens propres à seconder ses enquêtes.

Son Excellence Le Comte de Clancarty est invité à vouloir bien communiquer à son Gouvernement cette nouvelle preuve du zèle du Gouverneur De Veer qui, sans s'arrêter à l'absence de preuves dans les informations du Sieur Lefroy, avait rempli spontanément les instructions, et ses ordres itératifs du Roi, de surveiller énergiquement le Trafic des Esclaves dans la Colonie de son ressort.

Le Soussigné, &c.

(Signé)

A. W. C. DE NAGELL.

Son Excellence Le Comte de Clancarty,
&c. &c. &c.

(Inclosure in No. 48.)

The Baron de Nagell to The Earl of Clancarty.

(Translation.)

Brussels, April 5, 1823.

ON the 19th March last, the Undersigned had the honour to inform His Excellency The Earl of Clancarty, &c., that The King, in deference to the invitation of the English Government, had directed His Minister for the Colonies to instruct the Governor De Veer, at Surinam, to watch narrowly the ship *l'Aurore*, Captain C. H. Andres, Master, suspected of intending to introduce Slaves fraudulently into that Colony.

It appears by Despatches from that Officer, dated the 15th January 1823, received in the interval, that he had anticipated His Majesty's commands in that respect.

He reports therein that Mr. Lefroy, English Judge in the Mixed Court at Surinam, had represented to him, in writing, that, according to information worthy of credit, but the source of which he was not permitted to make known, Captain Andres during his touching at Maranham, had declared his intention of waiting at that Port the arrival of a Portuguese Slave-ship, in order to take some Slaves on board his vessel, for the purpose of landing them fraudulently at Surinam.

That in reply, he informed the Judge that, although anonymous informations and the discourse of Captain Andres to a third person, did not constitute positive proofs; still the nature of the accusation was too serious not to induce him to adopt the most vigorous precautions: that with this view, he had forthwith transmitted to the Fiscal a copy of Mr. Lefroy's Letter, as well as of a prior Proclamation of the Police Court of Demerary, promising a reward of five hundred pounds sterling to persons giving information of similar attempts; empowering the Fiscal to institute the most minute inquiry for the purpose of discovering, convicting and punishing the persons guilty of infringing the Law against so barbarous a traffick:—he also urged Mr. Lefroy to furnish him with data which might assist the Fiscal in his investigation.

His Excellency The Earl of Clancarty is requested to have the goodness to communicate to his Government this fresh proof of the zeal of the Governor De Veer, who, notwithstanding the want of proof in the information of Mr. Lefroy, had spontaneously fulfilled the instructions and the repeated commands of The King, diligently and narrowly to watch the Traffick in Slaves within the Colony under his control.

The Undersigned, &c.

(Signed) A. W. C. DE NAGELL.

His Excellency The Earl of Clancarty,
 &c. &c. &c.

No. 49.

Mr. Secretary Canning to The Lords Commissioners of the Admiralty.

MY LORDS,

Foreign Office, April 19, 1823.

IN reference to the Letter addressed by the late Marquess of Londonderry to Your Lordships on the 19th of February 1819, inclosing copies of certain Treaties entered into with Foreign Powers for preventing illegal Slave Trade; I furnish Your Lordships with fifty copies of Articles signed at Brussels, December 31, 1822, and January 25, 1823, explanatory of and addi-

tional to the Treaty concluded at The Hague, May 4, 1818, between His Majesty and The King of the Netherlands for the prevention of that traffick.

I am to signify to Your Lordships The King's commands, that you do issue to the Officers commanding His Majesty's ships and vessels, such Instructions, in conformity with the purport of these Articles, as shall be judged necessary for more effectually carrying into execution His Majesty's intentions in the stipulations therein recorded.

I have the honour to be, &c.

(Signed) GEORGE CANNING.

The Lords Commissioners of the Admiralty.

&c. &c. &c.

No. 50.

Lord Francis Conyngham to Robert Wilmot, Esq.

SIR,

Foreign Office, April, 19, 1823.

IN reference to the Letter from this Department of the 19th of February 1819, inclosing, for the information of Earl Bathurst, copies of the Treaties entered into with Foreign Powers for preventing illegal Slave Trade:—I am directed by Mr. Secretary Canning to send to you the ten copies accompanying this Letter, of Articles signed at Brussels, December 31st 1822, and January the 25th 1823, explanatory of and additional to the Treaty concluded at the Hague, May the 4th 1818, between His Majesty and The King of the Netherlands, for the prevention of that traffick.

I am to request that you will submit to Earl Bathurst the propriety of communicating these Articles to the Colonial Authorities at Sierra Leone, and in the neighbourhood of Surinam.

Robert Wilmot, Esq.

&c. &c. &c.

I am, &c.

(Signed) FRANCIS CONYNGHAM.

No. 51.

J. W. Croker, Esq. to Lord Francis Conyngham.

MY LORD,

Admiralty Office, April 21, 1823.

IN reference to Mr. Secretary Canning's Letter to my Lords Commissioners of the Admiralty of the 19th instant, transmitting copies of some explanatory and additional Articles to the Treaty concluded with The King of the Netherlands on the 4th of May 1818, for the prevention of the Traffick in Slaves, I am commanded by my Lords to acquaint you, for the information of Mr. Canning, that their Lordships have instructed the Commanding Officer of His Majesty's ships on the Coast of Africa, to observe and carry into effect, so far as depends upon him, the stipulations contained in those Articles, and to give corresponding instructions to the Commanders of the vessels under his orders; and that Their Lordships have also directed the vessels, upon other Stations, which, under the Treaty of the 4th of May 1818, are furnished with the Instructions relative to vessels engaged in a Traffick in Slaves under the Dutch flag, to be supplied with copies of the additional Articles for their information and guidance.

I am, &c.

Lord Francis Conyngham,

&c. &c. &c.

(Signed) J. W. CROKER.



S P A I N.

No. 1.

Lionel Hervey, Esq. to The Marquess of Londonderry. — (Received April 21.)

MY LORD,

Madrid, April 4, 1822.

WITH reference to Your Lordship's Despatch of the 10th ultimo, directing me to make application to the Spanish Government to forward such Instructions to the Captains of the Spanish Navy as may enable them to stop all ships engaged in the Slave Trade; I have to state that, having spoken to M. Martinez de la Rosa, he desired that I would address him a Note upon the subject, of which the inclosed is a copy.

He told me last Saturday that he had referred my Note to the Minister of Marine, and that he hoped to be soon able to return me a satisfactory answer.

I have the honour, &c.

(Signed) LIONEL HERVEY.

The Marquess of Londonderry, K. G.
&c. &c. &c.

(Inclosure in No. 1.)

Lionel Hervey, Esq. to Don F. Martinez de la Rosa.

SIR,

Madrid, March 12, 1822

I HAVE received instructions from my Government to express the satisfaction with which His Britannick Majesty has learnt, that the Spanish Commissioners at the Havannah have received Orders from their Government 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 Intendants, with directions to communicate the same to the several branches of their respective Departments.

As, however, His Britannick Majesty's Government have reason to believe that the several Spanish vessels of war, cruizing 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 of the Treaty; I am directed to suggest to Your Excellency the expediency of providing the Commanders of these vessels with such Instructions forthwith, in order to insure the execution of this important duty.

I trust that Your Excellency will lend us your good offices in the attainment of this object, and avail myself, &c.

Don F. Martinez de la Rosa, (Signed) LIONEL HERVEY.
&c. &c. &c.

No. 2.

Lionel Hervey, Esq. to The Marquess of Londonderry.— (Received May 26.)

(Extract.)

Aranjeuz, May 12, 1822.

As soon as I had received the Regulations for the Mixed Commissions, I lost no time in drawing M. Martinez de la Rosa's attention to the suggestion contained in Your Lordship's Despatch of the 22d February,* as to the expediency of extending the Provisions of the thirteenth Article of those Regulations, to the *vacancies* occasioned by any other cause than death. His Excellency, at the time, did not start any objection to the proposed extension, but said that he would advise with his Colleagues upon the measure; expressing, however, a wish that the Commission should be removed from Sierra Leone without delay, as the Place was so unhealthy that the Spanish Commissioners could not be persuaded to remain there.

When I saw M. Martinez de la Rosa at Madrid, yesterday, he requested me to put my application upon paper. I propose accordingly to address a Note to His Excellency upon the subject.

(Signed)

LIONEL HERVEY.

The Marquess of Londonderry, K. G.

&c. &c. &c.

* See Netherlands, No. 1.

No. 3.

Lionel Hervey, Esq. to The Marquess of Londonderry. — (Received June 2.)

(Extract.)

Madrid, May 20, 1822.

I have the honour to inclose, for Your Lordship's information, a translation of a Note, which I have lately received from His Excellency M. Martinez de la Rosa, dated the 10th May, by which I am requested to inform His Majesty's Government, that orders have been already given to furnish all Captains of Spanish vessels of war with a copy of the printed Instructions annexed to the Slave Trade Treaty.

(Signed)

LIONEL HERVEY.

The Marquess of Londonderry, K. G.

&c. &c. &c.

(Inclosure in No. 3.)

Don F. Martinez de la Rosa to Lionel Hervey, Esq.

(Translation.)

SIR,

Palace, May 10, 1822.

I HAVE the honour to inform you, and to request that you will be pleased to communicate to the British Government, that, on the 6th instant, the Minister of Marine, transmitted to the Admiral and Commandant of the Dock Yard at the Havannah, the order for providing the Captains of the Spanish vessels of war cruising off the Barlovento Islands, with the Instructions annexed to the Treaty for the abolition of the Slave Trade, and for instructing them to observe, most punctually, all the stipulations of the said Treaty.

Having thus replied satisfactorily to the Note which you were pleased to address to me upon this subject on the 12th of March last, it only remains for me to renew to you the assurances, &c. &c.

(Signed) FRANCISCO MARTINEZ DE LA ROSA.
Lionel Hervey, Esq.
&c. &c. &c.

No. 4.

Lionel Hervey, Esq. to The Marquess of Londonderry.—(Received June 27.)

(Extract.)

Madrid, June 11, 1822.

I HAVE the honour to inclose, for Your Lordship's information, a copy of my Note to M. Martinez de la Rosa, respecting the illegal renewal of the Old Royal *Licences* for Slave ships, by Spanish Colonial Authorities, together with a translation of His Excellency's Answer, which is of a very satisfactory nature.

(Signed) LIONEL HERVEY.
The Marquess of Londonderry, K. G.
&c. &c. &c.

(First Inclosure in No. 4.)

Lionel Hervey, Esq. to Don F. Martinez de la Rosa.

Madrid, May 24, 1822.

THE Undersigned, &c. has received instructions from his Court, to call the attention of His Catholick Majesty's Government to a very considerable abuse practised by the Colonial Authorities of Spain, with respect to Passports formerly granted by the Spanish Government, for carrying on the Slave Trade, previous to its entire abolition by that Power.

This abuse consists, as will appear by the annexed Inclosures, in the renewal of the Royal Passports of the legitimate traffick, for fresh voyages, by means of Notes or Memoranda, indorsed or subjoined, bearing the signature of the Local Authorities, and assigning some colourable pretext for the assent of these Authorities to this evasion of the Engagements of their Sovereign.

The Undersigned is fully convinced, that he has only to make known to the Ministers of His Catholick Majesty the abuses which thus exist, in order to induce them to issue immediate and positive Orders to their Colonial Authorities, to discontinue a practice which, if persevered in, would render ineffectual 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 by the Treaty of 1817.

Don F. Martinez de la Rosa, &c. &c. &c. The Undersigned, &c.
(Signed) LIONEL HERVEY.

(Second Inclosure in No. 4.)

Don F. Martinez de la Rosa to Lionel Hervey, Esq.

(Translation.)

SIR,

Palace, June 3, 1822.

I HAVE received the Note which you were pleased to address to me

on the 24th of last May, complaining of an abuse on the part of the Authorities in the Island of Cuba, in renewing, by means of marginal notes, on different pretexs, the Old Royal Licences for carrying on the Slave Trade.

The King, to whom I have had the honour of submitting this reclamation of the British Government, desirous of fulfilling most scrupulously all the stipulations of the Treaty for the abolition of the Slave Trade, has commanded me to send out (as I have done this very day,) the most positive orders for preventing any repetition of similar abuses, and for examining most severely into the conduct of any Persons who may in future be found guilty of such criminal proceedings.

I have, &c.

(Signed) FRANCISCO MARTINEZ DE LA ROSA.

Lionel Hervey, Esq.
&c. &c. &c.

No. 5.

Lionel Hervey, Esq. to The Marquess of Londonderry. — (Received June 27.)

(Extract.)

Madrid, June 13, 1822.

I HAVE the honour to inclose the copy of a Note which I addressed to M. Martinez de la Rosa, on the 11th of last month, together with His Excellency's Answer.

As soon as I received this Note, I drew up a Declaration, of which the inclosed is a copy, and proposed it to him, the day before yesterday, for his signature. His Excellency made no objection to the wording of the Declaration, but observed that, by an Article of the Constitution, it was indispensably necessary to consult the Council of State, before any additional Article could be affixed to a Treaty, or any alteration made in any of its stipulations.

I replied, that this Declaration only went to the explanation of an Article which had been imperfectly drawn up, and could not be considered as an alteration of, or addition to, the Treaty, but as I found His Excellency still averse to the measure of signing the Declaration, and as he suggested that every object in contemplation would be accomplished by transmitting the Declaration, as I had drawn it up, but without signature, for the guidance of the Mixed Commissions, I did not press the proposition further, but consented to the alternative of inclosing the Declaration to His Excellency in an Official Note, which he promised to answer in such terms as he thought would prove satisfactory to my Government. I accordingly presented a Note yesterday, of which the inclosed is a copy, and I hope to receive the Reply in a few days.

(Signed) LIONEL HERVEY.

The Marquess of Londonderry, K. G.

&c. &c. &c.

(First Inclosure in No. 5.)

Lionel Hervey, Esq. to Don F. Martinez de la Rosa.

SIR,

Madrid, May 11, 1822.

IT having appeared to my Government, by a reference to the Treaty

for preventing illegal Traffick in Slaves, signed between the Court of St. James and the Court of Madrid, on the 23d September 1817, that no provision is made for supplying, temporarily, the vacancies occurring in the Mixed Commissions from any other cause than death,—as it has already happened at Sierra Leone, and as it may probably happen elsewhere, that a Commissioner from illness is unable to perform his functions,—I have received instructions to suggest to the Government of His Catholick Majesty, the expediency of extending those provisions of the Treaty which apply to the temporary vacancy, occasioned by the death of one or more of the Commissioners, to the cases of absence from illness, or by the permission, regularly notified, of their respective Governments. By the provisions of the Treaty the disadvantage, if any should arise, will always fall on the Contracting Party who neglects or delays to supply the vacancy; and while a sufficient guard is thus placed against the abuse of this extension of the stipulations in the case of vacancy, the arrangement of it may prevent much serious inconvenience which might probably be occasioned by an omission in the Treaty entirely unintentional.

I am convinced that Your Excellency will give your full support to a measure so consonant to the spirit, and so necessary to the execution, of the Treaty of 1817, and should the Government of His Catholick Majesty view the matter in the same light in which it is here placed, I am authorized to sign a Declaration to the proposed effect. I inclose a Copy of the 13th Article of the Regulations for the Mixed Commissions, to which the above-mentioned extension is suggested; and I have, &c. &c.

Don F. Martinez de la Rosa, (Signed) LIONEL HERVEY.
&c. &c. &c.

(Second Inclosure in No. 5.)

Don F. Martinez de la Rosa to Lionel Hervey, Esq.

(Translation.)

SIR,

Palace, June 3, 1822.

I HAVE had the honour of laying before The King the Note which you were pleased to address to me, by order of your Court, on the 11th of last May, proposing that the provisions made by the Slave Trade Treaty, for filling up any temporary vacancies occasioned by the death of one or more individuals of the Mixed Commissions established by that Treaty, should be extended to vacancies occasioned by absence on account of ill health, or with permission of the respective Governments, notified in due form.

His Majesty, whose constant desire is to oblige His Britannick Majesty's Government, and to fulfill all the stipulations of the Treaty, has no scruple in agreeing to this proposition in the terms proposed in your Note; but His Majesty conceives that a friendly Declaration on this point, made by the Two Governments, would answer all the purposes proposed, without any necessity for adding an additional Article to the Treaty.

While touching upon this subject, I am likewise commanded to point out to you, how much it would conduce to the more prompt attainment of the object in question, if the Mixed Commission now residing at Sierra Leone were to be transferred to one of the Canary Islands,—a suggestion which the Spanish Minister in London has already made to His Britannick Majesty's Government: he is likewise authorized to sign any Convention that may be thought necessary for effecting this important change, as the

residence of the Commissioners being transferred to one of these Islands, it would be more easy for the Spanish Government to fill up, without delay, any vacancies that might occur.

I beg, Sir, that you will recommend most earnestly to your Government, this most just consideration, and I take the advantage, &c.

Lionel Hervey, Esq. (Signed) F. MARTINEZ DE LA ROSA.
&c. &c. &c.

(Third Inclosure in No. 5.)

Copy of proposed *Declaration*.

MUCH inconvenience having arisen from an unintentional omission in the thirteenth Article of the Regulations for the Mixed Commission, appointed to carry into execution the stipulations of the Treaty of 1817, for the abolition of the Slave Trade,—the Governments of the Two Nations have agreed to declare, that all the provisions of the above-mentioned thirteenth Article, annexed to the body of the Treaty, and applying to the case of Commissioners removed by death, shall be understood to extend, and shall be applied to all cases of absence of Commissioners from illness, or from permission, regularly notified, of their respective Governments.

And, in pursuance of this agreement, the Undersigned have affixed their Seals and Signatures to the present Declaration.

(Fourth Inclosure in No. 5.)

Lionel Hervey, Esq. to Don F. Martinez de la Rosa.

Madrid, June 11, 1822.

The Undersigned, &c. in consequence of the Note of His Excellency Don F. Martinez de la Rosa of the 3d instant, has the honour to inclose a draft of the Declaration, which it is proposed to transmit to the Mixed Commissioners for their guidance and observance in the interpretation and application of the thirteenth Article of the Regulations for the Mixed Commissions.

The Undersigned has, at the same time, the honour to assure His Excellency that he will not fail to recommend to the most favourable consideration of His Britannick Majesty's Government, the wish expressed in His Excellency's Note of the 3d instant, that the Commission at present established at Sierra Leone, should be transferred to the Canary Islands.

The Undersigned, &c.

(Signed)

LIONEL HERVEY.

Don F. Martinez de la Rosa,
&c. &c. &c.

No. 6.

Lionel Hervey, Esq. to The Marquess of Londonderry.—(Received June 30.)

MY LORD,

Madrid, June 17, 1822.

I HAVE the honour to inclose the translation of a Note which I have just received from M. Martinez de la Rosa, in which he signifies the consent of His Catholick Majesty to the extension, proposed by me, in

obedience to Your Lordship's instructions, of the 13th Article of the Regulations for the Mixed Commissions. As I have no doubt that instructions will be immediately forwarded by Your Lordship to the British Commissioners, to conform to the stipulations expressed in this amplification of the 13th Article, I shall endeavour to persuade M. Martinez de la Rosa to transmit the same orders to the Spanish Commissioners, without waiting for the official communication of the acquiescence of the British Government in the measure proposed, which is, indeed, altogether unnecessary, after the notification, on my part, that I was empowered to sign a Declaration to that effect.

I have, &c,

(Signed)

LIONEL HERVEY.

The Marquess of Londonderry, K. G.

&c. &c. &c.

(Inclosure in No. 6.

Don F. Martinez de la Rosa to Lionel Hervey, Esq.

(Translation.)

SIR,

Palace, June 17, 1822.

I HAVE laid before The King the Note which you were pleased to address to me on the 11th instant, in answer to mine of the 3d curt. inclosing a sketch of the Declaration, which it is proposed to transmit to the Mixed Commissions for their guidance and observance, with respect to the interpretation and application of the thirteenth Article of the Regulations formed for these Commissions. His Majesty has no objection to adopt the form which you propose, and, as soon as the British Government informs us that it is about to communicate the orders in question to its Commissioners, the Government of His Catholick Majesty will immediately transmit similar orders to the Spanish Commissioners, in order that this proposed addition to the thirteenth Article may be instantly carried into effect.

I have, &c.

(Signed)

FRANCISCO MARTINEZ DE LA ROSA.

Lionel Hervey, Esq.

&c. &c. &c.

No. 7.

Lionel Hervey, Esq. to The Marquess of Londonderry.—(Received July 11.)

(Extract.)

Madrid, June 27, 1822.

M. MARTINEZ DE LA ROSA has promised me that orders shall be sent out to Sierra Leone, to conform to the amendment of the thirteenth Article of the Regulations for the Mixed Commissions, as drawn up by me and inclosed to Your Lordship in my Despatch of the 13th June.

(Signed)

LIONEL HERVEY.

The Marquess of Londonderry, K. G.

&c. &c. &c.

No. 8.

Lionel Hervey, Esq. to The Marquess of Londonderry. (Received July 14.)

(Extract.)

Madrid, June 30, 1822.

I HAVE the honour to acquaint Your Lordship that His Majesty yesterday gave His sanction to the Criminal Code, which has accordingly been declared by The Cortes to be in force.

It will be in Your Lordship's recollection that the two hundred and seventy-sixth Article of this Code relates to the punishment of all individuals who may be detected in carrying on the illicit Traffick in Slaves, and is to the following effect:

All Captains, Masters, and Pilots of Spanish vessels, who purchase Negroes on the Coast 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 publick 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 shall be declared free.

(Signed)

LIONEL HERVEY.

The Marquess of Londonderry, K. G.
&c. &c. &c.

No. 9.

Mr. Secretary Canning to Sir William à Court.

SIR,

Foreign Office, September 30, 1822.

I THINK it right to send to you, in order that you may communicate it to the Government of His Catholick Majesty, the accompanying copy of a Despatch, dated 24th July 1822, and of its Inclosures, from His Majesty's Commissioners, resident at Sierra Leone under the Treaty with Spain for repressing the Slave Trade.

These papers contain details regarding the Spanish schooners *Vecua* and *Icanam*, captured in the river Bonny, on the 15th April last, by the boats of His Majesty's ship *Iphigenia*, under a suspicion, which turned out but too true, that the vessels had disgraced the Spanish Flag, by an attempt to carry on in that Quarter the prohibited traffick in human beings.

A new and painful aggravation distinguished the enterprize in which the Owners of the *Vecua* and *Icanam* had embarked: these vessels were armed; were of considerable force; and were fitted out plainly and determinately for the purpose of Slave-trading.

Some circumstances had probably awakened the suspicions of the Officer of His Catholick Majesty, who authenticated their Passport, and the Captain was cautioned by him, in an indorsement on the back of the Pass-

port, "to bear in mind the penalties attached to the infringement of the prohibition imposed by the first Article of the Royal Cedula, dated Madrid, 17th December 1817, on the purchase of Slaves in any Place within the range of his destination."

But, totally regardless of this humane and honourable caution, on the part of the proper Authorities, the vessels proceeded on their unlawful expedition, and when met with, had, one of them three hundred, and the other three hundred and eighty, Slaves on board.

Each of the vessels mounted ten guns, and was well provided with ammunition of all sorts: their Instructions enjoined them to keep company one with the other: the Captain and crew, whose wages were enormous, but who were to abandon all claims in the case of loss or of *capture*, covenanted, by mysterious and illegal engagements, to pursue the object of their voyage "with their utmost efforts, even to the last extremity;" thus in fact assuming the character of Pirates, by proposing to act in forcible defiance of the Law and of Treaty. Nor did they hesitate, in pursuing their object to every extremity; they resisted the legal right of visit by a vessel furnished with competent Powers and Instructions, according to the Treaty between Great Britain and Spain; and, by such resistance, caused the death of two of His Majesty's subjects, and inflicted wounds on five other British seamen.

The gallantry of the crew of the boats belonging to His Majesty's vessel did, it is true, defeat their combination, after a protracted and severe struggle: but the necessity of discouraging, by the most severe punishment, any repetition of such atrocious proceeding, only becomes the more apparent; and The King trusts that His Catholick Majesty will, therefore, see the urgency of issuing immediate orders to the proper Authorities, that the several persons concerned in fitting out and carrying on the piratical voyage of the *Vecua* and *Icanam* shall, whenever they shall set foot on the Territory of Spain, be visited with the punishment so justly due to their offences.

I am, &c.

(Signed) GEORGE CANNING.

The Right Hon. Sir W. à Court, G. C. B.
&c. &c. &c.

No. 10.

Mr. Secretary Canning to Sir William à Court.

SIR,

Foreign Office, October 15, 1822.

YOU are already aware of the complaints which have been made by the Spanish and Portuguese Governments, as to the insalubrity of the climate of Sierra Leone, and the inexpediency of continuing that Settlement as a residence for the Mixed Commissions, British and Spanish, and British and Portuguese, as well as British and Netherlands, now established there under the Treaties with those Powers for the prevention of the illegal Traffick in Slaves.

These representations have induced His Majesty's Government to consider, whether it would be possible to remove the Commission to some Spot, where its residence would be likely to be attended with the same

benefit to the objects of the Treaty, as were contemplated, and have been secured by its establishment at Sierra Leone, whilst the health of its Members would not run so much risk from climate. Santa Cruz, in the Island of Teneriffe, has been proposed by the Spanish Government, and St. Jago, one of the Cape Verd Islands, by the Government of Portugal, as a fit Place for the residence of the General Commission.

The Chevalier de Onis, the Spanish Minister at this Court, has lately renewed his proposition, by presenting to me the draft of an Article, of which I inclose a copy.

On due consideration, it has appeared to His Majesty's Government that, considering the instructions, of which you are in possession, with respect to other points connected with the Slave Trade, it would be highly inexpedient to enter into a negociation here on this separate question. I have, therefore, as you will see by the inclosed copy of my Note to the Spanish Minister, received The King's commands to transfer the negociation to Madrid; and I have in consequence to give to you the following instructions for your guidance on the subject.

Teneriffe is distant upwards of twenty degrees of Latitude, and nearly the same number of degrees of Longitude, from the Bights of Benin and Biafra, the principal scenes of illegal traffick.

The *Cape de Verd Islands*, though not at so great a distance from the Coast of Africa, are so remote as to render the voyages of prizes difficult, expensive, and most probably, very wasteful in human lives, owing to the want of sufficient supplies for the Negroes.—and, it is further represented that, at the Cape de Verds, much would not be gained in point of salubrity of climate. Both Places are out of the dominion of Great Britain, and are, therefore, decidedly objectionable, as contrary to Treaty.

The renewed expence of fitting up Establishments for the reception of Slaves, would also form an objection of very considerable importance: and the immediate transfer of Slaves to a state of perfect freedom from controul, would probably form another; it would be inconvenient on this account to retain the Slaves in the Island, and they must therefore be sent to some part of the Continent of Africa, at a very considerable expence.

It is also to be observed, that though the climate of Sierra Leone is unhealthy, yet the unhealthiness of the Town, which proceeds chiefly from the proximity of woods and morasses, is daily lessening, by the gradual removal of the causes of that evil. The general convenience of the Place for the fulfilment of the objects of the Treaty is not disputed; and it is likely to become every year more and more fitted for the residence of the Commission.

Upon the whole, therefore, it is the opinion of His Majesty's Government that the great objects of the Treaty would lose so much of their effect, if the proposition, either of the Spanish or of the Portuguese Government, were in this point acquiesced in, that I have no option but to instruct you altogether to decline, on the part of Great Britain, the removal of the Commission to either of the Places proposed.

I am, &c.

(Signed) GEORGE CANNING.

The Right Hon. Sir William à Court, G. C. B.

&c. &c. &c.

(First Inclosure in No. 10.)

Spanish Project, presented by The Chevalier de Onis.

(Translation.)

IN THE NAME OF THE MOST HOLY TRINITY.

HIS CATHOLICK MAJESTY, The King of Spain, and His Majesty, The King of the United Kingdom of Great Britain and Ireland, being persuaded that it is utterly impossible for the Mixed Spanish and British Commission, appointed to take cognizance of the respective prizes of Slave-ships, in conformity with Article the twelfth of the Treaty for the abolition of the Slave Trade, concluded the 23d September 1817, between the Two High Contracting Parties, to continue to reside in the English Settlement at Sierra Leone, on the Western Coast of Africa, by reason of the notorious unhealthiness of the climate of that Settlement, which has compelled several of the Commissioners, after labouring under grievous maladies, and hazarding the loss of their lives, to quit the above Residence, in order to recruit their health and avoid falling victims to the fatal influence of the endemickal disorders of the Country; His Catholick Majesty, and His Britannick Majesty, being also aware how extremely prejudicial to the sacred cause of the abolition of the Slave Trade, and to the Persons interested in, as well as to the crews of the Slave-vessels, the interruption of the operations assigned to either of the two Mixed Commissions must prove, on account of the forced absence of some of the Commissioners, and of the involuntary suspension of their functions; and Their Majesties, solicitous to obviate for the future so serious an inconvenience, by transferring the Commission, which heretofore resided at Sierra Leone, to some Place known to combine salubrity, (in which that Place is deficient,) and which humanity renders desirable, with the spirit, if not with the letter, of the terms likewise dictated by the enlightened philanthropy which actuated the High Parties in stipulating that one of the said Commissions should reside in one of the English Settlements on the Coast of Africa, have named for Their Plenipotentiaries, to resolve on what shall be found conducive to the end proposed; namely, His Catholick Majesty, Don Luis de Onis, Knight Grand Cross, &c. and His Britannick Majesty,

* * *

who, having exchanged, and found in due form their respective Full Powers, have agreed upon the following additional Articles to the above Treaty of September 23d 1817.

ARTICLE I.

Is rescinded so much of the twelfth Article of the Treaty, dated the 23d of September 1817, for the abolition of the Slave Trade, as provides expressly for the Establishment, in a British Possession on the Coast of Africa, of one of the two Mixed Commissions thereby appointed.

ARTICLE II.

The Commission established at Sierra Leone shall, pursuant to the above Article of the Treaty concluded in 1817, be removed to a Place which, though not belonging to England, shall unite the objects intended, by that express designation of the Place of Residence for the Mixed Commissions, with the greatest salubrity and convenience of the Individuals composing them.

ARTICLE III.

The Commission which, up to the present day, was to have resided at Sierra Leone, shall, in consequence, take up its abode at the Town of Santa Cruz, in the Island of Teneriffe, being a Situation that possesses all the qualities desired for the purpose by the present Convention.

In faith whereof, We, &c.

(*Second Inclosure in No. 10.*)

Mr Secretary Canning to The Chevalier d'Onis.

Foreign Office, October 11, 1822.

THE Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, &c. has the honour to inform The Chevalier de Onis, His Catholic Majesty's Envoy Extraordinary and Minister Plenipotentiary to this Court, &c. that His Majesty's Government have attentively considered the proposition which The Chevalier de Onis has submitted to him, for the removal from Sierra Leone, to a Colony of His Catholic Majesty, (specifically to the Island of Teneriffe,) of the Residence of the joint British and Spanish Commissions, at present established at the former Place, for the adjudication of vessels found trading illegally in Slaves;—together with the draft of the Article to this effect, which M. de Onis states himself to have Full Powers to sign on the part of the Spanish Government.

In the Treaty between this Country and Spain, concluded in the year 1817, under which these Commissions were appointed, (which Treaty has, so far as Great Britain was concerned, been sanctioned by an Act of the British Legislature,) it is distinctly provided that "one of the said Commissions shall reside in a Possession belonging to His Britannick Majesty." To satisfy the Treaty, therefore,—the Residence of one of the Commissions under the Treaty being established in the Spanish Colony of Cuba, it was necessary that a fit Place for the establishment of the other Commission should be found in the Dominions of His Majesty. To remove that Commission into the Dominions of The King of Spain, would be a direct infringement of the Treaty; nor can His Majesty's Government lose sight of the very many and serious inconveniences which would arise from the mere circumstance of removing the Commission from Sierra Leone, its present Place of Residence, even if it were to be transferred to another British Colony.

No spot could be found so approximate to the Coast where the nefarious traffick is carried on. The expense which has been incurred in fitting up Establishments for the Slaves in the Town and in the interior, would, by the proposed removal, be wholly thrown away; those Establishments would be left to ruin, while a new and very considerable expense must be incurred for the like purposes at the Place, wherever it may be, assigned for the future Residence for the Commission. If the Place so assigned should be that proposed by M. de Onis, there would be this additional disadvantage, arising from its confined extent,—that the new Establishments would be framed without the least prospect of their being adequate to the objects for which they would be intended. Further, if the removal from a British Colony could at all be conceded, agreeably to the proposal of M. de Onis for selecting the Island of Teneriffe as the spot to which the Commission should be removed, the eligibility of that Situation must be compared with that of St. Jago, in the Cape de Verd Islands, to which Place the Portuguese Government has (through His Majesty's Chargé d'Affaires at Lisbon,) proposed that the general Commission should be removed.

The above detail will shew to The Chevalier d'Onis that there are too many considerations connected with his proposal, to allow of its being singly and separately adopted here, upon a hasty and partial negotiation.

The Undersigned has already received The King's commands to instruct His Majesty's Ministers at the Courts of Madrid and Lisbon, to enter into negotiation upon other points of importance, with reference to the Slave Trade. He submits to The Chevalier de Onis, that this point also should be included in the negotiations about to be carried on in those Capitals;

where it can be considered with a due reference to the others, which relate to the same subject.

Should The Chevalier de Onis agree, as the Undersigned trusts he will, in this view of what is best to be done with respect to M. de Onis's proposal, the Undersigned will forthwith receive the commands of his Sovereign for transmitting that proposal to Sir William à Court, accompanying it with such instructions as shall enable him to include the settlement of this among the other arrangements upon which he is already directed to enter into negotiation with the Court of Spain, for the more effectual suppression of the illicit Traffick in Slaves: a traffick which the Undersigned is grieved to say, notwithstanding the solemn Engagements which have been contracted, and the earnest endeavours which have been employed for its entire extinction, still appears unhappily to prevail on the Coast of Africa, to an extent afflicting to humanity.

The Undersigned, &c.

The Chevalier de Onis,
&c. &c. &c.

(Signed)

GEORGE CANNING.

(Third Inclosure in No. 10.)

The Chevalier d'Onis to Mr. Secretary Canning.

(Translation.)

London, October 14, 1822.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Catholick Majesty, has received the Note which His Excellency The Right Honourable George Canning, His Britannick Majesty's Principal Secretary of State for Foreign Affairs, has addressed to him, under date of the 11th instant, in reply to the proposals made by the Undersigned, in writing, to the late Marquess of Londonderry, and which he has verbally repeated to His Excellency, respecting the removal of the Mixed Commission established at Sierra Leone, to a more healthy Situation, in which Note His Excellency proposes that this subject might form a part of the negotiations about to be opened in Madrid and Lisbon, where it may be considered under all its bearings with other similar subjects.

The Undersigned will lose no time in communicating to his Government the contents of the above-mentioned Note, and can, in the mean time, assure His Excellency that he has not the least hesitation in complying with the wishes of the British Cabinet in that respect.

The Undersigned avails himself, &c. &c. &c.

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

(Signed)

LUIS DE ONIS.

No. 11.

Sir William à Court to Mr. Secretary Canning. — (Received November 26.)

(Extract.)

Madrid, October 24, 1822.

I HAVE the honour to acknowledge the receipt of your Despatches of the 30th September, and of the 4th of October.*

As I received these Despatches on the morning of the Minister's weekly audience, I lost no time in drawing his attention to their contents. The subject appeared to be quite new to him, and I could draw nothing from him,

See Netherlands Nos. 11, 12, and 13.

either favourable or unfavourable, with respect to the Propositions which I was instructed to make, as he confined himself to a declaration, expressed in very general terms, of the anxious desire of the Spanish Government, to put an end to so inhuman a traffick, and to the request that I would deliver to him in writing what I had to propose upon the subject.

In consequence of this request, I addressed to him the two Notes, copies of which I have, herewith, the honour to inclose.

I have the honour to be, &c.

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

(Signed) WILLIAM à COURT.

(First Inclosure in No. 11.)

Sir William à Court to Don E. San Miguel.

Madrid, October 20, 1822.

IN the year 1820, His Britannick Majesty's Ambassador at the Court of Madrid was instructed to bring under the notice of the Spanish Government, a difference of opinion which had arisen as to the construction to be put upon the ninth Article of the Treaty for preventing illegal Traffick in Slaves, which enacts, that ships of war may detain and bring in vessels suspected of illegal traffick, *in the event only of Slaves being actually found on board.*

The decision which was at that time given in the case of a Portuguese vessel carried into Sierra Leone, shewed, evidently, the necessity of some explanatory Article, or some extension of the conditions prescribed by the ninth Article, as necessary to authorize the detention of vessels engaged in this inhuman traffick; and the British Ambassador was, therefore, directed to urge the Government of His Catholick Majesty to concur in a Declaration, and in corresponding instructions to its cruizers and Commissioners, to this effect, namely, "that if there shall be clear and undeniable proofs, that a Slave or Slaves have been put on board a vessel for the purpose of illegal traffick, in the immediate cruize during which the said vessel shall be captured, then, and on that account, according to the true intent and meaning of the stipulations of the Treaty, the vessel shall be considered as justly detained, and be finally condemned by the Commissioners."

To the Note of the British Ambassador upon this subject, which was dated the 15th October 1820, the Minister for Foreign Affairs replied, in the most satisfactory manner, by a Note, dated the 21st February 1821, written by the command of His Catholick Majesty, after having heard the opinion of His Council of State. The proposition brought forward by the British Ambassador was therein fully approved and adopted, and he was requested to transmit to the Spanish Government the precise and literal terms of the extension proposed to be given to the ninth Article, and of the instructions to be given to the British Commissioners, in order that exactly the same might be transmitted to those employed in the service of Spain.

In consequence of this acquiescence on the part of the Spanish Government, the Undersigned, His Britannick Majesty's Envoy Extraordinary and Minister Plenipotentiary, has received instructions from his Government to submit to His Excellency the Minister for Foreign Affairs, the inclosed *Project* of an explanatory Article, drawn up in strict conformity with the proposition already consented to, with the view of insuring the due execution of the Treaty, according to its real spirit and meaning.

Full Powers will be immediately transmitted to the Undersigned, authorizing him to sign the Article herewith inclosed, and The King, his Master, doubts not that His Catholick Majesty will promptly issue the same Autho-

erty to His Ministers, in order to give full effect to the assurances which His Catholick Majesty has already been pleased to give upon this subject.

The Undersigned avails himself of this opportunity to offer to His Excellency, M. San Miguel, the assurance of his highest consideration.

Don Evaristo San Miguel, (Signed) WILLIAM à COURT.
&c. &c. &c.

(Second Inclosure in No. 11.)

Sir William à Court to Don E. San Miguel.

Madrid, October 20, 1822.

IN reference to the conversation which took place on Saturday, between the Undersigned, His Britannick Majesty's Envoy Extraordinary and Minister Plenipotentiary, and His Excellency M. San Miguel, Minister for Foreign Affairs, the Undersigned has the honour to transmit to him the draft of an additional Article which the British Government is desirous of annexing to the Treaty for preventing illegal Traffick in Slaves. The object of this Article is simply to extend the provisions of the thirteenth Article of the Regulations for the Mixed Commission, annexed to the said Treaty, which now only apply to the *Vacancies* occasioned by the death of one or more of the Commissioners, to cases of absence from illness, or permission given by their respective Governments, the same being regularly notified.

As the motives which have induced the British Government to propose this Article to the consideration of His Catholick Majesty's Government, are fully developed in Mr. Hervey's Note of the 11th of May of the present year, and as their force and justness have been already clearly admitted by the Notes of His Catholick Majesty's Secretary of State, bearing date the 3d and the 17th of the month of June, it remains only for the Undersigned to express his hope, that no objection will be made by the Spanish Government to recording, in the more regular form of an additional Article, the Regulations already agreed upon.

The Undersigned hopes that His Excellency M. San Miguel will take this proposal into immediate consideration, and favour him with as early an answer as possible. In the mean time, he has the honour to assure him of his highest consideration.

(Signed) WILLIAM à COURT.
Don Evaristo San Miguel,
&c. &c. &c.

No. 12.

Mr. Secretary Canning to Sir William à Court.

SIR,

Foreign Office, October 25, 1822.

I AM sorry to have to call your attention to another daring outrage, as detailed in the inclosed Papers, committed in the month of August 1821, upon the boats of one of His Majesty's ships of war, by a Spanish brig and schooner, in the river Bonny.

It appears that the *Caridad* and the *El Nueve Virgen*, laden with Slaves, many of which were in the act of jumping overboard (whether voluntarily or from violence is not ascertained) when the boats of His Majesty's ship *Myrmidon* were in sight,—waited until the boats came within pistol shot,—and

then commencing a heavy fire of grape and musketry —severely wounded three Officers and one seaman.

This act of hostile resistance, on the part of a vessel under the Spanish flag, to the visit of a British vessel, which was acting under the Treaty between Great Britain and Spain, is similar to the case detailed in my Despatch of the 30th ultimo, and proves the necessity of inflicting signal punishment upon the Offenders. I desire that you will call upon the Spanish Ministry to give this redress with the promptness and sincerity which the occasion demands.

I am, &c.

(Signed) GEORGE CANNING.

The Right Hon. Sir W. a Court, G.C.B.
&c. &c. &c.

No. 13.

Sir William à Court to Mr. Secretary Canning.—(Received November 17.)

SIR,

Madrid, October 28, 1822.

I HAVE the honour to acknowledge the receipt of your Despatch of the 30th September, detailing the circumstances attending the capture of the *Vecua* and the *Icanam*, two Spanish schooners engaged in the Slave Trade.

I immediately addressed a Note upon the subject to the Minister for Foreign Affairs, inclosing a copy of the Report of the Commissioners, and I demanded in His Majesty's name, that the several Persons concerned in the fitting out and carrying on the piratical voyage of the *Vecua* and *Icanam* should be visited with the punishment so justly due to their offences, whenever they should set foot on the Territory of Spain.

I have the honour to be, &c.

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

(Signed) WILLIAM à COURT.

No. 14.

Sir William à Court to Mr. Secretary Canning.—(Received November 17.)

SIR,

Madrid, October 29, 1822.

SUBSEQUENTLY to the presentation of the Notes inclosed in my Despatch of the 24th instant, I had another conversation with the Minister for Foreign Affairs, upon the subject of the two Articles proposed to be added to the Treaty for preventing illegal Traffick in Slaves.

The Minister informed me, that the Council of State must in the first instance be consulted, and that the Articles must afterwards be submitted to the Representatives of the Nation. He assured me that no time should be lost in transmitting them to the Council, and that I might reckon upon the fullest support of the Government, both there and in the Cortes.

He hoped, he said, that little opposition would be offered to either proposition; but that a certain time must elapse before the regular forms could be gone through.

I have, &c.

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

(Signed) WILLIAM à COURT.

No. 15.

Mr. Secretary Canning to Sir William à Court.

Sir,

Foreign Office, October 29, 1822.

IN reference to my Despatches of the 30th ult.,* I inclose to you a Full Power under the great Seal, authorizing you to conclude certain additional Articles to the Treaties subsisting between this Country and Spain, for the suppression of the Trade in Slaves.

I am, &c.
(Signed)

GEORGE CANNING.

The Right Hon. Sir W. à Court, G. C. B.
&c. &c. &c.

* See Netherlands, Nos. 11 and 12.

No. 16.

Sir William à Court to Mr. Secretary Canning. — (Received December 24.)

(Extract.)

Madrid, December 10, 1822.

I HAVE great satisfaction in forwarding to you the two additional Articles to the Slave Trade Treaty, which were signed by M. San Miguel and myself this morning.

Having concluded this business, I shall now proceed to give execution to the instructions contained in your Despatch of the 4th of October.*

(Signed) WILLIAM à COURT.

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

* See Netherlands, No. 13.

No. 17.

Sir William à Court to Mr. Secretary Canning. — (Received January 2, 1823.)

(Extract.)

Madrid, December 15, 1822.

I HAVE submitted the *Proviso*, which His Majesty's Government desires to join to the Explanatory Article, just added to the Slave Trade Treaty, to the consideration of the Spanish Minister in the Note, a copy of which I have the honour to inclose.

In the latter paragraph of this Note I combat a wish expressed by the Spanish Minister to fix some precise time for the commencement of the operation of the additional Articles, declaring to him that they must be considered as in force from the day of their ratification.

(Signed)

WILLIAM à COURT.

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

(Inclosure in No. 17.)

Sir William à Court to Don E. San Miguel.

Madrid, December 14, 1822.

THE frank and friendly manner in which the Spanish Government met the late proposals of the British Government, and the happy conclusion of the two additional Articles to the Slave Trade Treaty, signed on the 10th instant, induces the Undersigned to hope, that the further proposal which he is now instructed to bring forward upon the same subject, will meet with an equally favourable reception.

His Excellency M. San Miguel cannot but be aware, that when a vessel is destined to carry on a Traffick in Slaves, it is fitted up in so peculiar a manner as to exclude every doubt as to the object of its voyage.

It is indeed quite impossible to imagine any pretext for those arrangements on board a ship which are calculated for the reception of a *living Cargo*, except the purpose for which they are really destined; and it would be mere mockery to pretend that the purpose so manifested, differs in guilt in any degree from the total or partial execution of it, though by the Treaty, as it originally stood, the actual presence of the miserable victims was held to be necessary to substantiate the charge of trading in them.

The Spanish Government having, by its agreement in the Articles lately proposed, evinced its sincere desire to put an end to this inhuman traffick, the Undersigned cannot but flatter himself that it will admit, without hesitation, the supplemental provision, that the fitting up of the ship (which may be described in as precise terms as the Spanish Government requires) shall be held to be *prima facie* evidence of the nature of the cargo.

The burthen of the proof to the contrary must rest with the Captain of the vessel, who will have to shew to the satisfaction of the Captors to what other purpose such fitting can be applicable.

The Undersigned, by order of his Government, incloses the draft of a *Proviso*, which may either be added as a clause to the explanatory Article lately signed, or to the Treaty, as a further additional Article.

The Undersigned has received Full Powers to affix his signature to it in either shape, and His Britannick Majesty's Government entertains not the smallest doubt, but that His Catholick Majesty's Government will immediately see the necessity of such a further *Proviso*, and readily concur in its enactment.

The few words which dropped this morning from M. San Miguel, respecting the propriety of fixing some precise period for the commencement of the operation of the lately signed explanatory Article, make it necessary for the Undersigned to recall to the recollection of His Excellency, that a Law of the Cortes has declared it felony to carry on a Traffick in Slaves; and therefore any Declaration, as to the time of the commencement of the operation of this Article, must clearly be superfluous, for as the act against which it provides is in itself illegal and punishable, any delay in the operation of the explanatory Article, would, by a seeming temporary sanction of the Trade, be in evident contradiction to the Law established by the Cortes. Indeed every consideration of justice and humanity requires, that the execution of the provisions of the additional Article should date from the day of its Ratification, and that no alteration should be made.

The Undersigned avails himself, &c. &c.

Don Evaristo San Miguel.

&c. &c. &c.

(Signed)

WILLIAM à COURT.

SPAIN.

No. 18.

Mr. Secretary Canning to Sir William à Court.

SIR,

Foreign Office, December 28, 1822.

HIS MAJESTY has perceived with satisfaction, by your Despatch of the 10th instant, that you have concluded and signed with the Spanish Minister for Foreign Affairs, the two additional Articles to the Slave Trade Treaty of 1817, between The King and His Catholick Majesty.

These Articles, will be forthwith submitted for His Majesty's Rátification, and will be returned to you for exchange as soon as that Act is completed.

I am, &c.

(Signed)

GEORGE CANNING.

The Right Hon. Sir W. à Court, G. C. B.

&c.

&c.

&c.

No. 19

Sir William à Court to Mr. Secretary Canning.—(Received April 5.)

SIR,

Madrid, February 23, 1823.

I HAVE the honour to inform you that I have exchanged this day with M. San Miguel, in the usual form, the Rátifications of the explanatory Article, and of the additional Article, lately added to the Slave Trade Treaty.

I have the honour to be, &c.

(Signed)

WILLIAM à COURT.

The Right Hon. George Canning,

&c.

&c.

&c.

No. 20.

Joseph Planta, jun. Esq. to Sir William à Court, (and to E. M. Ward, Esq.)

SIR,

Foreign Office, May 8, 1823.

IN reference to your Correspondence respecting the proposed additional Article to the Slave Trade Treaty, whereby a vessel fitted out or equipped as a Slave-trader shall be subject, under certain conditions, to capture and condemnation, I am directed by Mr. Secretary Canning to have the honour to transmit to you the copy of a similar Article, which has been agreed to by The King of the Netherlands, in order that the ^{Spanish}/_{Portuguese} Articles may, if possible, be drawn out conformably to it.

Mr. Canning trusts that the fact of such an Article having been agreed to by The King of the Netherlands, and being actually in operation with respect to vessels under Dutch colours, will do away with any hesitation which may exist in the minds of the ^{Spanish}/_{Portuguese} Governments to sign the Article in question.

I am, &c.

(Signed)

JOSEPH PLANTA, Jun.

His Majesty's Envoy Extraordinary
and Minister Plenipotentiary in Spain,
and Chargé d'Affaires at Lisbon.

No. 21.

Mr. Secretary Canning to The Lords of the Admiralty.

MY LORDS,

Foreign Office, May 16, 1823.

IN reference to the Letter addressed by the late Marquess of Londonderry to Your Lordships, on the 19th of February 1819, inclosing copies of certain Treaties entered into with Foreign Powers for preventing illegal Slave Trade, I furnish Your Lordships with fifty copies of Articles, signed at Madrid on the 10th of December 1822, explanatory of, and additional to, the Treaty concluded at Madrid on the 23d September 1817, between His Majesty and The King of the Spains for the prevention of that traffick.

I am to signify to Your Lordships His Majesty's pleasure, that you do issue to the Officers commanding His Majesty's ships and vessels, such instructions, in conformity with the purport of these Articles, as shall be judged necessary for more effectually carrying into execution the intentions of the stipulations therein recorded.

I am, &c.

(Signed)

GEORGE CANNING.

The Lords Commissioners of the Admiralty,
&c. &c. &c.

No. 22.

Joseph Planta, jun. Esq. to Robert Wilmot, Esq.

SIR,

Foreign Office, May 16, 1823.

IN reference to the Letter from this Department, of the 19th of February 1819, inclosing, for the information of Earl Bathurst, copies of the Treaties entered into with Foreign Powers for preventing illegal Slave Trade, I am directed by Mr. Secretary Canning to send to you the ten copies accompanying this Letter, of Articles signed at Madrid on the 10th of December 1822, explanatory of, and additional to, the Treaty concluded at Madrid on the 23d of September 1817, between His Majesty and The King of the Spains for the prevention of that traffick.

I am to request you will submit to Earl Bathurst the propriety of communicating these Articles to the Colonial Authorities at Sierra Leone and in the neighbourhood of the Havannah.

I am, &c.

Robert Wilmot, Esq.

(Signed)

JOSEPH PLANTA, Jun.

&c. &c. &c.

No. 23.

J. W. Croker, Esq. to Joseph Planta, jun. Esq.

SIR,

Admiralty Office, May 17, 1823.

IN reference to the Letter from Mr. Secretary Canning, to my Lords Commissioners of the Admiralty, of yesterday's date, inclosing fifty copies of Articles signed at Madrid on the 10th of December 1822, explanatory of, and additional to, the Treaty concluded on the 23d of September 1817, between His Majesty and The King of the Spains, for the prevention of an illegal Traffick in Slaves; I am commanded by Their Lordships to acquaint you, for the information of Mr. Canning, that they have issued copies of these Articles to all His Majesty's Officers who have been furnished with the Treaty of September 1817, and instructed them to observe and carry into effect such of the stipulations contained in the said Articles as may concern them.

Joseph Planta, jun. Esq.

I am, &c.

&c. &c. &c.

(Signed)

J. W. CROKER.

PORTUGAL.

No. 1.

E. M. Ward, Esq. to The Marquess of Londonderry.—(Received April 21.)

MY LORD,

Lisbon, April 6, 1822.

I HAVE herewith the honour to annex the Reply to the Note which, in pursuance of Your Lordship's direction, I addressed to M. Pinheiro respecting the 14th Article of the Regulations of the Mixed Slave Commissions.

M. Pinheiro, whom I have since seen, appears to think that the Declaration or explanation is unnecessary, as the previous Orders of Their respective Governments, authorizing Their Consul or other Agent, to name Substitutes in the cases mentioned, would be quite sufficient, without the formality of a separate Article or Declaration. He declared, nevertheless, that he should agree to any Article which Your Lordship should please to frame and send out.

I exhibited to him Your Lordship's Despatch, authorizing me to sign a Declaration to the effect required; but he said he should prefer delaying until I had submitted his view of the case to Your Lordship.

I have the honour to be, &c.

The Marquess of Londonderry, K. G. (Signed) *E. M. WARD.*
&c. &c. &c.

(Inclosure in No. 1.)

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

(Translation.)

Lisbon, March 30, 1822.

THE Undersigned, &c. having laid before His Most Faithful Majesty the Note addressed to him by Mr. E. M. Ward, &c. under date of the 27th instant, relative to the mode of supplying, in conformity with the Convention, the vacancies that may take place in the Mixed Commissions, from the temporary impediment of any of the Members thereof; His Majesty has been pleased to authorize the Undersigned to accede to any just proposal that shall be made to him on the part of His Britannick Majesty's Government, in addition to the above-mentioned Convention.

The Undersigned, therefore, hopes that Mr. Ward, on receiving from his Government the competent instructions to this effect, will be pleased to signify to him His Britannick Majesty's pleasure on this subject: it being agreed that Great Britain shall take the lead on this point, inasmuch as the contemplated removal of the Commission, actually established at Sierra Leone, to the Capital of the Cape Verde Islands, placing both the Commissions in Portuguese States,—the question of supplying vacancies in the case of impediment, will require especial provisions on the part of Great Britain alone.

The Undersigned renews, &c.

(Signed) **SILVESTRE PINHEIRO FERREIRA.**

E. M. Ward, Esq.
&c. &c. &c.

No. 2.

E. M. Ward, Esq. to The Marquess of Londonderry.—(Received May 10.)

MY LORD,

Lisbon, April 27, 1822.

I HAVE the honour to communicate M. Pinheiro's Reply to the Note which I presented, stating the abuses which were practised under cover of the Portuguese Flag, by ships carrying on the Slave Trade in the cruel and illicit manner pointed out in the communication made from the Governor of Sierra Leone to His Majesty's Government. M. Pinheiro assures me that every possible means shall be adopted in the Foreign Ports of the Portuguese Dominions, for detecting the ships which are suspected of having traded within the forbidden limits; and he suggests that the British Consuls should be directed to see that the examinations of the papers and crews of ships arriving with cargoes of Slaves, be duly carried into effect by the local Authorities of the Portuguese Government. M. Pinheiro further states, that strict injunctions shall be given to the Authorities in the Cape de Verds, to repress, as far as in their power, the system lately adopted by the Slavers, of importing thither Slaves for the purpose of re-shipping them for Brazil, under the denomination of domesticks; and he takes this occasion to renew a proposition already made to His Majesty's Government, for removing to the Capital of the Cape Verds, the Mixed Commissions at present established at Sierra Leone, to which he expresses himself particularly anxious of obtaining the decisive consent of the British Government.

I have the honour, &c.

The Marquess of Londonderry, K. G. (Signed) *E. M. WARD.*
 &c. &c. &c.

(Inclosure in No. 2.)

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

(Translation.)

Lisbon, April 26, 1822.

THE Undersigned, &c. as soon as he received the Note addressed to him by Mr. Ward, &c. under date of the 20th instant, calling the attention of the Portuguese Government to the abuses, as scandalous as they are revolting to humanity, practised by ships employed in the illicit traffick of Slaves on the Coast of Africa, lost no time in laying the same before His Most Faithful Majesty, in order that, upon receiving His Royal Commands, he might be enabled to answer, in the most adequate and satisfactory manner, to the just confidence which His Britannick Majesty's Government has placed in the good faith, with which the Portuguese Government has always made it a point of honour to fulfil exactly, and at all cost, the obligations contracted towards Great Britain, being convinced that such is the means of gaining a right to an alliance which it prizes above measure, and is above all desirous to preserve. In anticipation of future additional and more direct means for preventing the abuses pointed out in Mr. Ward's Note, His Majesty has ordered, that every ship entering a Port with a cargo of Slaves shall be examined, its passports and log-book compared, the Deposition of the crew taken, and the imported Negroes interrogated in their presence by means of proper interpreters, under such regulations and formalities as shall ensure a means of arriving at the truth.

It being once ascertained that a ship has been Slaving within the limits prohibited by Law and by the existing Treaties, the guilty Parties shall be transferred, with the act of examination, to the Mixed Commission nearest to the Place at which the said examination shall have been made, there to be judged according to the form laid down in the above Conventions.

His Most Faithful Majesty, solely animated with the desire of seeing faithfully performed the dispositions which He has been pleased to sanction in this and other respects, does not hesitate to order it to be declared to His High and Mighty Ally, that Great Britain being equally with Portugal interested in enforcing the observance of the said Conventions,—it is within the competence of British Consular Agents, to see that the provisions here set forth by the Undersigned be carried into effect in the several Ports of their residence; and that in consequence, at the same time that His Most Faithful Majesty is about to send orders to the Local Authorities to proceed to the above mentioned examinations and enquiries, concerning ships which shall enter with Slaves on board into any Port in the Portuguese States beyond the seas, His Britannick Majesty will be pleased to send instructions to the same effect to His Consuls residing in those States, together with orders and directions for enforcing the observance of these regulations, requiring whatever they shall judge necessary to this effect: it being ordered on the part of this Court, to all those Authorities, that they shall, without hesitation or reserve, afford and communicate to the said Consuls of His Britannick Majesty, whatever shall be required by them for their information and guidance on this subject.

It would likewise appear conducive to a happy result, that instructions were given to the cruizers, in order that they, on meeting with ships in any manner suspicious, although not in the case of being detained and brought before the Commissions, may avail themselves of all opportunities that shall offer, of notifying to all Portuguese Ports to which such ships are to return, whatever they shall have observed in them calculated to excite suspicion, to the end that, in the examination and enquiry there to be proceeded in, the said observations may avail, in combination with the other data that shall present themselves in the course of the investigation. In reference to the other abuse pointed out by Mr. Ward, of first passing illegally acquired Slaves to some of the nearest Portuguese Possessions, in order to be afterwards shipped off as domesticks for the Brazils; although this be a matter of more difficult investigation, yet, as this Ministry proceeds with good faith, the Undersigned protests under the same to Mr. Ward, that the Government is about to issue to the Superior Authorities of those suspected Possessions, more especially to those of the Cape Verds, the most positive orders, and most circumstantial instructions for putting an end to that fraud. But it is the duty of the Undersigned on this occasion to request Mr. Ward, to call the attention of his Government to the final conclusion of a subject, which, having been proposed by His Most Faithful Majesty's Envoy in London, immediately after the return of this Court to Lisbon, and having been subsequently ordered to be again brought forward, as well by the said Envoy, as by the present Chargé d'Affaires, the Commandeur d'Oliveira, still remains undecided; and certainly the conclusion of the same cannot but greatly contribute to put an end to the abuse here treated of.

The subject to which the Undersigned alludes, is the removal of the Mixed Commission from Sierra Leone to the Capital of the Cape Verd Islands:—a removal which, from the instant of its first proposal to the British Government by the Commandeur de Souza, at that time Envoy to the Court of London, appeared not to be disagreeable. It was even arranged that the consent of His Catholick Majesty should be asked, as being, equally with His Two High Allies, interested in this transaction.

This step was taken by this Court, and likewise, it is known, by that of London; and, as was to be hoped, met with no opposition on the part of the Spanish Government, which authorized its Minister at the Court of His Britannick Majesty, to enter into such negotiations as should be necessary, for bringing the subject to a determination.

Nothing therefore remains, except the assent of the British Cabinet, and the concluding, in concert with the Ministers of the Two Courts, such arrangements as shall appear necessary for effecting the translation, in order that, the same being made known to His Most Faithful Majesty, and being by Him approved and ratified, the necessary orders may be sent from this Court to the Governor of Cape Verd, in order there to make such arrangements, in conformity with the agreements, as shall appear expedient for the establishment of the three Commissions,—British, Spanish and Portuguese, in the Capital City.

The Undersigned hopes that Mr. Ward will not fail to bring this important subject as soon as possible to the recollection of His Britannick Majesty's Government, in order to gather with the least delay, the fruits of the united efforts of all the Three Powers equally interested in the punctual observance of the Conventions to this purpose, established between them.

The Undersigned, &c.

(Signed) SILVESTRE PINHEIRO FERREIRA.

E. M. Ward, Esq.

&c. &c. &c.

No. 3.

The Marquess of Londonderry to E. M. Ward, Esq.

SIR,

Foreign Office, July 31, 1822.

I FORWARD to you the copies of two Despatches which I have received from His Majesty's Commissary Judge at Rio de Janeiro, under the Treaty with Portugal for preventing illegal Traffick in Slaves, dated the 16th January and 16th February last, and representing that great inconveniences arise from the arrangements respecting the sale of condemned vessels being taken out of the hands of the Mixed Commission; and also that the Portuguese Government have not fulfilled the stipulations of the Treaty in regard to the prosecution of Persons detected in illicit Traffick in Slaves. It would appear from these Papers that a certain degree of neglect has existed on the part of the Brazilian Authorities, in not giving proper directions for the prosecution of the Persons implicated in the Slave Trade, as detected in the proceedings of the Mixed Commission Court; and as His Majesty's Government consider that prosecutions can only be instituted by the publick Prosecutor, acting either by virtue of his general Commission, or by the authority of the *Alvará*, referred to in the letter inclosed above, or by special directions, as may be agreeable to the Laws and Constitutions of the Country, I have to signify to you The King's Commands that you lose no time in representing these circumstances to the Portuguese Ministers, and that you urge them in the strongest manner to transmit such instructions to the Authorities in the Brazils, as shall effectually ensure the full and prompt execution of the third Article of the Convention of the 28th July 1817, which provides for the punishment of Portuguese subjects who may be found engaged in the prohibited Traffick in Slaves.

With reference to the particular case of the delay in the sale of the

Emilia, as it is possible that the cause assigned by the Judge of Contraband may be sufficient, I have only to instruct you, generally, to call the attention of the Portuguese Government to this point, in order to prevent unnecessary delay in future cases.

E. M. Ward, Esq.
 &c. &c. &c.

I am, &c.
 (Signed) LONDONDERRY.

No. 4.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, September 30, 1822.

DESPATCHES, dated the 20th of March *, and the 30th of April †, 1822, which I have received from His Majesty's Commissioners at Sierra Leone, detail transactions of illegal Slave-dealing, in which M. Coutinho Lancastre, late Governor of the Cape de Verd Islands, and M. Correa Barros, late Governor of Cacheo, are personally implicated, and likewise M. Freire de Andrade, the present Governor of Bissao.

I inclose to you copies of these Despatches and their Inclosures. I inclose also a copy of the Answer which, by The King's command, was addressed to the Commissioners upon the subject of the judgment pronounced by them in the case of the *Comde de Villa Flor*.—This capture having been made under the guns of the fortress of Bissao, was, as it appeared to His Majesty's Government, liable to some observation: in other respects there appears no doubt, but that, as the trade carried on by the vessel was illegal, the condemnation was justly merited.

These papers are forwarded to you, for the purpose of putting you in possession of the circumstances by which the improper conduct of the Portuguese Officers has been brought to the knowledge,—first, of the Commissioners, and, through them, to that of His Majesty's Government. You will be so good as to select those parts which prove most clearly the contravention of the Laws and Treaties by which Portugal has bound herself to repress the Slave Trade; and you will make a strong representation upon the subject to the Portuguese Government, with a view to their inflicting upon the Officers who have thus disobeyed the Laws of their Country, and the orders of their Sovereign, such signal marks of displeasure, as shall operate to prevent a recurrence of these disgraceful practices in future.

E. M. Ward, Esq.
 &c. &c. &c.

I am, &c.
 (Signed) GEORGE CANNING.

* Sierra Leone.—(Portugal.)—No. 20.

† Sierra Leone.—(Portugal.)—No. 21.

No 5.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, September 30, 1822.

I INCLOSE to you the copy of a Letter, dated Rio de Janeiro, July 3, 1822, from Henry Chamberlain, Esquire, His Majesty's Consul General at that Place, giving some details of a Trade in Slaves, which appears continues to be carried on to the North of the Line, under cover of the

flag of Portugal, and supported by the capital and speculations of Her subjects.

The inclosed Paper refers particularly to the illegal trade in which the shipping from Bahia is concerned. I desire that you will represent these circumstances to the Portuguese Government, and urge them to take the necessary measures for ascertaining the truth of them, and for preventing the continuance of this odious traffick in those parts at least of their Territories in which their own Laws do not sanction it.

I am, &c.

(Signed) GEORGE CANNING.

P. S.—I likewise furnish you with copies of two Communications, dated severally the 12th May, and 4th of July of this year, from His Majesty's Commissary Judge at Rio de Janeiro, upon the subject referred to in this Despatch.

G. C.

E. M. Ward, Esq.

&c. &c. &c.

(Inclosure in No. 5.)

Henry Chamberlain, Esq. to The Marquess of Londonderry.

MY LORD,

Rio de Janeiro, July 3, 1822.

I REGRET to have to state to Your Lordship that the Trade in Slaves to the North of the Line continues to be successfully carried on by the shipping from Bahia, whose Merchants have lately begun to supply this Place with Negroes from Calabar, and other Countries in that part of Africa.

Two vessels, the *Desengano*, and *Toninha*, have arrived here from Bahia, with six hundred and forty-six Slaves of this description, and I write to Mr. Consul Pennell, by this conveyance, desiring him to ascertain all the particulars of the transaction; especially whether these unhappy beings were landed at Bahia, and sold there; and to forward to Your Lordship a report of whatever he may learn respecting them. I am given to understand that, for the purpose of concealing the Place upon the Coast where this nefarious traffick is carried on, the vessels employed in it clear out for "New Molembo," which is in fact no other than a new name for the old Port of "Onim."

I have, &c.

(Signed) H. CHAMBERLAIN.

The Marquess of Londonderry, K. G.

&c. &c. &c.

No. 6.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, October 18, 1822.

BY the accompanying copy of a Despatch, which I have addressed, under date of the 15th of October inst., to His Majesty's Envoy at Madrid, you will perceive, that, after a due consideration of the proposals made to this Country, by the Governments of Portugal and Spain, for the removal from Sierra Leone of the Mixed Commission, resident at that Place under the Treaties for the repression of the Slave Trade, the objections to this measure appeared to be so many and of such a nature, that I was com-

manded by His Majesty to decline altogether the proposed removal of the Commission, as being quite incompatible with the letter, and with the objects of the Treaty under which it was instituted.

For these reasons, as more particularly detailed in my Despatch to Sir William a Court, I have to instruct you likewise to decline, on the part of His Majesty's Government, the proposal made by that of His Most Faithful Majesty, for a change of residence for the Mixed Commission now sitting at Sierra Leone, to a Possession which is neither near to the scene of illegal traffick, nor within the Territories of His Britannick Majesty, as contemplated by the Treaty.

I am, &c.

E. M. Ward, Esq.
&c. &c. &c.

(Signed)

GEORGE CANNING.

No. 7.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, October 18, 1822.

THE Declaration of Independence, by The Prince Regent of Brazil, will probably have reached Lisbon before the arrival of this packet.

With the political effects of this separation of the Colonial Empire of the House of Braganza from its European Dominions, Great Britain has no concern: nor are you to express any opinion of your Government upon it.

But there is one practical operation of this event upon the Treaties subsisting between His Majesty and The King of Portugal, which may be very important, and to which you will immediately call the attention of the Portuguese Secretary of State; I mean the Treaties respecting the Slave Trade. The Declaration of the Congress of Vienna of the 8th of February 1815, confirmatory therein of the previous stipulations of the Treaty between Great Britain and Portugal of the 19th of February 1810, expresses the resolution of totally abolishing the Slave Trade, with such exceptions as were deemed necessary to supply the deficiency of population in the Brazils, as Colonial Possessions of Portugal.

That ground of exception is practically removed by the change of political character in Brazil. It would be monstrous to suppose, that a provision made for the purpose of protecting the interests of Portugal in her Colonial Possessions, could continue in force, or be otherwise than absolutely and *ipso facto* abrogated and annulled, by an event which abolishes altogether the Colonial character of the Brazils, and which may set their interests, and those of Portugal, directly at variance with each other.

The Treaty of the 28th of July 1817 reduces to specifick agreement, the spirit of those general Engagements which were contracted in the Treaty of 1810, and confirmed by the Act of the Congress of Vienna.

The third and fourth heads of the first Article expressly exempt from protection by the Portuguese Flag, cargoes of Slaves carried to any other Colonies than those of Portugal: and the specifick limitations in the form of Passport, as well as the ninth Article of Instructions annexed to that Treaty, establish clearly, and beyond question, the same principle, and prescribe the course which it is the right—I should rather say the duty—of the British Government to take, in respect to any Slave Trade which may be carried on hereafter for the supply of Brazil, under the Flag of Portugal.

You will announce to M. Pinheiro the resolution of His Majesty's Government to exercise the right which may accrue under the Treaty, from a change in the relations of Portugal and Brazil, with the same vigilance and activity which have hitherto been employed in carrying into execution the other stipulations of the Treaties.

I am, &c.

E. M. Ward, Esq.
&c. &c. &c.

(Signed) GEORGE CANNING.

No. 8.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, October 31, 1822.

THE Colonial Department of His Majesty's Government has transmitted to this Office, a Letter from Sir Charles MacCarthy, Governor of Sierra Leone, accompanied with a Memorandum of the state of the Slave Trade on the Coast of Africa, and, with a list of the ships detained or visited by the Commander of His Majesty's brig *Thistle*, in a cruise of seven days.

It therein appears that the Trade in Slaves is carried on with great activity, and with increased cruelty, under the flag of Portugal; notwithstanding the principles which the Portuguese Government has professed upon this question, and the engagements which it has contracted to mitigate the miseries inflicted upon the inhabitants of Africa, by the continuance of this traffick. I have particularly to call your attention to the case of the *San José de Xalapa*, as described in these Papers.—*Thirty* Slaves were in this instance stowed on board a vessel of only *seven tons* burthen; ten of them were starved to death, and a female Slave, rendered delirious by hunger, was flogged until she died. You will remark that the *San José de Xalapa* belonged to the daughter of Mr. Gomez, who was formerly Governor of Princes Island, and is still a Member of the Council of that Settlement.

It is stated also that the Governors of the Portuguese Establishments, along the whole line from Cape de Verd to St. Thomas, all participate in this traffick; and the accusation is corroborated by the number of Portuguese vessels which openly carry on the Slave Trade from those Settlements.

I inclose to you the copy of a Communication, dated August 26, 1822, from His Majesty's Consul at Bahia, upon the subject of the ships *Toninha* and *Desengano*, employed in carrying from Bahia to Rio de Janeiro, Slaves supposed to be natives of Africa, North of the Line, and of which mention was made in my Despatch of the 30th September.

From all these communications it is but too clear that, in spite of all professions and engagements, passports for trading to the Southward of the Line are granted without sufficient caution; and are become in fact little more than matters of form, the observance of which is neither enforced nor expected.

It is no less clear that Subjects of Portugal engaged in the legal branch of the trade, infringe without compunction, and without danger of punishment, the Rules which have been prescribed by Treaty for the Regulation of this tolerated traffick; and it is clear that Official Persons in the Colonies, both engage in the illegal Trade, and connive at it, without being called to account for their conduct.

You will earnestly urge upon the Portuguese Government, the consideration of all these scandalous abuses; and you will express in strong terms, the feelings of disgust and indignation, which are growing up

every day in England, and in Europe at the apparent determination of Portugal, not only to foster and encourage, to an extent never practised heretofore, the unprohibited Slave Trade, but to connive at every infraction of the Treaties, by which that abominable traffick has been lessened or restrained.

I am, &c.

(Signed) GEORGE CANNING.

P. S. You will suggest, that if heavy Bonds were exacted from the Owners of vessels to which passports are granted for trading in Slaves, Southward of the Line, the amount of such Bond to be forfeited to the Government in case the vessel should be found trading Northward of the Line, such measure could in no wise be complained of by any as a hardship, and might considerably tend towards diverting the Slave-traders from hazarding an illegal voyage.

G. C.

E. M. Ward, Esq.

&c. &c. &c.

(First Inclosure in No. 8.)

William Pennell, Esq. to The Marquess of Londonderry.

MY LORD,

Bahia, August 26, 1822.

IN obedience to the orders of His Majesty's Consul-General at Rio de Janeiro, contained in his Despatch of the 3d ultimo, I have the honour to transmit Your Lordship a copy of the information I was enabled to obtain respecting the Slaves embarked on board the ships *Desengano* and *Toninha*. Finding a general reluctance prevails amongst individuals to answer questions on subjects connected with this inquiry, I, in consequence, addressed a Letter to the Judge of the Custom House, copy of which, together with his answer, I have the honour to inclose.

It is a matter of notoriety, that great number of Slaves, Natives of Africa, North of the Line, are imported here; but as the Official Documents afford evidence of the contrary, I am not aware of any steps that can be taken by me, consistent with the existing Treaties, to counteract this grievance.

I have, &c.

(Signed)

WILLIAM PENNELL.

The Marquess of Londonderry, K. G.

&c.

&c.

&c.

(Second Inclosure in No. 8.)

Information respecting the Schooner Toninha and the Brig Desengano.

Bahia, August 1822.

THE schooner *Toninha*, Captain Amaio Joze da Silva, on her leaving this Port, had two hundred and fifty-six Slaves on board,—two hundred and twenty-two males, and thirty-four females, which were reported at the Custom-House to have been brought here from Molembo, in the brig *Desengano*, and ship *Cisné*. The Owners of the Slaves are Domingos Joze d'Almeida Lima, and Antonio Ferraia Caelho, and the first Owner being in Rio de Janeiro acts as Supercargo. The duties on the Slaves were regularly paid, to enable them to land free of duty at Rio de Janeiro, and a *Carta da Guia* was given at the Custom-House here, which, it is supposed, could not have been obtained, unless the papers had appeared legal.

On application to the Custom-House respecting the brig *Desengano*, they report, at present, they have no account of her clearance, but that it was probable a *Carta da Guia* was given on a verbal application of the Parties. She is reported to have arrived from Molembo: perhaps, some information might be obtained by procuring copies of the *Cartas da Guia* from the Custom-House at Rio. The Slaves were all landed, and, it is supposed, remained here unsold.

(Third Inclosure in No. 8.)

The British Consul to the Judge of the Custom-House, at Bahia.

SIR,

Bahia, August 8, 1822.

HIS Britannick Majesty's Consul-General at Rio de Janeiro has informed me that the two vessels mentioned on the other side,* have arrived from this Port at Rio de Janeiro with Slaves, supposed to be natives of Countries North of the Line, and has directed me to enquire, whether the vessels were furnished from the proper Offices with all the Documents required by the Treaty and Convention of Vienna of 1815.

I have the honour to request that you will have the goodness to direct this information to be furnished to me as regards this Custom-House, and any other particulars that may elucidate the truth.

I have, &c.

M. Antonio Augusto da Silva,
&c. &c. &c.

(Signed) W. PENNELL.

* Brig *Desengano*, 390 Slaves. Schooner *Toninha*, 256 Slaves.

(Fourth Inclosure in No. 8.)

(Translation.)

SIR,

Bahia, August 13, 1822.

IN the Letter which you addressed to me yesterday, under date of the 8th instant, you request to be informed of all the circumstances which could be ascertained at this Custom-House respecting the brig *Desengano*, and the schooner *Toninha*, that arrived at this Port with Slaves, and whether they were furnished from the respective Offices with all the Documents required by the Treaty and Convention of Vienna of the year 1815.

As to what you desire to know in respect to this Department, I have only to acquaint you, that the said brig and schooner sailed from hence to Molembo to procure Slaves, and were provided with the proper Document relative to their lading, and with the Book of Regulations.

I have the honour to be, &c.

(Signed)

FIRMIANO JOAQUIM DE SZA. VELHO.

William Pennell, Esq.
&c. &c. &c.

No. 9.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received November 26.)

SIR,

Lisbon, November 5, 1822.

IN obedience to the instructions contained in your Despatches of the 30th of September last,* I proposed to the Secretary of State the annex-

* See Netherlands, Nos. 11 and 12.

ation of two additional Articles to the Treaty for the gradual abolition of the Slave Trade, therein forwarded to me, and I found him perfectly disposed to adopt them both. I read over to him the one which relates to the condemnation of ships, on board of which it shall be proved that Slaves have been received, although such may not actually be found by the Captors, and he expressed his approbation of it. They must, however, be submitted to the new Cortes, and approved of by them, before ratified by The King.

I have waited till I shall be enabled to state my having received Powers to sign the Articles in question, before I submit them to the Minister in writing.

The Right Hon. George Canning, &c. &c. &c.	I have, &c. (Signed)	E. M. WARD.
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No. 10.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received November 26.)

SIR,

Lisbon, November 15, 1822.

I YESTERDAY waited on the Minister for Foreign Affairs, and announced to him the opinion of His Majesty's Government as to the practical effect of the Declaration, put forth by The Prince Regent of Brazil, upon our Treaties with this Country relating to the Slave Trade, agreeably to the instruction conveyed in your Despatch of the 18th ultimo.

He received the annunciation with some apparent surprise: he said that the stipulations in regard to Brazilian Slave Commerce were agreed to by Great Britain, not through regard to the person of John VI. who was only the organ of Portugal and Brazil, (the latter not a Colony, but an integral portion of the mass whom he represented,) but as stipulations enforced by the Brazils, on their own account, through The King as their Representative; and that their right to the benefit thereof, remained unchanged by the circumstance of their having changed their Representative. If the disunion of the two Countries, he observed, abrogated any engagements whatever, they abrogated all.

He then requested I would present in writing what I had been directed to communicate, in order that it might be laid before The King; which I did accordingly in the inclosed Note, and put it into his hands this morning.

His line of argument to-day turned principally upon the want of data upon which to assume the independence of the Brazils. The Prince's own Declaration, he said, was not clear upon the point of absolute separation. It could not yet be known if the majority of the Brazilians agreed with The Prince's views; and, finally, sufficient time had not been allowed to this Country to try the effects of its own means for restoring her influence in that part of the World. He therefore regarded the announcement which I made to him as, at least, premature on the part of Great Britain.

I have the honour to be, &c.

The Right Hon. George Canning, &c. &c. &c.	(Signed)	E. M. WARD.
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(Inclosure in No. 10.)

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

Lisbon, November 14, 1822.

THE Undersigned, &c. has received the orders of his Court to call the

attention of His Excellency Signor Silvestre Pinheiro Ferreira &c. to the practical operation of the Declaration of independence by The Prince Regent of Brazil, upon the Treaties respecting the Slave Trade, subsisting between The King, his Master, and The King of Portugal; but in doing so, the Undersigned wishes it to be clearly understood that he is unauthorized to express any opinion upon the political effects of this separation of the Transatlantic Empire of the House of Braganza from its European Dominions.

The Act of the Congress of Vienna, No. 15, and the Treaty of 22d January 1815, confirmatory therein of the previous stipulations of the Treaty between Great Britain and Portugal, of the 19th February 1810, express the resolution of totally abolishing the Slave Trade, with such exceptions as were deemed necessary to supply the deficiency of population in Brazil, as a Colonial dependency of Portugal: that ground of exception would be practically removed by the change of political character in Brazil. It cannot be supposed that a provision made for the purpose of protecting the interests of Portugal in her Transatlantic possessions, could continue in force, or be otherwise than *ipso facto* abrogated and annulled, by an event which, abolishing altogether the dependent character of the Brazils, would deprive Portugal of the power of enforcing the observance of many of the regulations and formal engagements under which the modified exercise of this traffick continued to be permitted.

The Treaty of the 28th July 1817, reduces to specific agreement the spirit of those general engagements which were contracted in the Treaty of 1810, and confirmed at the Congress of Vienna. The 3d and 4th heads of the first Article expressly exempt from protection by the Portuguese flag, cargoes of Slaves bound to any Port not in the Dominions of Portugal; and the specific limitations in the form of passport, as well as the ninth Article of the Instructions annexed to that Treaty, establish clearly and beyond question, the same principle, and prescribe the course which it is the part of the British Government to take, in respect to any Slave Trade which may hereafter be carried on for the supply of Brazil under the flag of Portugal.

The Undersigned has it, therefore, in command, to communicate to His Excellency Signor Silvestre Pinheiro Ferreira, the intention of His Majesty's Government to exercise the right which may accrue under Treaty, from such a change in the relations of Portugal and Brazil, with the same vigilance and activity which have hitherto been employed in carrying into effect the other stipulations of the Treaties.

The Undersigned, &c. &c.

(Signed) E. M. WARD.

Signor Pinheiro Ferreira,
&c. &c. &c.

No. II.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received December 31.)

SIR,

Lisbon, November 30, 1822.

I HAVE already had the honour to acquaint you that I had, in obedience to your instructions, waited on Signor Silvestre Pinheiro, and proposed to him to sign the Articles, additional to the Treaty of 1817, for the repressing illicit Slave Trade, the subject of which had already been brought forward by Sir Edward Thornton at Rio de Janeiro.

In the interval which occurred between my conference with the Minister and my being able to announce to him the arrival of Powers autho-

rizing me to sign, I received your Despatch relative to the practical effect of the independence of Brazil upon the operation of the Treaty in question. The communication of the Resolution of His Majesty's Government upon this point, which I was therein directed to make, has had the effect of causing Signor Silvestre Pinheiro to postpone the Signature of the proposed Article, respecting the temporary relanding of Slaves, until the Portuguese Government shall have had time to take the Resolution announced to them into consideration.

He appears to hold, that, if the state of things contemplated in my communication exists, the Treaty itself is done away with, altogether: but as yet, he said, The King had come to no decision on the subject.

With respect to the Article for supplying the place of an absent Commissioner in the Mixed Commissions, he wished to insert a clause which should settle the point now in dispute between the Two Governments, relative to the absence or death of an Arbitrator pending the Arbitration; he desiring that the new or temporary Commissioner chosen should not necessarily succeed to the Arbitration, but that lots should again be drawn.

Not having any instruction upon this point, I have informed him that I should submit it to your consideration.

I have the honour to inclose a Translation of His Excellency's Note to me on the subject.

I have, &c.

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

(Signed) E. M. WARD.

(Inclosure in No. 11.)

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

(Translation.)

Lisbon, November 23, 1822.

THE Undersigned, &c. having received from Mr. Ward, &c. under date of the 21st instant, two Notes relative to two explanatory additions to the Treaty of the 28th July 1817, has the honour to state to him, with respect to that which treats of the mode of substituting any of the Judge Commissioners, or Arbitrators of the Mixed Commissions, that the sketch presented by him does not include all the circumstances, constituting the case omitted and intended to be supplied, in the above-mentioned Treaty, inasmuch as it does not provide for impediment arising from any cause, but death; nor does it determine whether, in a case of impediment of a Judge Commissioner and Arbitrator, designated by lot to decide any cause that may be pending, the Person named as his Substitute shall, *ipso facto*, take cognizance of that cause, in order to decide the same; or whether lots shall be cast anew, as had been practised with the Commissioner substituted, in order thereby to determine which of the two Arbitrators shall give the final decision. The Undersigned, therefore, requests Mr. Ward to inform him if he is furnished with Powers and instructions upon this second part of the proposed additional Article, in order that no time may be lost in proceeding to its conclusion, on which depends the prosecution of many causes pending before the Commission sitting in London. With respect, however, to the subject of the second Note, intended to provide against the fraud practised by ships employed on this illicit traffick, in removing the Slaves into boats before they can be seized by the ships of war appointed to maintain the observance of the Treaties against such traffick, the Undersigned assures Mr. Ward that the Portuguese

Government, constant in the assent which it has on many occasions manifested to that just proposal of the British Cabinet, only defers signing the additional Article appended to his Note, which Article, in all its parts, corresponds with the intent, until His Most Faithful Majesty shall issue His final orders relative to his preceding Note of the 15th instant, with which that Article is not only intimately connected, but is even absolutely dependent on its decision. His Majesty, convinced of the high importance of that object, wishes to hear His Council of State thereupon, whom he has ordered to take the subject into consideration without delay; and as soon as their Report shall be laid before The King, His Majesty will certainly lose no time in resolving that which shall be most conducive to the mutual interests of both Nations; and the Undersigned will make it his duty immediately to communicate to Mr. Ward the Royal determination concerning both his Notes.

The Undersigned, &c.

(Signed) SILVESTRE PINHEIRO FERREIRA.

E. M. Ward, Esq.
&c. &c. &c.

No. 12.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received January 4, 1823.)

SIR,

Lisbon, December 18, 1822.

IT is with regret, though not with surprize, since my conversation with M. Pinheiro, alluded to in my Despatch of the 30th ultimo, that I have now to announce his refusal to sign the additional Article to the Slave Trade Treaty of 28th July 1817, having for object the prevention of the mode adopted by the Slavers for eluding the vigilance of our cruisers, by putting the unfortunate beings temporarily on shore on their approach.

His Excellency, to whom, shortly after the receipt of your orders upon the subject, I had read over the Draft of the Article proposed, then approved entirely of it, and it appeared as if no delay or difficulty would oppose it's signature, as soon as I should receive Powers to that effect.

In the interval which occurred before the arrival of these, I received the instructions by which I was authorized to announce the determination of His Majesty's Government to consider the Brazils, whilst remaining in fact independent of Portugal, as being also removed from the operation of the Convention of July 1817, which was undoubtedly framed with reference solely to the union between the two portions of the Monarchy.

Signor Silvestre Pinheiro, on receiving this communication, informed me, as I have already had the honour to state to you, that he could not then sign the additional Article proposed, until the opinion of The King's Council on the subject of the communication should be known. At the last interview which I had with His Excellency, he told me that I should in the evening receive a Note from him upon the subject. He declined entering into any conversation upon the nature of it's contents; but said, in answer to the wish which I expressed relative to the signature of the additional Article, that he could not now agree to it, until the view which the British Cabinet took of the subject, after his Note should have been submitted to them, was known. Translation of this Note I have the honour to inclose.

Signor Pinheiro denies the Treaty in question to have been framed with reference to the Brazils only. The Portuguese Possessions in Asia and Africa, are those, he says, which would be most radically affected by the total abolition of Slave-trading.

Brazil, he allows, by having already a large supply of Negroes, could, by ameliorating their treatment, and paying attention to their increase, always keep up a sufficient number for the purposes of labour; but their African Settlements would, by the abolition, be plunged into irretrievable ruin.

This appears to assume grounds for opposing the discontinuance of the traffick; which, however, they may have weighed in secret with the Portuguese Government, have not, I think as yet, been openly put forward.

The impossibility of finding beings whose constitutions were strong enough to enable them to labour and resist the effects of climate in some Countries of America; and the want of population for carrying on the cultivation of some of the most fertile, and more salubrious parts of others, has hitherto been the ostensible argument for permitting the continuance of a system of violence and cruelty, which, abstractedly considered, none could venture to uphold.

But Signor Pinheiro here seems to assert, that it is not the benefit to be derived from the labour of the Slaves, which is the object with his Government, but the profits which result from the employment of capital in the buying and selling their miserable bodies.

Signor Pinheiro does not confine himself to combating the view of the question taken by His Majesty's Government, but menaces, that if Great Britain shall persist in her determination of acting upon that view, Portugal will consider all Treaties between the two Countries as equally affected, by existing circumstances, as the one under consideration.

I am, &c.

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

(Signed) E. M. WARD.

(Inclosure in No. 12.)

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

(Translation.)

Lisbon, December 12, 1822.

The Undersigned, Minister and Secretary of State for Foreign Affairs, has laid before His Most Faithful Majesty the Note addressed to him by Mr. Ward, &c. dated the 15th ultimo.

It is not without great surprise that His Majesty perceives the grounds assumed by Mr. Ward for the inferences contained in his Note, to be a Declaration of the independence of Brazil, stated by him to have emanated from His Royal Highness The Prince Regent, although the Cabinet of His Britannick Majesty has not judged it necessary to communicate to this Court those characters of authenticity of the diplomatick Document in question, which would serve as a basis for such important conclusions as those which Mr. Ward has been charged to communicate to His Most Faithful Majesty's Government, to the Nation, and to all Europe.

His Majesty, whilst He cannot but recognize the characteristick prudence of the British Nation, in Mr. Ward's declaration that he is in no wise authorized to express an opinion upon the political effects of the late events in Brazil, is at a loss to conceive how Mr. Ward, in making such declaration, infers from those very events, not only that the whole of Brazil, but that all the Portuguese Transmarine Possessions, (*de ultramar*), also, must be, and are, in fact, considered by Great Britain, as definitively separated from the European Dominions governed by the Dynasty of the August House of Braganza.

Yet less can He comprehend how, from a confused tissuc of facts, ealculated to give an idea rather of disorder and anarchy, than of the esta-

blishment of an independent Government in Brazil, the British Cabinet can assume that Country to have acquired such a character of political independence, constituting it a Foreign Nation with regard to Portugal, as shall absolve Great Britain from her obligations contracted with the Portuguese Nation in the Convention of the 28th July 1817,—a Convention which Mr. Ward declares to have been specially made in favour of Brazil, to obviate the great prejudice which, it was alledged, could not but result to that Country from a sudden abolition of the Slave Trade; and which Convention, the principal object which it was framed to meet having ceased to exist, becomes, he contends, *ipso facto* abrogated, void, and of no effect, because no Treaty can be conceived to continue to exist, when the circumstances under which it was concluded are found to have undergone an essential change.

The Undersigned begs leave to observe to Mr. Ward, that the idea of the facts upon which he grounds his inference is historically incorrect. The agreement for delaying the abolition of the Traffick in Slaves, under the conditions and in the manner stipulated in the Convention of 28th July 1817, was not made peculiarly in favour of Brazil.

It cannot be doubted that an immediate abolition of the Slave Trade must be productive of great prejudice to Brazil; nevertheless, the actual possession of a considerable number of Slaves, whose Owners would endeavour to convert their services to better account, on finding the hope of continuing to recruit their number taken away, leaves to Brazil abundant resources for maintaining and even improving her agriculture, her rural economy, and her mines.

But those Countries whom an immediate abolition of the Slave Trade could not fail to plunge into irretrievable ruin, by at once cutting off their resources, and the means of employing their capital and industry, are all the Portuguese Dominions on the Coast of Africa, all those on the Coast of Asia, whose principal support is derived from the trade with Africa.

The great effects which must immediately result to Portugal from all these changes, it is easy to foresee; while Brazil, whose productions are sure to find an ample demand in Foreign Markets, although necessarily suffering as part of the great Family, yet, possessing native resources to a greater extent than all the other Co-states of the Monarchy, would be in a less degree than they affected by the immediate abolition of the Slave Trade.

The Treaty best calculated for benefiting Brazil, not only in preference to all the other parts of the Monarchy, but to the material detriment of the particular interests of each of them, is that of the 19th February 1810. From this Treaty the commerce of Portuguese Asia has suffered the most decisive injury, by the introduction of Merchandize, not only of British produce, but of British importation, in whose presence the productions of the industry of Portugal, as well as the efforts of her Merchants, could not fail to succumb, as events have proved them to have done in every part.

The commerce of Africa, by the very agreement for the future abolition of the Slave Trade, and the more advantageous employment of its industry and capital on the Continent of Brazil, has resisted all the attempts made at various times by the Government, in order to direct it into a channel less subject to those contingencies, which all persons of sense already foresaw the Traffick in Slaves about to experience.

As to Portugal, no one is ignorant that the Treaty above-mentioned is the most fatal present which she has received from Brazil, to her industry and commerce, without the smallest benefit accruing therefrom to her agriculture.

It is not the Portuguese Nation which shall at any time attempt, by

means of inferences, to escape from the fulfilment of Treaties contracted by her former Government with any Foreign Powers, under the shadow of good faith and the invariable principles of the Right of Nations. But, if Great Britain, by having a recourse to principles, shall claim to invalidate any of the Treaties subsisting between the Two Crowns, because contracted under circumstances which are now found to be essentially altered, and to consider as null and void those framed in favour of Brazil, because she considers the actual state of that Country to render them inapplicable; the Portuguese Nation will never consent that this distinction between Treaty and Treaty shall be arbitrary. If it be contended on these principles that one Treaty shall fall to the ground, all Treaties must fall to the ground.

Such is the firm and decisive declaration which the Undersigned has received the commands of His Most Faithful Majesty to communicate to the Chargé d'Affaires of His Britannick Majesty, in answer to the declaration which he addressed to His Majesty, on the part of his Government, through the hands of the Undersigned.

(Signed)

SILVESTRE PINHEIRO FERREIRA.

E. M. Ward, Esq.

&c. &c. &c.

No. 13.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received January 4, 1823.)

(Extract.)

Lisbon, December 18, 1822.

SINCE writing my other Despatch of this date, I have received a Note from Signor Silvestre Pinheiro, in which he proposes to sign the Articles which I had presented, together with another, being in substance one which would regulate the point as to the succession to the arbitration, in the event of the death or incapacity of the Arbitrator named, previous to his having pronounced his opinion;—he wishing that in that event fresh lots should be drawn.

It was so late when I received this Note and its Inclosure, which are somewhat long, that I have not been able to prepare a translation in time to send home, and as another packet is to sail in three days, I do not think it necessary to detain the present one.

(Signed)

E. M. WARD.

The Right Hon. George Canning,

&c. &c. &c.

No. 14.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received January 3, 1823.)

(Extract.)

Lisbon, December 23, 1822.

I HAVE herewith the honour to submit to you a translation of the Note addressed to me by Signor Pinheiro, inclosing the Counter-project of three Articles additional to the Slave Trade Convention of 28th July 1817, in consequence of the proposal, which, by your directions, I made to him upon that subject.

The first Article is in conformity with the draft inclosed in your Despatch, the second is somewhat different, and the third goes to determine the course to be adopted in the event of a Judge Arbitrator dying or becoming incapacitated, before the questions which he may have been chosen to give his opinion on, have been decided.

Mr. J. B. Rademaker, to whom Mr. Pinheiro referred me, said, on my proposing to sign the two first Articles, and to submit the third to His Majesty's Government for their approbation, that he was only instructed to sign the three together,

(Signed) E. M. WARD.

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

(Inclosure in No. 14.)

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

(Translation.)

Lisbon, December 17, 1822.

THE Undersigned, &c. having laid before His Majesty the wish expressed by Mr. Ward, &c. that this Government should propose the additional Article, appearing to be a necessary Supplement to the Convention of July 28, 1817, concerning the nomination and attributes of the Commissioners-substitute, as well as the apprehension manifested by the said British Chargé d'Affaires, lest the delaying to sign the other Article, likewise additional, already discussed and agreed upon with Mr. Thornton, should seem to indicate a change of sentiment on the part of the Portuguese Ministry;— His Majesty has been pleased to authorise the Undersigned, not only to present to Mr. Ward the additional Articles relative to the Cases omitted, concerning the substitution of incapacitated Commissioners, but also to declare to him, that if his Court appeared to hesitate in adding to the Convention of 1817, a new Article relative to the proceedings hereafter to be held with ships employed in the Traffick of Slaves, it was not, as the Undersigned has already most expressly declared to Mr. Ward, in the Note which he had the honour to address to him on this subject, under date of the 23d ultimo, because the smallest doubt occurred to the Government of His Majesty in assenting to that addition; but because Mr. Ward, having declared to this Court, in his Note of the 15th of the same month, that Great Britain considered that Convention to be *ipso facto* abrogated by the separation considered by her as realized between the Portuguese States beyond the Sea, and those which in Europe are governed by the August House of Braganza, it seemed inconsistent that an Article should be signed in addition to that very Convention which one of the High Parties had declared to be abrogated.

Nevertheless, as His Majesty's Government on their part felt that they could not agree to the principles on which that declaration is founded, and as they hope that the British Cabinet will reduce its former proposition to those terms which the Undersigned did not hesitate to acknowledge, in the Answer upon this most important subject, which he had the honour to address to Mr. Ward, under date of the 12th instant; His Majesty determined, that, in order to remove every appearance of departure from the sentiments constantly professed by this Court towards the British Nation, a Negotiator should be appointed, and he has actually been appointed by Him, in order to conclude and sign, conjointly with Mr. Ward, all the before-mentioned additional Articles: and the Undersigned has the satisfaction to communicate to Mr. Ward, that to this end, Full Powers have been given to the Chevalier Jose Bazilio Rademaker, Senior Clerk in this Foreign Office, who, in conformity with his instructions, will have the honour to confer with him, for the purpose of adjusting and concluding the subjects in question, in the manner most conformable to the generous and liberal principles of both Governments.

The Undersigned has accordingly the honour to inclose to Mr. Ward a draft of the above-mentioned additional Articles, which is to serve as a basis for the aforesaid Negotiation.

The Undersigned, in affording to Mr. Ward this fresh proof of the earnest desire of His Majesty's Government to correspond to the nobleness and loyalty which characterise the British Nation, has the honour, &c.

(Signed) SILVESTRE PINHEIRO FERBEIRA.

E. M. Ward, Esq.

&c. &c. &c.

Second Inclosure in No. 14.

(Translation.)

Portuguese *Contre Projet* of Additional Articles to the Convention between His Most Faithful Majesty and His Britannick Majesty, for the prevention of the illegal Traffick in Slaves,—signed at London, July 28, 1817.

ARTICLE I.

WHEREAS it is stipulated in Article I. of Instructions intended for the Portuguese and British ships of war, employed to prevent the illicit Traffick in Slaves, that “ships on board of which no Slaves shall be found, intended for purposes of traffick, shall not be detained on any account or pretence whatsoever.”—And whereas it has been found by experience, that vessels employed in the illegal traffick, have momentarily unshipped their Slaves, immediately prior to their being visited by ships of war, and that such vessels have thus found means to evade forfeiture, and have been enabled to pursue their unlawful course with impunity, contrary to the true object and spirit of the Convention above-mentioned :

The Two High Contracting Parties feel it necessary to declare, and it is hereby declared by them, that if there shall be clear and undeniable proof that a Slave or Slaves has, or have, been put on board a vessel, for the purpose of illegal traffick, in the particular voyage on which the vessel shall be captured, then, and on that account, according to the true intent and meaning of the stipulations of the Convention, such vessel shall be detained by the Cruizers, and finally condemned by the Commissioners.

ARTICLE II.

Whereas no provision is made in the Convention of July 28th 1817, for supplying the vacancies occurring in the Commissions from any other cause than death, this being the only case mentioned in the fourteenth Article of the Regulation for the Mixed Commissions, annexed to the said Convention;—the Two High Contracting Parties hereby agree, that, whatever be the cause of incapacity of any of the Commissioners, his Place shall be supplied in the same form and manner in which, by the fourteenth Article of the Regulation aforesaid, a vacancy occurring by death is to be supplied.

ARTICLE III.

And whereas, it being agreed in the third Article of the said Regulation, that in the event of the two Commissary Judges not agreeing on the sentence they ought to pronounce, they shall draw by lot the name of one of the two Commissioners of Arbitration, and that the sentence shall be pronounced conformably to the opinion of the majority of the above-mentioned Commissary Judges, and the above mentioned Commis-

sioner of Arbitration: yet it is not declared, whether, in case of the de-
 cease or incapacitation, from whatever cause, of the said Commissioner of
 Arbitration, thus designated by lot for the said purpose, his Successor in the
 Office shall also succeed to him in the object which he was about to decide
 by forming the aforesaid majority,—or whether lots shall again be drawn
 between him and the other Commissioner of Arbitration, in the same man-
 ner that had been practised with his Predecessor: Their Majesties have
 agreed in declaring, that the succession in this case shall be determined
 only as to the Office, and that after he shall have been installed therein,
 lots shall be drawn between him and the other Commissioner of Arbi-
 tration, in the manner practised with his Predecessor.

These three additional Articles of the said Convention shall have the
 same force and effect as if they were inserted therein word for word, and
 shall be held to form part of the same.

In witness whereof, the Undersigned, furnished with Full Powers to
 that effect, have signed these additional Articles, and have thereunto
 affixed the Seal of their Arms.

Done at the day of 182

(Signed)

(Signed)

(L. S.)

(L. S.)

No. 15.

Joseph Planta, jun. Esq. to E. M. Ward, Esq.

SIR,

Foreign Office, December 26, 1822.

I AM directed by Mr. Secretary Canning to refer you to the subject
 of his Despatches of the 30th of September,* relative to the proposed
 additional Articles to our Slave Trade Treaty with Portugal, and to
 acquaint you that intelligence has been received from His Majesty's
 Minister at Madrid, stating that two Articles, similar to those above referred
 to, have been signed by the Spanish Minister; and also from His Ma-
 jesty's Ambassador at the Court of the Netherlands, stating that they
 have been likewise accepted by His Netherlands Majesty's Government.
 Mr. Secretary Canning is, in consequence, very anxious to hear that your
 Negotiations with the Government of His Most Faithful Majesty on this
 subject have been attended with satisfactory results.

I am, &c.

E. M. Ward, Esq.

(Signed)

JOSEPH PLANTA, JUN.

&c. &c. &c.

* See Netherlands, Nos. 10 and 11.

No. 16.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, January 22, 1823.

I HAVE received your Despatch of the 23d of December last, in-
 closing Mr. Pinheiro's counter-project of three additional Articles to the
 Slave Trade Convention of the 28th of July 1817.

His Majesty's Government are sorry to perceive that the Court of Por-
 tugal objects to sign the two Articles proposed by this Country, unless
 another Article is added to them, stipulating, that, in the case of a va-
 cancy occurring in the arbitration, pending the judgment of a cause by
 the Arbitrator of either Nation, lots should again be drawn to determine
 whether the Arbitrator of the other Nation should not decide the cause.

The Court of Spain, as the Portuguese Government are aware, have already consented to sign the two first-mentioned Articles without any condition; the Court of the Netherlands have done the same. His Majesty's Government hope, therefore, that the Portuguese Government, upon further consideration, will not determine to stand alone in the rejection of them; but will concur with the Courts of Spain and the Netherlands in admitting an addition to the Treaty so entirely accordant with the spirit in which it was concluded. The third proposed Article stands on so different a ground that it must be reserved for separate consideration.

I am, &c.

E. M. Ward, Esq.
&c. &c. &c.

(Signed) GEORGE CANNING.

No. 17.

Henry Chamberlain, Esq. to Mr. Secretary Canning.—(Received April 17.)

SIR,

Rio de Janeiro, January 25, 1823.

I BEG leave to forward, inclosed, a List of the number of Slaves imported into this Port during the year 1822, shewing that out of thirty-one thousand two hundred and forty embarked, three thousand four hundred and eighty-four died on the passage, and twenty-eight thousand two hundred and forty-six were landed.*

Five of the vessels named in the List, viz :

Desengano	..... with	.....	320 Slaves
Toninha	..... —	.....	256 —
Bom Fim	..... —	.....	333 —
Victoria	..... —	.....	100 —
Estrella	..... —	.....	79 —

came from Bahia, and the whole of their cargoes were believed to consist of Negroes from the Gold Coast, although it would be difficult to prove it.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN.
&c. &c. &c. Consul General.

* See Note at the end of the List.

(Inclosure in No. 17.)

List of Slaves imported from the Coast of Africa into Rio de Janeiro during the year 1822.

Date of arrival.	Description.	Name of Vessel.	From whence.	No. embarked.	Died on passage.	No. Land- ed.
1822.						
January 2d	— Ship —	S. José Americano	— Cabinda —	808	58	750
5th	— Brig —	— Golfinho —	— Ditto —	417	—	417
10th	— Ditto —	— Aurora do Cabo —	Moçambique	492	194	298
17th	— Ditto —	— Landoff —	— Ditto —	428	15	413
18th	— Ditto —	— Paquete do Rio —	— Cabinda —	470	10	460
20th	Schooner	— Liberal —	— Zaire —	145	—	145
February 1st	— Brig —	— Amazona —	Moçambique	465	43	422
2d	— Ship —	Conceição Esperança	— Ditto —	389	124	265
6th	— Brig —	— Flor de Lima —	— Angola —	467	60	407
11th	— Ditto —	— Esperança —	Benguella	431	29	402
14th	— Ditto —	— Triunfo do Brazil —	Moçambique	532	131	401
15th	— Ditto —	— Senhor da Guia —	Quelemane	529	93	436
19th	Schooner	— Maria Thomasia —	— Angola —	470	60	410
20th	— Brig —	— Ulysses —	Moçambique	631	213	418

Date of arrival.	Description.	Name of Vessel.	From whence.	No. embarked.	Died on passage	No. Landed.
1822.						
February 20th	— Brig —	— Trajano —	— Cabinda —	462	2	460
22d	— Ditto —	— Zephiro —	— Quelemane —	504	21	483
23d	— Ditto —	— Mercurio —	— Benguella —	420	36	384
24th	Schooner	— Leopoldina —	— Quelemane —	481	33	448
26th	— Ditto —	— Marianna —	— Moçambique —	520	140	380
March 2d	— Brig —	— Minerva —	— Quelemane —	487	12	475
5th	Schooner	— Principe Regente —	— Cabinda —	681	17	664
2d	— Brig —	— Principe Real —	— Benguella —	334	—	334
9th	— Ship —	— Vinte seis de Fevereiro —	— Moçambique —	623	127	496
12th	— Brig —	— Abismo —	— Angola —	305	66	239
14th	— Ditto —	— General Sampayo —	— Ditto —	465	113	352
26th	— Ditto —	— General Silveira —	— Quelemane —	460	54	406
—	— Ditto —	— Conde dos Arcos —	— Ditto —	477	52	425
—	— Ditto —	— Mariana Daphne —	— Angola —	479	104	375
27th	— Ship —	— Feliz Eugenia —	— Moçambique —	672	217	455
—	— Brig —	— Dezengano —	— Bahia —	320	—	320
April 16th	— Ship —	— So. Antonio Destimido —	— Angola —	747	228	519
18th	— Ditto —	— Maria —	— Cabinda —	448	69	379
—	— Brig —	— Santa Roza —	— Ditto —	313	22	291
23d	— Ditto —	— Senhora do Baluarte —	— Quelemane —	418	215	203
29th	— Ditto —	— Vulcano —	— Loanda —	390	28	362
May 4th	— Ditto —	— Conceição e Passos —	— Angola —	450	49	400
8th	— Ditto —	— Reino do Brazil —	— Benguella —	425	37	388
June 6th	— Ditto —	— Gram Penedo —	— Cabinda —	459	27	432
—	Schooner	— Urania —	— Angola —	302	34	268
7th	— Ship —	— Amalia —	— Ditto —	760	153	607
—	— Ditto —	— Sa. Anna Flor de Loanda —	— Cabinda —	545	11	534
26th	— Brig —	— Ligeiro —	— Benguella —	408	18	390
27th	Schooner	— Toninha —	— Bahia —	256	—	256
July 20th	— Brig —	— So. Joze Deligente —	— Cabinda —	428	—	428
22d	— Ditto —	— Bom Fim —	— Bahia —	333	—	333
25th	— Ship —	— Mercantil —	— Angola —	733	38	695
August 19th	— Brig —	— Victoria —	— Bahia —	100	—	100
—	— Ditto —	— Seis de Fevereiro —	— Artibrix —	467	1	466
September 3d	— Ship —	— Flor do Brasil —	— Angola —	655	83	572
5th	— Brig —	— Cacador —	— Ditto —	595	60	535
9th	— Ditto —	— Tejo —	— Ditto —	472	96	376
24th	— Ditto —	— Adamastor —	— Benguella —	525	1	524
—	Schooner	— Estrella —	— Bahia —	79	—	79
30th	— Brig —	— Marquez de Pombal —	— Benguella —	300	2	298
—	— Ditto —	— Victoria —	— Ditto —	100	—	100
October 4th	— Ditto —	— General Rego —	— Angola —	515	48	467
21st	— Ditto —	— Poliphemo —	— Cabinda —	438	4	434
22d	— Ditto —	— Trajano —	— Benguella —	410	3	407
30th	— Smaek —	— Bella Americana —	— Cabinda —	351	—	351
November 1st	— Brig —	— Golfinho —	— Cabinda —	470	—	470
4th	— Ditto —	— Paquete do Rio —	— Ditto —	499	4	495
5th	— Ditto —	— Esperança —	— Angola —	535	13	522
14th	— Ditto —	— Ditto —	— Benguella —	431	6	425
30th	— Ditto —	— Imperador Feliz —	— Angola —	617	76	541
December 3d	— Ditto —	— Aurora do Cabo —	— Quelemane —	497	45	452
8th	— Ditto —	— Triunfo do Brasil —	— Cabinda —	338	3	335
18th	— Ditto —	— Africano Constitutional —	— Quelemane —	639	49	590
28th	— Ditto —	— Conceicao e Passos —	— Angola —	451	30	421
—	— Ditto —	— Pastora de Lima —	— Benguella —	467	7	460
Total,				31240	3484	28246

Note. By a Return subsequently received from Mr. Commissioner Hayne, the Numbers are stated as follows:—

Embarked	31240
Died on Passage	3456
Landed	27784

No. 18.

Henry Chamberlain, Esq. to Mr. Secretary Canning. — (Received April 30.)

SIR,

Rio de Janeiro, February 20, 1823.

I HAVE the honour to transmit you the inclosed Returns, which I have received from Mr. Consul Pennell, of the number of Slaves imported into Bahia during the year 1822.

The first vessel on the List is openly stated to have come from the Gold Coast.

I have the honour to be, &c.

(Signed) H. CHAMBERLAIN.

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

(First Inclosure in No. 18.)

A Return of the Number of Slaves imported into Bahia, from 1st January to 30th June 1822.

Date of Arrival.	Description of Vessel.	Name.	Captain.	Whence.	No. of Negroes.			Observations.
					Embarked.	Dead.	Landed.	
1822.								
Jan. 1st	Brig	Santa Anna	—	Coast of Mina	228	12	216	The greater portion of these Slaves are supposed to be imported from those parts of Africa prohibited by the Treaty. Was boarded in lat. 2.4. N. by an Insurgent Privateer, who took 200 Slaves from her.
17th	Smack	Sacramento	—	Molembo	201	5	196	
19th	Ditto	Alegria	—	Ditto	170	2	168	
30th	Ditto	Luzitania	—	Ditto	173	8	165	
—	Ditto	Rosalia	—	Ditto	152	6	146	
Feb. 8th	Brig	Desengano	—	Ditto	372	18	354	
Mar. 1st	Ditto	Bom Fim	—	Ditto	70	13	57	
—	Ditto	Victoria	—	Ditto	421	9	412	
4th	Ditto	Paquete da Bahia	—	Cabinda	397	7	300	
14th	Ditto	Vigilante	—	Molembo	430	0	230	
16th	Ditto	Uniao	—	Ditto	371	16	355	
Apr. 5th	Schooner	Bella Estrella	—	Ditto	43	3	40	
11th	Smack	Fé	—	Ditto	48	0	48	
13th	Ditto	Americana	—	Ditto	47	3	44	
—	Schooner	Lucrecia	—	Angola	304	14	290	
15th	Smack	Avoador	—	Molembo	94	0	94	
27th	Ship	Cisé	—	Ditto	419	10	409	
May 16th	Brig	Maria da Gloria	—	Ditto	395	14	381	
22d	Smack	Toninha	—	Ditto	263	12	251	
23d	Brig	Zefiro	—	Ditto	380	23	357	
					4888	175	4513	

(Signed) W. PENNELL.

(Second Inclosure in No. 18.)

A Return of the Number of Slaves imported into Bahia, from 1st July to 31st December, 1822.

Date of Arrival.	Description of Vessel.	Name of Vessel.	Captain.	Whence.	No. of Negroes.			Observations.
					Em-bark-ed.	Dead.	Land-ed.	
1822								
July 14th	Smack	Sacramento	Joze Joaquin Vellozo	Molembo	198	13	185	The greater portion of these Slaves are supposed to be imported from those parts of Africa prohibited by the Treaty.
26th	Ditto	— S. Yqao —	— Joao Sabino —	Ditto	168	8	160	
	Schooner	— Sa. Estrella —	Cosme Joze Rodrigues	Ditto	179	9	170	
Sept. 21st	Ship	— Vigilante —	Joa. Miz da Costa	Ditto	246	3	243	
Oct. 19th	Smack	— Alegria —	— Joa. Maurino —	Angola	332	17	315	
29th	Brig	— Conceicao —	— Manoel Joaquim —	Molembo	365	13	352	
Nov. 9th	Smack	— Afra —	Pascoal de Sza Neves	Ambris	186	4	182	
11th	Brig	— Amazona —	Martinho Je Baptista	Molembo	226	0	226	
15th	Schooner	— Uniao —	Marcelin Alz. da Crus	Ditto	297	0	297	
23d	Brig	Maria da Gloria	Joao J da Foncea	Ditto	389	8	381	
24th	Ditto	Divina Providencia	Joao Bapta. Coelho	Ditto	178	5	173	
30th	Schooner	— Constitucao —	Joaquim Luis de Araujo	Ditto	264	1	263	
Dec. 4th	Smack	— Lusitania —	Miguel Ant. Neto	Ditto	196	0	196	
					322	31	3143	

(Signed)

W. PENNELL.

No. 19.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, March 21, 1823.

IN reference to the Communications on which you have been instructed to address the Government of His Most Faithful Majesty, respecting the Traffick in Slaves, carried on at the Portuguese Settlement of Princes Island; I now furnish you with a copy of a Despatch, dated the 10th of September 1822, from His Majesty's Commissioners at Sierra Leone, and of its Inclosure, stating the case of the *San José Xalaca*, captured in the attempt to supply the market of Prince's island with Slaves.—Slaves are thence distributed with impunity to other parts of the Portuguese Dominions, in evasion of the restrictive provisions of the Treaty between Great Britain and Portugal.

You will, in communicating the purport of these Papers to the Portuguese Government, urge them to send out orders, which, by providing for the severe punishment of the Offenders, shall be effectual in deterring them from these nefarious practices. I am, &c.

E. M. Ward, Esq.
&c. &c. &c.

(Signed) GEORGE CANNING.

No. 20.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received April 15.)

(Extract.)

Lisbon, March 25, 1823.

I HAVE now the honour to send home the two additional Articles to the Slave Trade Convention between Great Britain and Portugal, of the 28th

of July 1817, which, in virtue of the Full Powers with which His Majesty was graciously pleased to invest me, I have negociated and signed with the Plenipotentiary named on the part of His Most Faithful Majesty.

The small deviations which you will remark in them from the original Drafts forwarded to me for my instruction, will not, I trust, be disapproved by The King. They were admitted by me as unimportant in comparison with the delay which my opposing them might occasion. I took upon myself to add the words "of either sex" when speaking of Slave or Slaves, on account of the ambiguity which might arise from the use of the Portuguese word "Escravo."

The Right Hon. George Canning, (Signed) E. M. WARD.
&c. &c. &c.

No. 21.

E. M. Ward, Esq. to Joseph Planta, jun. Esq.—(Received April 26.)

SIR,

Lisbon, April 12, 1823.

I HAVE the honour herewith to forward the answer which the Portuguese Secretary of State returned to the representation founded on Mr. Canning's Despatch of September 30th, which I addressed to him.

I have the honour to be, &c.

Joseph Planta, jun. Esq.
&c. &c. &c.

(Signed) E. M. WARD.

(Inclosure in No. 21.)

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

(Translation.)

Lisbon, November 26, 1822.

THE Undersigned, &c. having received the two Notes addressed to him by Mr. Ward, &c. dated the 31st ultimo, and 3d instant, relative to the abuses committed in the Traffick of Slaves by the Portuguese ships *Conde de Villa Flor, Desengano, and Toninha*; abuses in which even some of the Constituted Authorities appear to have participated, proceeded, in consequence of the orders of His Majesty, before whom the said Notes were immediately laid, to such enquiries, by means of persons actually residing in this City, as might better enable the Undersigned to answer Mr. Ward concerning the facts therein set forth.

These preliminary steps not being, however, sufficient to obtain the desired information, orders have been issued for a more circumstantial investigation in the very Places where the facts were committed; whilst the most positive injunctions have been given, not only to the publick Authorities, but also to all Portuguese Subjects established in those Parts, to obey, with the most scrupulous exactness, the Treaties existing between the Two Crowns, as far as each is concerned. In the mean time the Undersigned can assure Mr. Ward, for the information of his Government, that His Most Faithful Majesty will not suffer even the most insignificant of the Stipulations agreed upon between the Two Crowns to be infringed with impunity, being assured that this is the only means for insuring a continuance of the good faith and harmony happily subsisting between them, and which the Portuguese Government considers as the strongest guarantee of the prosperity of these Kingdoms.

The Undersigned seizes, &c.

(Signed) SILVESTRE PINHEIRO FERREIRA.

E. M. Ward, Esq.
&c. &c. &c.

No. 22.

Mr. Secretary Canning to E. M. Ward, Esq.

(Extract.)

Foreign Office, April 17, 1823.

HIS Majesty has seen with satisfaction that you have concluded and signed with the Portuguese Government the two additional Articles to the Slave Trade Treaty of the 28th of July 1817. His Majesty's Ratifications of these Articles will be forthwith prepared and transmitted to you, to be exchanged against those of The King of Portugal; and I have to signify to you His Majesty's gracious approbation of your conduct in this transaction.

(Signed) GEORGE CANNING.

E. M. Ward, Esq.
&c. &c. &c.

No. 23.

E. M. Ward, Esq. to Mr. Secretary Canning.— (Received May 11.)

(Extract.)

Lisbon, May 2, 1823.

I AM happy to find that the alterations from the original Draft of the Slave Trade Articles, which were agreed to by me, have received His Majesty's most gracious approbation; for the honour conferred upon me, by the signification of which, through you, in your Despatch of the 17th of April, I feel duly grateful.

The Cortes having separated without approving them, The King's Ratification cannot yet be given; however, they are summoned extraordinarily for the 15th of this month.

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

(Signed) E. M. WARD.

No. 24.

E. M. Ward, Esq. to Mr. Secretary Canning.—(Received May 11.)

SIR,

Lisbon, May 2, 1823.

I HAVE the honour to acquaint you that, in obedience to your commands, conveyed in your Despatch of the 21st of March, I addressed a representation, of which the inclosed is a copy, on the subject of the Portuguese sloop, *Xalaca*, engaged in the illegal Traffick in Slaves on the Coast of Africa, to the Minister for Foreign Affairs, whose answer I have likewise the honour to annex.

I have the honour to be, &c.

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

(Signed) E. M. WARD.

(First Inclosure in No. 24.)

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

Lisbon, April 24, 1823.

The Undersigned, &c. has received the orders of his Government to address His Excellency, Signor Silvestre Pinheiro Ferreira, &c. in order to press upon the consideration of His Most Faithful Majesty's Governmen

the expediency of applying some check to the malpractices carried on under the Portuguese flag, by the illegal Slave-traders of Princes Island.

The necessity that some check should be put to the Slave Trade in that quarter, is now rendered more evident by the case of the schooner-boat, *San José Xalaca*, an abstract of which the Undersigned has the honour to inclose herewith.

This vessel belonged to Princes, and was owned by a relative of one of the principal Persons of the Island; the same who was engaged in the expedition of the schooner, *Conceição*, that was detained and condemned in the year 1821, for a breach of the Convention.

The *San José Xalaca* cleared out from Princes for Cabinda; but went direct for Calabar River, where she took in thirty Slaves.

The miseries attendant on this traffick are exemplified by the present case. It would appear that the system by which the illicit Slave Trade is pursued by the people of Princes Island, is to send small vessels to the large rivers in the vicinity of the Island, these vessels being more likely to escape detection, and to be more readily supplied with Slaves to feed the market at Princes. Such were the vessels detained by Sir George Collier in the year 1819; such the noted *Nova Felicidade*; such the *Conceição*, and *Defensora da Patria*. Accommodation on board these vessels there cannot be any; and when the voyage happens to be in the least protracted, as in the case of the *Nova Felicidade*, and as in the present case, from unfavourable weather, and from the ignorance and unskilfulness of the Masters, the consequence to the Slaves must be a state of extreme suffering. Although the distance betwixt Princes and the entrance of the Calabar, be only such as may be passed in five or six days in favourable weather, the *San José Xalaca* was six weeks at sea, after leaving the Calabar, and ten Slaves perished absolutely through hunger and thirst.

The British Commissioners at Sierra Leone entertain an opinion that the most effectual method of opposing the iniquitous traffick at Princes Island, would be by adopting some mode by which convicted Slave-dealers might be sent to a Portuguese Settlement, in order to their trial and transportation to Mozambique, the traffickers at Princes, when brought to Sierra Leone, shewing great dread of being transported to the Eastern Possessions of the Crown of Portugal in Africa.

The necessity of a strict enforcement of the penalties of the Alvará prohibiting the Slave Trade to the North of the Equator, is evident; and the Undersigned hopes and trusts that the Government of His Most Faithful Majesty will send out orders, which, by providing for the severe punishment of the Offenders, shall be effectual in deterring them from the nefarious practices complained of.

He has the honour, &c.
 Signor Silvestre Pinheiro Ferreira, (Signed) E. M. WARD.
 &c. &c. &c.

(Second Inclosure in No. 24.)

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

(Translation.)

Lisbon, April 26, 1823.

THE Undersigned, &c. has received and laid before The King the Note addressed to him by Mr. Ward, &c. dated the 24th instant, inclosing an abstract of the case of the schooner *San José Xalaca*, belonging to Princes Island, and captured by the *Thistle*, brig of war, for Trafficking in Slaves to the North of the Equator. And the Undersigned has received

orders to signify to him the great displeasure of His Majesty at the infractions of the Convention of the 28th July 1817, and that the Minister of Justice has been commanded to cause proceedings to be had against the delinquents with all the rigor of the Laws.

The Undersigned renews, &c.

(Signed) SILVESTRE PINHEIRO FERREIRA

E. M. Ward, Esq.
&c. &c. &c.

No. 25.

Mr. Secretary Canning to E. M. Ward, Esq.

SIR,

Foreign Office, May 24, 1823.

IN reference to my former instructions to you on the subject of the illegal Traffick in Slaves carried on by the subjects of Portugal, I forward to you, herewith, the copy of a Despatch which I have received from His Majesty's Commissioners at Sierra Leone on this subject.

From these Papers it appears that the Portuguese Authorities, notwithstanding the repeated engagements of their Government to the contrary, still continue to insert in the passports granted to vessels trading in Slaves, permission to call at the Cameroons, St. Thomas's, and Princes Island.

This pretence of a legal commerce to the North of the Line, is in reality incompatible with a Slave-trading voyage to the Stations, South of the Line, in which that trade is permitted to Portuguese subjects:—the real object such a permission can have, is to afford facility to illegal Slave Trade to the North of the Line.

In calling the attention of the Portuguese Government to these facts, and their consequences, I have to desire that you will use your utmost endeavours to impress upon them the urgent necessity of their putting a stop to these, and to other, flagrant violations of the solemn engagements which The King of Portugal has entered into with His Majesty.

As a more effectual precaution against this illicit traffick, I am to desire you will also endeavour to prevail upon them to adopt the measure suggested in the Postscript to my Despatch of the 31st of October 1822, of taking Bonds to a large amount from the Owners of vessels to whom passports may be granted to trade in Slaves to the Southward of the Line; the amount thereof to be forfeited to the Government, if the vessel be found trading to the Northward.

I am, &c.

E. M. Ward, Esq.
&c. &c. &c.

(Signed) GEORGE CANNING

(*Memorandum.*)

BY a private Letter, addressed by Mr. Ward to Mr. Planta, and dated the 21st of June, it appears, that (owing, probably, to the occurrences which had taken place at Lisbon,) the Ratifications of the Additional Articles to the Convention of the 28th of July 1817, had not yet been exchanged.

CORRESPONDENCE

WITH OTHER

FOREIGN POWERS,

RELATING TO

THE SLAVE TRADE.

FRANCE.

No. 1.

Sir Charles Stuart to The Marquess of Londonderry.—(Received March 10.)

(Extract.)

Paris, March 7, 1822.

SINCE the anxiety of His Majesty's Government to bring about an effectual abolition of the Slave Trade, has rendered the measures which are expedient for that purpose, the subject of much deliberation among the French Ministers, the communications of the several Associations formed in Great Britain and the United States for that object, press so strongly for an immediate interference on the part of the French Legislature, that it is probable, if the French Ministers do not come to the determination of adopting the suggestions of my Court, the Chambers will again take the initiative in the consideration of this question.

I have told The Vicomte de Montmorency that, if the Ministers should take the question into their own hands, they will avoid the bad effect which must inevitably arise from making the abolition a mere Party affair, and that I shall look forward with greater certainty to the attainment of the object which has so long, and so eagerly, been demanded, while, in the contrary alternative, a repetition of the disappointment must be expected, to which the Petitions brought forward on this subject have, in former years, given rise. Though His Excellency has not contested the justice of my reasoning, I have not been able, hitherto, to obtain from him any thing farther than a renewal of the assurances, contained in the Official Letter, sent home in my Despatch of the 7th ultimo.

(Signed)

CHARLES STUART.

The Marquess of Londonderry, K. G.

&c. &c. &c.

No. 2.

Sir Charles Stuart to The Marquess of Londonderry.—(Received April 4.)

(Extract.)

Paris, April 1, 1822.

I HAVE the honour to acquaint Your Lordship that a motion, by The Duke de Broglie, respecting the abolition of the Slave Trade, was brought forward in the Chamber of Peers on Thursday last, in the form of a proposition that an Address should be carried up to the Throne, requesting, in compliance with the Engagements contracted under Treaties with Foreign Powers, that the new Laws may be enacted which His Majesty deems necessary to prevent this traffick.

The opposition to this motion was founded principally upon the informality of an Address brought forward in an indefinite shape, an argument of which the adversaries to the measure appeared extremely anxious to take advantage; and, after some discussion, they succeeded in carrying a motion for an adjournment by a large majority.

(Signed) — CHARLES STUART.

The Marquess of Londonderry, K. G.
&c. &c. &c.

No. 3.

Sir Charles Stuart to The Marquess of Londonderry.—(Received April 7.)

(Extract.)

Paris, April 4, 1822.

THE Chamber of Deputies on Monday began the examination of the expense of the Marine and Colonies. M. Benjamin Constant availed himself of the opportunity to call the attention of the Chamber to the representations which have been received respecting the continuation of the Slave Trade, and though he was answered by the Minister of the Marine, and by M. Lainé, they appeared anxious to avoid committing the interests of the Government, by proposals in the Chamber which are likely to fail, rather than desirous to check the evil which is admitted on all sides to exist.

(Signed) CHARLES STUART.

The Marquess of Londonderry, K. G.
&c. &c. &c.

No. 4.

Sir Charles Stuart to The Marquess of Londonderry.—(Received April 11.)

(Extract.)

Paris, April 8, 1822.

I WAITED until the termination of the discussion in the Chamber of Deputies, upon the expenses of the Colonial Department, had given me a full conviction that it is not the intention of the French Ministers to bring forward any proposition this Session, which is calculated to remedy the defects in the French Laws for the abolition of the Slave Trade, before I resolved to carry into effect the instructions contained in Your Lordship's Despatch of the 26th ult. which reached me on Monday last.

It was not till yesterday that I spoke to The Vicomte de Montmorency on the subject, when the same representations on both sides, which have been

detailed upon many similar occasions in the course of my correspondence, were again repeated. I therefore determined to carry to His Excellency's knowledge the facts detailed in Your Lordship's Letter, by compressing the whole into the shape of the official Note, of which I have the honour to inclose a copy.

(Signed)

CHARLES STUART.

The Marquess of Londonderry, K. G.

&c.

&c.

&c.

(Inclosure in No. 4.)

Sir Charles Stuart to The Vicomte de Montmorency

SIR,

Paris, April 7, 1822.

A SUCCESSION of fresh outrages renders it again my duty to observe to Your Excellency, that the pledge given to His Britannick Majesty by The King of France for the effectual abolition of the Slave Trade, remains unredeemed.

At a moment when the enactments of the American and Spanish Legislatures have shewn the cordial inclination of those Nations, to concur in measures for the attainment of an object so important to humanity, the official advices received by His Britannick Majesty's Government from Sierra Leone, dated in January, prove that this detestable traffick still exists in full activity on the African Coast, covered and protected by the flag of France.

During the months of July and August last, the Leeward Coast being visited by British Cruizers, three French Slave-traders, as by the inclosed list, were met with and examined on the Calabar River.

At the same period the River Bonny was found swarming with Slave-traders, and Your Excellency is furnished with a list of the vessels which abused and disgraced the French flag; four having their cargoes on board.

On the line of Coast between Sierra Leone and Cape Mount, one of His Britannick Majesty's vessels, during a cruize only of ten days, fell in with nine French Slave-traders, of which I likewise transmit Your Excellency the names.

Though these facts sufficiently shew Your Excellency the advantage taken of the inadequacy of the Regulations of France, to put a stop to this odious traffick, there are other cases in which particulars cannot be obtained. Accounts of undoubted authority, and of recent date, from the Factory of the Gallinas, state that, in the course of last summer, three Slave-vessels under French colours were lying in that Port; that a large Slave-vessel, fully laden, had sailed from Shevar, under the same flag, ten days before; and that, about the same time, in the river Pongas, a French schooner, M. Dees, Master, took on board ninety-five Slaves, while, besides the ordinary exportation in large vessels, an extensive carrying-trade is kept up with the Cape de Verd Islands, principally by the small craft belonging to Goree and Senegal.

There seems indeed to be scarcely a spot on that Coast which does not shew traces of the Slave Trade, with all its attendant horrors, for the arrival of a Slave-ship in any of the Rivers on the Windward Coast, being the signal for war between the Natives, the hamlets of the weaker party are burnt, and the miserable survivors carried and sold to the Slave-traders.

It is clearly ascertained, by enquiries made on the spot, and on the adjacent Coast, by His Majesty's cruizers, that the number of Slave-cargoes taken out of the River Bonny in the preceding year, amounted actually to one hundred and ninety, and a similar return from the Calabar, for the like period, made a total for that River alone of one hundred and sixty-two.

I have received the express commands of The King, my Master, to address to the Government of His Most Christian Majesty, an urgent representation of these distressing facts, which, if they prove any thing, prove that wherever the French flag appears, protection and impunity are granted to the Slave-trader, and that the abuse of the Laws enacted in France against this traffick, notwithstanding the allegations of the Party disposed to encourage the mischief, afford practical examples of the consequences which must result from this evil, by occasioning encroachments on the Territories of friendly Powers in Africa, and exciting bloody wars among the Natives.

The magnitude of the evil must compel the French Government now to determine, whether they will refuse to execute their Engagements, and sit down under the imputation of being the Power, to whom all those interested in such a cause turn their eyes, as the avowed Protector of this Commerce; or vindicate their character for good faith and humanity in the eyes of the rest of the world, by assimilating their legislation to that of those Countries which have the greatest interest in Maritime and Colonial affairs.

I have the honour to be, &c.

(Signed) CHAS. STUART.

The Vicomte de Montmorency,
&c. &c. &c.

No. 5.

Sir Charles Stuart to The Marquess of Londonderry.—(Received June 13.)

MY LORD,

Paris, June 10, 1822.

I AM to acknowledge Your Lordship's Letter of the 14th of May,* containing copies of the several Papers which have been laid before Parliament upon the subject of the Abolition of the Slave Trade.

The anxiety of The Vicomte de Montmorency to read these Papers induced me to avail myself of an early opportunity to send them to His Excellency, accompanied by the inclosed Note, in which I reminded him, that, since my various communications remain unanswered, he must not be surprised that the interests of France respecting this important subject, are in some degree separated from those of all other civilized Nations.

It is stated in the *Moniteur* of the 8th instant, that proceedings have been instituted by the Colonial Tribunals against individuals who have embarked in this Trade, but the silence of the Government in their communications with me upon the subject, throws a doubt upon these statements, which induces me to hesitate to give to them that credit to which I should otherwise have supposed them to be entitled.

I have the honour to be, &c.

The Marquess of Londonderry. (Signed) CHARLES STUART.
&c. &c. &c.

* Same as Netherlands, No. 4.

(*Inclosure in No. 5.*)

Sir Charles Stuart to The Vicomte de Montmorency.

SIR,

Paris, June 5, 1822.

IN compliance with Your Excellency's wishes, I have the honour to inclose the Papers which have been laid before the British Parliament respecting the Slave Trade.

I cannot but point out that the proofs they afford of a disposition to abolish this traffick on the part of Spain, and of the United States, offer a melancholy contrast to the result of the numerous overtures I have had the honour to address Your Excellency upon this subject. I therefore avail myself of the opportunity, not only to remind your Excellency that my various remonstrances remain unanswered, but that the persevering industry with which the Slave-traders still abuse the protection of the French flag, and the reluctance of the Government to adopt any measure which can check this evil, will, if continued, separate the views and interests of France upon this question from those of all other civilized Nations.

In the hope that the facts stated in these Documents will lead to resolutions which the interests of humanity, not less than the dignity of the French Court require ;

I have the honour to be, &c.

The Vicomte de Montmorency.
&c. &c. &c.

(Signed)

CHARLES STUART.

No. 6.

The Marquess of Londonderry to Sir Charles Stuart.

SIR,

Foreign Office, June 11, 1822.

IN reference to my former Despatches, relative to the Slave Trade carried on under the flag of France, I have the honour to inclose copies of Communications received by the Lords Commissioners of the Admiralty, on the subject of a vessel called the *Auguste*, fitted out at the Mauritius, and employed under the French flag, in carrying Slaves to the Isle of Bourbon. Your Excellency will take a favourable opportunity of communicating the facts stated in these papers, to the Government of His Most Christian Majesty, and of again calling their serious attention to this unpleasant subject.

I am, &c,

(Signed)

LONDONDERRY.

His Excellency Sir Charles Stuart, G. C. B.
&c. &c. &c.

No. 7.

Sir Charles Stuart to The Marquess of Londonderry.—(Received June 27.)

(Extract.)

Paris, June 24, 1822.

IN obedience to the directions contained in Your Lordship's Letter of the 11th instant, I have addressed the communication to The Vicomte de Montmorency which I inclose, pointing out a new infraction of the Law for the abolition of the Slave Trade, in the Island of Bourbon.

This representation has been acknowledged, in the Note I have likewise the honour to inclose, and I have since observed in the publick Papers, that M. Frappas, formerly Captain of His Most Christian Majesty's Goëlette *La Bacchante*, and two other Officers of the same rank, were landed in arrest at Nantes on the 17th, from on board a ship from the Isle of Bourbon, under a suspicion of their participation in this crime.

Notwithstanding repeated remonstrances, I have not hitherto been able to induce the French Ministers to communicate to me, officially, the particulars of the several prosecutions before the French Tribunals, respecting infractions of the Law upon this subject.

(Signed)

CHARLES STUART.

The Marquess of Londonderry, K. G.
&c. &c. &c.

(First Inclosure in No. 7.)

Sir Charles Stuart to The Vicomte de Montmorency.

SIR,

Paris, June 15, 1822.

I HAVE received the instructions of my Government to forward Your Excellency the inclosed Correspondence, relating to several infractions of the Law for the suppression of the Slave Trade, by a vessel under French colours, named the *Auguste*, which appears to be carrying on this traffick between the Isle of Bourbon and the African Coast.

I have the honour to be, &c.

The Vicomte de Montmorency.
&c. &c. &c.

(Signed)

CHARLES STUART.

(Second Inclosure in No. 7.)

The Vicomte de Montmorency to Sir Charles Stuart.

MONSIEUR L'AMBASSADEUR,

Paris, le 20 Juin 1822.

JE me suis empressé de transmettre à M. le Ministre de la Marine les pièces que Votre Excellence m'a fait l'honneur de m'adresser le 15 de ce Mois, et qui sont relatives à différentes infractions aux Loix sur la Traite, qu'elle annonce avoir été commises par un bâtiment portant pavillon Français nommé *l'Auguste*. Je l'ai invité en même tems à faire prendre sur-le-champ des renseignemens sur les faits qui y sont signalés. Aussitôt que le résultat m'en sera connu, je m'empresserai d'en faire part à Votre Excellence.

J'ai l'honneur d'être, &c.

(Signé)

LE VTE. DE MONTMORENCY.

Son Excellence Sir Charles Stuart,
&c. &c. &c.

(Second Inclosure in No. 7.)

The Vicomte de Montmorency to Sir Charles Stuart.

(Translation.)

Paris, June 20, 1822.

I HASTENED to transmit to the Minister of the Marine the documents which Your Excellency did me the honour to address to me on the 15th of this month, relative to several infractions of the Laws for the suppression of the Slave Trade, which they state to have been committed by a vessel under French colours, named the *Auguste*. I have requested him, at the same time, to cause inquiries to be immediately instituted with regard to the facts which are therein detailed. As soon as the result thereof shall be made known to me, I will lose no time in communicating it to Your Excellency.

I have the honour to be, &c.

(Signed)

LE VTE. DE MONTMORENCY.

His Excellency Sir Charles Stuart,
&c. &c. &c.

No 8

The Marquess of Londonderry to Sir Charles Stuart.

SIR,

Foreign Office, June 29, 1822.

I HAVE the honour to transmit to Your Excellency, copy of a Communication received from His Majesty's Consul at Bordeaux, respecting the fitting out at that Port, of two vessels suspected of being intended for the Slave Trade, and I have to refer Your Excellency on that subject to my former Correspondence.

I am, &c.

(Signed)

LONDONDERRY.

His Excellency Sir Charles Stuart, G. C. B.

&c.

&c.

&c.

(Inclosure in No. 8.)

Mr. Consul Scott to The Marquess of Londonderry.

(Extract.)

Bordeaux, June 18, 1822.

IN obedience to my instructions, I have the honour to inform Your Lordship that a brig, called the *Ulysse*, of 285 tons burthen, mounted with six guns, commanded by Captain * * *, and a schooner, called the *Penelope* (formerly the *Mulatta*) of 120 tons burthen, mounted with six guns, commanded by Captain * * *, brother of the Captain of the *Ulysse*, both belonging to * * * * *, established here as a Merchant, have been fitted out in this Port under French colours, and are now about to sail from the river under every appearance of being destined for the Slave Trade.

They are both extremely sharp vessels, not at all calculated to carry merchandize, and are rigged expressly for fast sailing.

(Signed)

H. SCOTT.

The Marquess of Londonderry, K. G.

&c.

&c.

&c.

No. 9.

Sir Charles Stuart to The Marquess of Londonderry.— (Received August 11.)

MY LORD,

Paris, August 8, 1822.

IN obedience to Your Lordship's directions, I have addressed the Note, of which I have the honour to inclose a copy, to the French Government, pointing out the reasons which justify a suspicion that several vessels have lately been fitted out for the Slave Trade, in the Port of Bordeaux.

The accompanying Answer, which reached me two days since, manifests the anxiety of the French Ministers to remedy this evil, and states that orders have been addressed to the different Authorities for that purpose. It would appear, however, if the number of Trials and Condemnations, which The Minister of the Marine asserts, (according to a report which has appeared in

the Paris Journals,) to have taken place, are correctly stated, that the result of their efforts to suppress this commerce, prove that it has increased to an extent, infinitely beyond any calculation I could have permitted myself to bring forward in the year 1814.

I have the honour, &c.

(Signed)

CHARLES STUART.

The Marquess of Londonderry, K. G.
&c. &c. &c.

(First Inclosure in No. 9.)

Sir Charles Stuart to The Vicomte de Montmorency.

SIR,

Paris, July 12, 1822.

I HAVE the honour to inform Your Excellency that a brig, called the *Ulysse*, of 285 tons burthen, mounted with six guns, commanded by Captain * * * and a schooner, called the *Penelope* (formerly the *Mulatta*) of 120 tons burthen, mounted with six guns, commanded by Captain * * *, brother of the Captain of the *Ulysse*, both belonging to * * * * *, established as a Merchant at Bordeaux, have been fitted out in that Port under French colours, and are now about to sail from the river under every appearance of being destined for the Slave Trade.

They are both extremely sharp vessels, not at all calculated to carry merchandize, and are rigged expressly for fast sailing. The Owner of these vessels is well known to have fitted out, and employed successfully, during the last four years, many vessels in the Slave Trade.

I have, &c.

Signed

CHARLES STUART.

The Vicomte de Montmorency,
&c. &c. &c.

(Second Inclosure in No. 9.)

The Vicomte de Montmorency to Sir Charles Stuart.

MONSIEUR L'AMBASSADEUR,

Paris, le 31 Juillet 1822.

PAR sa Lettre du 12 de ce mois, Votre Excellence m'a transmis des renseignements qui lui ont été communiqués sur deux navires Français, l'*Ulysse* et la *Penélope*, commandés par * * * * * armés à Bordeaux, pour être employés, suivant les apparences, à la Traite des Noirs. Je me suis empressé d'inviter M. Le Ministre de la Marine à se faire rendre compte des ces deux Armemens.

Il vient de me repondre que l'Administration Maritime de Bordeaux a été chargée de surveiller, de concert avec le Ministère Public, ces expéditions.

Elles seront l'objet d'une enquête judiciaire, si les preuves de leur culpabilité sont acquises. A défaut de ces preuves, les deux bâtimens suspectés seront signalés aux Autorités des Colonies Françaises pour être l'objet d'une nouvelle surveillance.

Quant à * * * * * indiqué comme devant commander l'un de ces navires, M. Le Ministre de la Marine annonce qu'il vient d'être interdit des fonctions de Capitaine au long cours.

J'ai l'honneur, &c.

(Signé)

LE VTE. DE MONTMORENCY.

Son Excellence Sir Charles Stuart,
&c. &c. &c.

(Second Inclosure in No. 9.)

The Vicomte de Montmorency to Sir Charles Stuart.

(Translation.)

SIR,

Paris, July 31, 1822.

BY your Letter of the 12th instant, Your Excellency acquainted me that you have received information of two French ships, the *Ulysse* and the *Penelope*, commanded by * * * * and fitted out at Bordeaux, to be employed, according to appearance, in the Slave Trade. I hastened to request the Minister of Marine to cause an enquiry to be made concerning these two ships.

He has just informed me that the Maritime Administration of Bordeaux has been ordered, conjointly with the Publick Authorities, to keep a watchful eye over these expeditions.

They will have judicial proceedings instituted against them, if evidence should be obtained of their having transgressed the Law. In default of such evidence, the two suspected vessels will be pointed out to the Authorities in the French Colonies, in order that they may again be watched. As to * * * * who is stated as having the command of one of these vessels, I have been informed by the Minister of Marine that that Officer has just been suspended from his functions, as Captain for long voyages.

I have, &c.

(Signed)

LE VTE. DE MONTMORENCY.

His Excellency Sir Charles Stuart,

&c.

&c.

&c.

No. 10.

The Vicomte de Chateaubriand to Earl Bathurst.

Londres, le 16 Août, 1822.

LE Soussigné, Ambassadeur de Sa Majesté Très Chrétienne près Sa Majesté Britannique, a l'honneur de mettre sous les yeux de Lord Bathurst les faits suivants, dont il a été informé par M. Le Baron Seguier, Consul-Général de France à Londres.

Le bric Français *La Vigilante*, saisi par la croisière Angloise dans la rivière Bonny, sur la Côte d'Afrique, après un combat, où il y a eu du sang versé, est arrivé a Portsmouth : la *Petite Betsy* saisie dans les mêmes circonstances et dans les mêmes parages est entré depuis dans le même Port. Son équipage a été mis à terre sans secours et abandonné à son sort.

La France ne reconnait à aucune Puissance le droit de visiter ses bâtimens. Des sujets de Sa Majesté Très Chrétienne, arrêtés sous le pavillon Français, ne peuvent être sous-traités à leurs Juges naturels, et traduits devant les Tribunaux de La Grande Bretagne. L'Angleterre se plaindroit hautement et avec raison si un navire Français amenait à Brest, pour être jugé d'après les Loix de la France, un bâtiment pris sous pavillon Britannique.

Déterminé par ces considérations, et ayant reçu les ordres les plus positifs de sa Cour, le Soussigné demande officiellement aujourd'hui, que les dits bâtimens arrêtés, soient conduits immédiatement à Cherbourg, où les delinquents seront jugés dans toute la rigueur des Loix de leur Pays.

Le Gouvernement Anglois a plusieurs fois reconnu l'incompétence de sa juridiction dans des cas à peu près semblables à celui dont il s'agit, et

notamment dans l'affaire du navire *Le Louis* :—Il ne sera pas moins équitable dans la circonstance actuelle. Le Soussigné, convaincu que rien ne peut altérer la parfaite intelligence qui regne entre l'Angleterre et la France, attend en toute confiance le resultat le plus satisfaisant et le plus prompt, de la demande qu'il a l'honneur d'adresser à Lord Bathurst.

Il saisit cette occasion, &c.

Le Comte Bathurst,
&c. &c. &c.

(Signé)

CHATEAUBRIAND.

No. 10.

The Vicomte de Chateaubriand to Earl Bathurst.

(Translation.)

London, August 16, 1822.

The Undersigned, His Most Christian Majesty's Ambassador to His Britannick Majesty, has the honour of laying before Lord Bathurst the following facts, which have been communicated to him by Baron Seguier, the French Consul General in London.

The French brig, the *Vigilante*, seized by an English cruizer in the river Bonny, on the Coast of Africa, after a combat in which blood was spilt, is arrived at Portsmouth; the *Petite Betsy*, seized under the same circumstances, and in the same waters, is since arrived at the same Port. The crew was set on shore succourless and abandoned to their fate.

France does not acknowledge the right of any Power to search her ships. The subjects of His Most Christian Majesty, detained in a vessel under the French flag, cannot be withdrawn from their natural Judges and delivered over to the Tribunals of Great Britain. England would loudly complain, and with reason, if a French ship were to carry into Brest a vessel under British colours, there to be proceeded against according to the Laws of France.

Influenced by these considerations, and having received the most positive orders from his Court, the Undersigned now demands, officially, that the vessels, so detained, shall be immediately conveyed to Cherbourg, where the delinquents will be prosecuted with all the rigour of the Laws of their Country.

The English Government has frequently admitted the incompetency of its jurisdiction in cases nearly similar to the one in question, and particularly in the affair of the ship *Le Louis*: it will not act less equitably on the present occasion. The Undersigned, convinced that nothing can affect the perfect understanding which subsists between Great Britain and France, expects, with perfect confidence, the most prompt and satisfactory result to the demand which he has the honour of making to Lord Bathurst.

He avails himself, &c.

Signed

CHATEAUBRIAND.

Earl Bathurst,
&c. &c. &c.

No. 11.

The Earl of Clanwilliam to The Vicomte de Chateaubriand.

(Confidential.)

Foreign Office, August 21, 1822.

LORD CLANWILLIAM presents his compliments to the Vicomte de Chateaubriand, and is directed by The Secretary of State to acquaint His

Excellency, in reference to his Note to Earl Bathurst, of the 16th instant, that orders have been sent to the Officers in charge of the two French Slave vessels, to proceed with them forthwith to Cherbourg, where the vessels, and the remainder of the crews, will, in compliance with His Excellency's wishes, be delivered up to the French Authorities.

His Excellency The Vicomte de Chateaubriand,
&c. &c. &c.

No. 12.

Mr. Secretary Canning to Sir Charles Stuart.

SIR,

Foreign Office, September 30, 1822,

BY the accompanying copies of Papers, received at this Office in a communication from the Admiralty, dated the 1st of August 1822, Your Excellency will see, that, on the 15th of April preceding, the boats of His Majesty's ship *Iphigenia* were advancing, under British colours, towards two Spanish schooners, the *Vecua* and *Icanam*, at anchor in the River Bonny, and suspected of trafficking in Slaves; when a most unjustifiable attack was commenced on them by the schooners, supported by the fire of three vessels under the French flag, *La Vigilante*, *La petite Betsy*, and *L'Ursule*, which were then at anchor near the *Vecua* and *Icanam*.

The result of this wanton and lawless conduct, on the part of the vessels concerned was, that two British seamen lost their lives, and five were severely wounded.

After the action, which lasted twenty minutes, had ended, by the boarding of the vessels engaged in this unprovoked act of aggression, these vessels were detained by the Officer commanding His Majesty's boats, for the necessary purpose of ensuring that the Offenders should be brought to justice.

The vessels were, in the first instance, sent to Sierra Leone, and thence to England: two of them have arrived here. The opinion of His Majesty's Legal Advisers has been taken as to the proper mode of proceeding; and, in acquiescence with that opinion, no time has been lost in giving orders, that the vessels, and such portion of the crews as remained on board, should be sent to Cherbourg; The Vicomte de Chateaubriand, His Most Christian Majesty's Ambassador at this Court, having given the Official assurance of his Court, that the Delinquents should there be judged with all the rigour of the Laws of their Country.—I send you a copy of His Excellency's Note to this effect.

Such Documents, found on board the French vessels, as come under the description of Ships' Papers, have been sent, together with the vessels, to be delivered up to the French Authorities at Cherbourg. The three inclosed Documents were the only papers which were not given up at the time, as not coming strictly under that description. Two of them are Letters, found on board the *Ursule*, containing instructions for her Commander; the third is a Declaration by the Officers of *La petite Betsy*, as to their abandonment of that vessel. They all tend to prove the real and determinate object of the voyage of these vessels, of which indeed there was elsewhere too evident proof; since one of them had three hundred and forty-three Slaves, another two hundred and eighteen Slaves, and the third two hundred and forty-seven Slaves on board; and all were armed.

The King commands me to direct Your Excellency to put the French Ministry in possession of the whole of these circumstances. You will urge that they be laid without delay before His Most Christian Majesty; and you will call upon the Government to institute immediate proceedings,

agrecably to the assurances given by M. de Chateaubriand, for bringing to a condign punishment, those Subjects of France, who have committed this infringement upon the Relations of Amity which subsist between the two Nations.

You will state, that His Majesty rests assured that full reparation will be given to His Majesty for the insult committed upon His flag, and due satisfaction for the loss of the lives of His subjects. You will, at the same time, advert to the circumstance, that the vessels were engaged in a traffick, which His Most Christian Majesty has expressed His determination to put down by every means in His power.

You will transmit to the Ministry of His Most Christian Majesty the original Papers, herewith inclosed; and you will add the expression of His Majesty's hope, that this flagrant instance of illegal traffick, will be visited with the penalties which the French Laws have denounced against such offences.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency Sir Charles Stuart, G. C. B.

&c.

&c.

&c.

(Inclosures in No. 12.)

Documents found on board the Ships *L'Ursule* and *Petite Betsy*.

MONSIEUR,

St. Pierre, Martinique, le 17 Novembre 1821.

VOUS trouverez ci-inclus facture de chargement du brick-goelette *L'Ursule*, que vous commandez, lequel chargement je vous consigne et compte sur vos bons soins pour m'en tirer le parti le plus avantageux à mes intérêts. Vous partirez de ce Port pour vous rendre sur les Côtes d'Afrique pour y traiter, de morfil, poudre d'or, et autres produits de Pays, en échange avec votre cargaison; dans le cas où vous ne pourriez remplir mes instructions vous iriez à l'Île des Princes, et vous rapporteriez pour vos retours des cafés; dans un cas comme dans l'autre, je vous recommande de choisir de belles marchandises.

Après votre chargement fini vous ferez votre retour à la Martinique.

Si contre mon attente vous ne pouviez faire une échange avec la cargaison que je vous confie contre, les marchandises mentionnées ci-dessus, vous iriez dans les comptoirs que vous jugerez les plus convenables, mais sur aucun prétexte que ce soit ne m'apportez aucun Noir, ni pour mon compte ni à frêt, sous peine de vous rendre responsable de tous dommages et intérêts qui pourraient me survenir.

St. Pierre, Martinique, le 21 Novembre 1821.

(Signé)

JN. DELLEUX.

M. Bd. Douillé, Capitaine du Brick-Goëlette *L'Ursule*.

(Translation.)

SIR,

St. Pierre, Martinique, November 17, 1821.

YOU will receive inclosed, the invoice of the cargo of the schooner-brig, *L'Ursule*, under your command, which cargo I consign to you, and rely upon your exertions for disposing of the same in the manner most advantageous to my interests. You will sail from this Port, and repair to the Coast of Africa, there to traffick for ivory, gold-dust, and other produce of the Country, in exchange for your cargo; in case you shall not be able to fulfil my instruc-

tions, you will repair to Princes Island, and will bring back your returns in coffee. In either case I trust you will select articles of the best description.

As soon as your cargo shall be discharged, you will return to Martinique.

If, contrary to my expectation, you should not succeed in exchanging the cargo which I confide to you, for the articles above mentioned, you will take it to such markets as you may deem most advisable for that purpose; but do not, on any pretence whatsoever, bring me any Slaves, either on my own account, or on freight, under pain of becoming responsible for all damages and losses which I may thereby sustain.

St. Pierre, Martinique, November 21, 1821.

(Signed)

JN. DELLEUX.

M. Bd. Douillé, Captain of the Schooner-Brig L'Ursule.

MONSIEUR,

St. Pierre, Martinique, le 19 Novembre 1821.

VOUS ferez votre retour à Surinam, vous aurez le soin de rester très éloigné de l'embouchure de la rivière, vous enverrez avec votre chaloupe, votre Second à la ville sous le prétexte de faire des vivres, et vous réclamerez M. Rd. O'Ferrall, junior, à défaut M. Lamartinie, et vous ferez part à l'un, ou à l'autre, du sujet de votre mission; s'il y a facilité de pouvoir effectuer la vente sans danger, vous vous consignerez à M. O'Ferrall de préférence, avec la condition qu'il ne vous prendra que deux et demi pour cent. de Commission, vû que vous êtes Subrecargue de la cargaison, je ne veux point payer de garantie d'endossement; je préfère vendre ma cargaison à plus bas prix et avoir des Traités de toute solidité afin qu'elles ne reviennent point à protêt.

Si vous ne pouvez effectuer la vente à Surinam, vous viendriez à la Martinique, et vous irez débarquer votre cargaison sur l'habitation de M. Lalanne dans la Baie du Gallion près la Tartane et me le faire savoir de suite.

Dans le cas d'un malheur imprévu qui vous contrarieroit de faire votre retour dans l'un de ces deux Ports, vous iriez à Porto Rico, à St. Jago de Cuba, ou à l'Havane.

Dans l'un ou dans l'autre Port vous vendrez toujours de préférence en espèces, à défaut des Traités sur France, L'Angleterre, ou sur les Etats-Unis d'Amérique, ou en denrées, café de préférence, ou coton à défaut de sucre blanc, seulement en caisses: —payé plus cher mais de 1 ère qualité.

CONSIGNATIONS.

à l'Havane. Messrs. Hernandez et Chauviteau.
à St. Jago de Cuba. . . . M. Casamajor.
à Porto-Rico. M. Boyrie.

De préférence la Havane, le morfil se vend mieux.

Signal,

Pavillon Français à la corne.

Pavillon blanc au mât de misaine pour signal de reconnaissance.

Quoi qu'il soit dit en l'autre part que le Capitaine Douillé remplit les fonctions de Subrecargue, il n'aura le droit de réclamer aucun salaire en cette qualité.

Si la dite vente s'effectue dans toute autre Colonie que celle de la Martinique, le Capitaine Douillé est autorisé de rester jusqu'au tems que la vente soit terminée, afin qu'il puisse me rapporter le net produit de la cargaison.

St. Pierre, Martinique, le 21 Novembre 1821.

(Signé)

JN. DELLEUX.

M. Douillé, Capitaine du Brick Goëlette L'Ursule.

(Translation.)

SIR,

St. Pierre, Martinique, November 19, 1821.

YOU will return to Surinam ; you will be careful to remain at a distance off the mouth of the river ; you will send your Mate to the Town in your boat, under pretence of obtaining provisions, and will enquire for Mr. Richard O'Ferrall, junior, or, not finding him, M. Lamartinie ; and you will communicate to either of them the object of your mission ; if there should be means of effecting the sale without danger, you will address yourself to Mr. O'Ferrall in preference, on condition that he take only two and a half per cent. Commission, considering that you are Supercargo. I do not wish to pay for the warranty of endorsement, I would rather sell my cargo at a lower price, and have good bills, so that they may not return protested.

If you should not be able to effect the sale at Surinam, you will come to Martinique, and will endeavour to land your cargo at the residence of M. Lalanne, in the Bay of Gallion, near Tartane (la Tartane,) and immediately advise me thereof.

In case any unforeseen misfortune should preclude your returning to either of the two Ports above-mentioned, you will go to Porto Rico, to St. Jago de Cuba, or to the Havannah.

In either of these Ports you will, in default of Bills on France, England, or the United States of America, sell in preference for specie, or for goods,—preferring coffee or cotton,—or, if you cannot procure these, white sugar, in chests only : give a good price, but let them be of the best quality.

CONSIGNMENTS.

At the Havannah Messrs. Hernandez and Chauviteau.

At St. Jago de Cuba Mr. Casamajor.

At Porto Rico Mr. Boyrie.

Give the preference to the Havannah, where ivory sells best.

Signal,

The French flag at the gaff.

A white flag at the mizen-mast, for a signal of recognition.

Although it be said above that Captain Douillé fulfils the duties of Supercargo, he is not to claim any pay in that character.

If the said sale should be made in any other Colony than Martinique, Captain Douillé is authorized to remain until such time as the sale shall finish, in order that he may bring me back the net produce of the cargo.

St. Pierre, Martinique, November 21, 1821.

(Signed)

JN. DELLEUX.

M. Douillé Captain of the Schooner-Brig L'Ursule.

A bord du Brick, Petite Betsy, le 20 Avril 1822.

NOUS, Capitaine, Subrecargue et Officiers du dit navire, déclarons par la presente que le quinze du present mois, nous avons été abordé par les embarcations de la frégate Anglaise, Iphigénie, et de la corvette Myrmidon, lesquels nous ont trouvés employés au Commerce des Esclaves, en ayant à bord deux cent dix huit. Déclarons en outre abandonner toute prétention sur le Navire et sa cargaison, abandonnant le tout aux Capteurs.

En foi de quoi nous avons signé le present papier.

(Signé) S. LORRY, Subrecargue.

(Signé) J. L. POIRCAN, Capitaine.

J. ST. BOIRENFANT.

E. BERTRAND, 2d Lieut.

(Witness) W. P. BROWNE.

ROBERT WHITELAW.

(Translation.)

On board the Brig, *Petite Betsy*, April 20, 1822.

WE, the Captain, Supercargo, and Officers of the said vessel, hereby declare, that on the fifteenth of this month, we were boarded by the boats of the English frigate *Iphigenia* and of the *Myrmidon*, corvette; which found us engaged in the Traffick of Slaves, with two hundred and eighteen on board. We moreover declare, that we abandon all claim to the vessel and her cargo, giving up the whole to the Captors.

In witness whereof, we have signed the present paper.

(Signed) S. LORRY, Supercargo.
J. ST. BOIRENFANT.

(Signed) J. L. POIRCAN, Captain.
E. BERTRAND, 2d Lieut.

(Witness.) W. P. BROWNE.
ROBERT WHITELAW.

No. 13.

Sir Charles Stuart to Mr. Secretary Canning.—(Received October 13.)

(Extract.)

Paris, October 10, 1822.

IN obedience to the directions conveyed in your Despatch of the 30th ultimo, I have availed myself of an early opportunity to call the attention of the French Government to the outrage which was committed in the month of April, by the crews of three French vessels in the River Bonny, to require the satisfaction His Majesty is entitled to expect for the offence against His flag, and the murder of His subjects; and, with reference to the Address from Parliament, conveyed in Lord Bathurst's Despatch of September 6th,* to point out that this new proof of the multiplied evils, resulting from the continuation of the Slave Trade, calls for some measure to give effect to the Laws which have been enacted, in virtue of His Most Christian Majesty's engagements, to put an end to that traffick.

Monsieur de Villèle assures me that the question has been brought before the Tribunals, and that the various condemnations for the infraction of the existing Laws which have taken place, prove the desire of the Ministers to prevent the acquittal of any Person who has participated in crimes of this nature.

(Signed) CHARLES STUART.

The Right Hon. Charles Stuart,
&c. &c. &c.

* See Netherlands, No. 10.

(Inclosure in No. 13.)

Sir Charles Stuart to M. de Villèle,

SIR,

Paris, October 5, 1822.

ON the 15th of April of the present year, the boats belonging to His Britannick Majesty's ship the *Iphigenia*, were sent, under British colours, to examine two Spanish schooners, the *Vecua* and *Icanam*, lying in the River Bonny, suspected to be trafficking in Slaves. The crews of these vessels, supported by three French ships, *La Vigilant*, *La petite Betsy*, and *L'Ursule*, which were at anchor in the same River, commenced a most unjustifiable attack on His Majesty's Officers and Men, and the result of this wanton and lawless conduct was, that two British seamen lost their lives, and five were severely wounded.

After the action, the Officer commanding His Majesty's boats took possession of the *Vigilant*, *La petite Betsy*, and the *Ursule*, for the necessary purpose of bringing the Offenders to justice; they were in the first instance sent to Sierra Leone, and from thence to England, where no time was lost in giving orders that the vessels, and such portion of the crews as remained on board, should be sent to Cherbourg, under an official assurance from the Vicomte de Chateaubriand, His Most Christian Majesty's Ambassador at the Court of London, that the Delinquents should be judged according to the Laws of their own Country.

All documents which could be considered Sea-Papers were delivered to the French Authorities at Cherbourg, but the three inclosed Papers not coming under that denomination, were not given up at the time. Your Excellency will observe, that two are Letters found on board the *Ursule*, containing instructions for her Commander, and that the third is a Declaration by the Officers of *La petite Betsy*, announcing their abandonment of that vessel. They tend to prove the real and determinate object of the voyage of these vessels, of which, unhappily, there was too evident proof, since one ship had three hundred and forty three, another two hundred and eighteen, and the third two hundred and forty-seven Slaves on board, and they were all armed in support of their enterprize.

I am to request that these circumstances may be laid without delay before His Most Christian Majesty, and that, with a view to that full reparation which His Britannick Majesty is entitled to expect for the insult committed upon His flag, and the loss of the lives of His subjects, proceedings may be instituted, agreeably to the assurances given by the Vicomte de Chateaubriand for bringing to condign punishment those Subjects of France, who have infringed the relations of amity subsisting between the two Nations.

As these vessels were engaged in a traffick which His Most Christian Majesty has expressed His determination to put down by every means in His power, at a moment when the Address from the British Legislature, of which I have the honour to inclose a copy, alludes to the existing Negotiations between this Country and Great Britain, in terms which render it highly necessary for France to take some decided measure for the execution of the engagements contracted upon this subject; I must further express the hope of my Sovereign, that so flagrant a violation of the Law will be visited by the severest penalties which are applicable to offences of this nature.

I have, &c.

M. de Villèle.
&c. &c. &c.

(Signed) CHARLES STUART.

No. 14.

Sir Charles Stuart to Mr: Secretary Canning.—(Received October 21.)

(Extract.)

Paris, October 17, 1822.

IN answer to the representation addressed to M. de Villèle, respecting the outrage committed upon His Majesty's ships in the River Bonny, by three French vessels engaged in the Slave Trade, and of which the copy was inclosed in a former Despatch, I have received the Letter from that Minister, of which I have the honour to forward a copy.

(Signed)

CHARLES STUART.

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

(Inclosure in No. 14.)

M. de Villèle to Sir Charles Stuart.

MONS. L'AMBASSADEUR,

Paris, le 11 Octobre 1822.

J'É m'empresse de répondre à la Lettre que Votre Excellence m'a fait l'honneur de m'écrire, relativement aux navires Français *Le Vigilant*, *la petite Betsy*, et *l'Ursule*, prevenus de faire la Traite des Noirs.

Jusqu'à présent, le Gouvernement du Roi croyait avoir assez prouvé, Mons. l'Ambassadeur, la ferme intention où il a toujours été, de réprimer cet odieux trafic. La sévérité qu'il a montrée toutes les fois qu'il lui a été possible d'en acquérir la conviction, semblait écarter tous les doutes. Aussi je crois pouvoir me dispenser d'insister à cet égard, sur la réfutation d'allégations suffisamment démenties, je le répète, non moins par ses actes, que par ses intentions bien connues. Que des spéculateurs avides aient hasardé des expéditions en contravention aux réglemens, je ne le conteste pas; ce sont de ces infractions qu'aucun Gouvernement ne peut prévenir entièrement, et il ne me serait peut-être pas impossible d'en trouver, en Angleterre même, des exemples plus ou moins récents. Le Gouvernement du Roi n'a été ni moins actif ni moins sévère que le Gouvernement Anglais, à les poursuivre et à les punir. Les mesures qu'il a prises à cet égard, sont telles qu'il les a jugées nécessaires pour assurer, le plus efficacement possible, l'exécution de ses propres dispositions sur un objet dont il apprécie toute l'importance.

Je transmets au Ministre de la Marine, les différentes pièces qui accompagnaient la Lettre de Votre Excellence, et qui font partie de celle trouvées à bord des trois navires dont il s'agit. Votre Excellence ne doit pas douter que les faits particuliers qu'elle signale, ainsi que les circonstances qui y ont donné lieu, ne soient l'objet d'une investigation rigoureuse et très impartiale, de la part de l'Autorité chargée d'en connaître.

J'ai l'honneur, &c.

(Signé)

JH. DE VILLELE.

Son Excellence Sir Charles Stuart,
&c. &c. &c.

(Inclosure in No. 14.)

M. de Villèle to Sir Charles Stuart.

(Translation.)

Paris, October 11, 1822.

I LOSE no time in replying to the Letter which Your Excellency did me the honour to address to me, relative to the French vessels, *Le Vigilant*, *La petite Betsy*, and *L'Ursule*, suspected of having been engaged in the Traffick of Slaves.

Up to the present time, The King's Government had imagined that it had sufficiently proved the firm resolution it had always entertained, of repressing that odious traffick. The severity which it has displayed, whenever it has been possible to bring it to conviction, would appear to remove all doubt on this subject. In this respect, I shall, therefore, abstain from enlarging upon the refutation of allegations, which, I repeat, are already sufficiently disproved, no less by its actions, than by its well known resolutions. I do not deny that certain avaricious speculators may have risked such expeditions in defiance of the Laws, but these are only infractions, such as no Government can altogether prevent; and perhaps it might not be impossible for me to discover even in England itself, more or less recent instances of this nature. The King's Government has been neither less active nor less severe than the English Government in detecting and punishing them. The measures which it has taken in this respect, are such as it has judged necessary to ensure, in the most effectual manner, the execution of its own arrangements with regard to an object, the importance of which it duly appreciates.

I have transmitted to the Minister of Marine the different papers which were inclosed in Your Excellency's Letter, and which form part of those found on board the three vessels in question. Your Excellency may be assured that the particular facts which you have pointed out, as well as the circumstances which gave rise to them, shall undergo a rigorous and most impartial investigation, on the part of the competent authority.

I have the honour, &c.

(Signed)

JH. DE VILLELE.

His Excellency Sir Charles Stuart,
&c. &c. &c.

No. 15.

Mr. Secretary Canning to Sir Charles Stuart.

Sir,

Foreign Office, November 1, 1822.

INCLOSED is an extract of a Letter from Sir Charles MacCarthy, Governor of Sierra Leone, (which has been transmitted to my Office from the Colonial Department); reporting an instance of what appears to have been a mistake in the execution of the French Law, relating to the capture of French vessels engaged in the Slave Trade, arising, not from any wilful negligence in the French Commodore on that Station, but rather from defect in the Instructions under which he acts.

From the statement which this Officer made to Sir Charles MacCarthy, it appears that he fell in with, and visited several vessels under the French flag, which he had strong grounds to suspect were employed in the Slave Trade, but that he did not detain them, as he was not authorized by his Instructions to seize any vessels but such as had Slaves actually on board.

The Memorandum inclosed in Sir Charles MacCarthy's Letter * contains a list of vessels visited or detained by His Majesty's ships, in the short space of two months; which proves that the Traffick in Slaves is carried on to a most alarming extent, by ships under French colours, completely armed and equipped for this criminal trade.

Sir Charles MacCarthy is undoubtedly correct, in supposing that the defect, which appears to exist in the Instructions of the French Officers, is to be attributed to some misapprehension of the authority with which British Officers are invested. Although it has been determined by the Treaties with other Foreign Powers, that *Foreign* vessels should not be detained by British ships, unless Slaves were actually on board, yet it seems only reasonable, and consistent with good faith, that the Government of His Most Christian Majesty should enforce towards *French* ships, the same Laws which have been strictly carried into effect by Great Britain towards *her own* ships, since the abolition of the Slave Trade.

I am, therefore, to direct that you will lay this matter before the French Government, and explain to them, that, by the British Laws, any British vessel fitted out for, or employed in, the Slave Trade, is equally liable to seizure and condemnation, whether the Slaves are actually on board or not; and that such a vessel, with the Officers and crew, would undoubtedly be detained and prosecuted. I trust the French Government, when thus informed of the real state of our Law upon this subject, will assimilate the Instructions given to their Officers commanding ships of war on the Coast of Africa, to those which are given by the British Government to their own Officers on the same Station.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency Sir Charles Stuart, G. C. B.

&c.

&c.

&c.

* See Colonial Papers.

No. 16.

Sir Charles Stuart to Mr. Secretary Canning.—(Received November 28.)

(Extract.)

Paris, November 25, 1822.

IN obedience to your directions, I have not delayed to transmit to the French Ministers, representations of the extent of the Slave Trade, which is at present practised upon the Coast of Africa; requesting, at the same time, that the Instructions which guide the conduct of the French Officers who are engaged in putting down that traffick, may be assimilated to those of the British Officers employed upon the same Station.

I have at length received an answer from Monsieur de Villèle, which I have the honour to inclose, and which manifests an intention to comply with the object of my representations.

(Signed)

CHARLES STUART.

The Right Hon. George Canning,

&c.

&c.

&c.

(Inclosure in No 16.)

M. de Villèle to Sir Charles Stuart,

(Extrait.)

Paris, le 22 Novembre, 1822.

J'AI reçu avec la Lettre que Votre Excellence m'a fait l'honneur de m'écrire, la liste des batimens qui, dans les premiers mois de cette année, paraissent avoir été employés à la Traite des Noirs. Il s'y trouve, il est vrai, quelques navires Français, quoique toutefois ce ne soit pas le plus grand nombre. Cette circonstance qui, sans doute, ne lui aura pas échappé, doit convaincre Votre Excellence, que le Gouvernement du Roi ne néglige aucun des moyens de surveillance qui dépendent de lui, pour empêcher cet odieux commerce. Plusieurs exemples, et des peines sévères prononcées contre les spéculateurs, ont déjà prouvé qu'il n'y mettait pas moins d'intérêt que le Gouvernement Anglais lui même. Je ne m'en suis pas moins empressé de déférer au Ministre de la Marine, les observations que Votre Excellence m'a transmises, relativement aux mesures adoptées en Angleterre, à l'égard des batimens qui, sans avoir des Nègres à bord, paraissent par leur construction, destinés à ce genre de trafic. Je ne doute pas qu'elles ne soient, de la part de M. Le Marquis de Clermont-Tonnerre, l'objet d'un examen particulier, dès qu'elles pourront ajouter aux moyens de répression.

Son Excellence Sir Charles Stuart,
&c. &c. &c.

(Signé) JH. VILLELE.

(Inclosure in No. 16.)

M. de Villèle to Sir Charles Stuart.

(Translation.)

(Extract.)

Paris, November 22, 1822.

I HAVE received, with the Letter which Your Excellency did me the honour to address to me, the list of vessels which appear to have been engaged in the Slave Trade during the first months of the present year. It must be confessed that among them are to be found certain French vessels, though they never form the majority. This circumstance, which doubtless has not escaped Your Excellency's notice, will serve to convince you that The King's Government is not neglectful of any measures of *surveillance* which lie within its power, in order to repress this odious traffick. Several severe examples which have been made, and punishments which have been decreed against those who have engaged therein, have already proved, that the French Government is no less earnest on the subject, than that of England.

I have lost no time in submitting to the Minister of Marine, the observations which Your Excellency transmitted to me, relative to the measures adopted in England, with respect to such vessels as, without actually having Slaves on board, shall appear by their construction, to be intended for this kind of trade. I doubt not that these measures will receive a strict examination on the part of The Marquess de Clermont-Tonnerre, since they may be made to promote the means of repression.

(Signed)

JH. DE VILLELE.

His Excellency Sir Charles Stuart,
&c. &c. &c.

No. 17.

Mr. Secretary Canning to Sir Charles Stuart.

SIR,

Foreign Office, May 23, 1823.

I INCLOSE herewith to Your Excellency, the copy of a Communication recently received from the Governor of His Majesty's Colony at Sierra Leone, containing many particulars relative to the continuance of the Slave Trade, by vessels under the French flag, on the Coast of Africa.

Your Excellency will find, that at Gallinas fourteen French vessels received cargoes of Slaves on board, in the short space of four months; that the trade is stated to be carried on now to a greater extent than at any former period;— that, to use the expression of the writer, it is considered to be “flourishing;” and that, as the British Cruizers permitted it to be carried on with impunity under their eyes, the Nations on the Coast had come to a persuasion that the trade was lawful.

Your Excellency has frequently received Instructions from your Court to bring to the knowledge of the French Government, glaring instances of the active employment of French capital in this nefarious traffick, and the extensive protection afforded by the French flag to it.

The French Government cannot but regret the impression created on the minds of the natives, by the conduct of its Subjects on the Coast of Africa; and they will derive from this circumstance a fresh proof of the necessity of taking some decisive step to vindicate their flag from the dishonour which thus attaches to it, by stigmatizing with a punishment, in some degree proportioned to the offence, this audacious pursuit by French Subjects of a traffick prohibited by their Government, and pronounced by the whole civilized world to be a disgrace to the age.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency Sir Charles Stuart, G. C. B.
&c. &c. &c.

No. 18.

Mr. Secretary Canning to Sir Charles Stuart.

SIR,

Foreign Office, May 23, 1823.

I HAVE the honour to transmit to Your Excellency, the extract of a Letter received from His Majesty's Consul at Pernambuco, dated the 12th of March 1823, reporting the arrival in that Port of the French cutter, *Le Trident*, M. T. Borboreau, Master, with a cargo of 126 Slaves from the River Bonny.

The Trident is stated to have been built at, and to belong to Martinique.

Your Excellency will immediately call the attention of the French Government to this fresh instance of the evasion of the measures which have been promulgated by them for the suppression of the Slave Trade under cover of the French flag.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency Sir Charles Stuart, G. C. B.
&c. &c. &c.

(Inclosure in No. 18.)

Mr. Consul Parkinson to Mr. Secretary Canning.

(Extract.)

Pernambuco, March 12, 1823.

HAVING reference to my Instructions, requiring me "to keep a watchful eye upon all undertakings for trading in Slaves," I beg to acquaint you that, on the 2d instant, *Le Trident*, a French cutter, commanded by Monsieur T. Borboreau, came into Pernambuco roads with a cargo of 126 Slaves from the Bonny.

His Majesty's frigate, *Doris*, and the French sloop of war, *L'Hirondelle*, were then at anchor in the roads, which exciting some apprehension in the Commander, he made signal of distress, and was brought by a Pilot within the reef, that is to say, into the harbour of Pernambuco.

The *Trident* was recently built and fitted out for this traffick at Martinique, and during her stay in the River Bonny was dangerously worm-eaten. Nevertheless, having completed her cargo of Slaves, 133, in a vessel of less than 100 tons burthen, with a crew, as I am assured, of eighteen in number, and composed of men of various Nations, she sailed for Surinam. Bad weather and contrary winds frustrated all their endeavours, they were driven out of their course, and sickness, combined with starvation, finally brought them hither.

The arrival created no small embarrassment—the Judge of the Custom-House conscientiously refusing entry under any modification, and the Master of the Slave-ship, dreading capture or detention, should he quit the harbour and again pass under the guns of the *Doris*.

His apprehensions of obstruction from the French vessel of war seem to have been less strong, and with reason,—the French sloop of war, *L'Hirondelle*, and the French ship lying at this moment within a few cable lengths of each other in the harbour.

Urgent applications were addressed to the Junta of Government to give entry to the vessel, resting on the unseaworthy state of the cutter,—her absolute want of provisions, and of water, and want of pecuniary funds,—the Slaves were designated as *passengers from Martinique*, although I have ascertained that the Captain on his arrival made declaration that he came from Cabinda in seventy-five days, with a cargo of 133 Slaves, of whom sixteen had died in the passage,—and at the Ballast Office, declared that he came from Princes Island. The rights of hospitality were strenuously claimed for the vessel of a friendly Power,—compassion and humanity were invoked on behalf of People avowedly engaged in violating the Laws of their own Country,—those of Portugal,—and in trampling under foot the very virtues of which on their own behalf they claimed the exercise:—finally, the Junta gave way, and an order was issued, authorizing the sale of twenty of the Slaves, permitting the remainder to be placed in the Lazaretto for the recovery of their health.

This event has created a strong sensation here.

(Signed) JOHN PARKINSON.

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

UNITED STATES.

No. 1.

The Marquess of Londonderry to The Right Hon. Stratford Canning.

(Extract.)

Foreign Office, April 15, 1822.

* * * * *

I did not lose the opportunity of speaking to Mr. Rush, on another point of increasing interest to this Government, on which I have often had occasion already to address you; viz. the formation of some common system between the Two Countries for the more effectual prevention of the illicit Traffick in Slaves.

The Correspondence which took place between you and Mr. Adams, in the course of last year, and the Report of the Committee to Congress on the subject of the Slave Trade, have been called for, and laid before Parliament; and I stated to Mr. Rush, that however unfavourable the language of the American Government was to our wishes, yet, that the Report above-mentioned still gave ground for hope, that, upon the principles therein laid down, some joint measure could, in the end, be arranged between the Two Countries.

In order that we might clearly understand each other, I requested Mr. Rush to draw up a Memorandum of our conversation, for transmission to his Government, and I herewith inclose to you a copy of this Memorandum, which will put you in full possession of all that passed.

His Majesty's Government have, likewise, never relaxed in their earnest endeavours to induce that of France, both sufficiently to enforce their Legislative enactments against illicit Slave Trade, and to improve and extend them in such manner as to put a stop to the Traffick in Slaves, which, it unhappily appears, by the last accounts from the Coast of Africa, is still very extensively carried on under their flag.

In Sir Charles Stuart's Communications to this Office, His Excellency has more than once mentioned, how much his efforts with the French Government would be assisted, were the American Minister at Paris enabled to co-operate with him in his representations; and I have, therefore, to desire that you will avail yourself of any opportunity, in conversation with Mr. Adams, to state this fact, and to impress upon him the great advantages which might be expected, from an instruction to the American Minister to co-operate with Sir Charles Stuart in his exertions, to induce the French Government to come to some more satisfactory arrangement for the suppression and prevention of this still increasing evil.

I have, in conclusion, only to request that, in the communications which you may hold with the American Ministers upon the subject above alluded to, you will conform your language to what I have here stated, and that you will use your best exertions, whenever the opportunity may offer, for furthering the objects which His Majesty's Government have so much at heart, in the manner I have stated.

(Signed) LONDONDERRY.

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

(Inclosure in No. 1.)

Memorandum of Conversation between The Marquess of Londonderry and
Richard Rush, Esq.

(Extract.)

London, April 1822.

* * * * *
When this subject was finished, His Lordship adverted to the Slave Trade, and it is at his special desire that I mention what he said. He remarked that this Government retained an undiminished anxiety to see the effectual downfall of this traffick, and felt its obligations to continue labouring in so great a work. That more especially was this the case, since the most recent intelligence from Africa gave humanity fresh cause to deplore the augmented prevalence and miseries of the traffick.

That he had noticed with peculiar satisfaction the doctrines contained in the Report of the Committee of the House of Representatives, on the expediency of mutually authorizing a regulated visit and search of the vessels of the Two Nations, when suspected of having Slaves illicitly on board, (which Report has been republished by Parliament), as it opened a new hope to him that the United States might yet accede to some system of this description; and that, as to the Tribunal before which captured Slaves were to be brought, he had little doubt but that such alterations might be proposed, in that part of the plan, as to free it from our constitutional and other objections. His Lordship seemed to point to each State constituting its own Tribunal, before which the Cases should be carried for adjudication. That the British Court had a powerful motive for its continued solicitude, that the United States might see their way to an acquiescence in the principle of mutual search, in the strong impression it was under, that an application by the Two Nations to France, on the basis of their joint consent, would not be without its effect in overcoming the scruples that had hitherto existed with that Power upon the same point; and that, urged by these considerations, it was the intention of His Majesty's Government to make another effort with the Government of the United States on this subject, believing that an acquiescence in the principle in question by the Maritime States of the world, would be the only sure means of extirpating the traffick. That he had abstained until now from approaching the subject again, after the past failures with us, rather choosing that my Government should be left to its own course under the well-known earnestness of its desire for abolition; but that the duty of formally making the effort alluded to, was one that would not be much longer postponed by him; and of this intimation he requested that I would apprise you.

I replied that I would do so, but was entirely explicit with his Lordship upon the occasion. I distinctly said, that I had not the least expectation of my Government agreeing to the mutual right of search, under whatever modification or circumstances the proposition might be again exhibited, but on the contrary, entertained the most decided and unequivocal belief, founded upon the reasons heretofore given, that its objections to it in every shape would be insurmountable. That my instructions, in a word, were absolute and imperious, and left no room for doubt or hesitation in my mind upon the subject.

John Quincy Adams, Esq.
&c. &c. &c.

(Signed) RICHARD RUSH.

No. 2.

The Right Honourable Stratford Canning to The Marquess of Londonderry.—
(Received June 26.)

(Extract.)

Washington, May 8, 1822.

I HAVE already informed Your Lordship that the Slave Trade Committee in the House of Representatives, has again reported in favour of a limited

right of search. I have now the honour to inclose a copy of the Report, which embraces and enforces, as your Lordship will perceive, the Report of last year.

I wish it were in my power to add, that Congress had taken up the resolution with which the Report is concluded; but it has confined itself for this Session, to an order for the printing of two thousand additional copies of the Report;—a motion to this effect has been carried, and there is reason to hope that an endeavour will be made, under less forbidding circumstances, though still in the face of great difficulties, to bring forward the main question at an early period of the next Session.

The accompanying Report will be found to contain a statement of the number of cruizers employed at different times on the Coast of Africa by the Government of the United States, and also of the number and present situation of such Africans as have been taken by their Officers, either at sea or on shore.

It does not appear that any overture of a general nature, affecting the abolition of the Slave Trade, has been made, either by or to this Government during the last year, with the exception of an idea thrown out by the French Minister, though not, as it would seem, under the instructions of his Court, to obviate the chief objections to a right of search, by allowing the several Contracting Parties to appoint Commissioners, vested with that power, on board each other's cruizers. To this suggestion, which, however impracticable, has proceeded no doubt from a laudable desire to contribute to the suppression of the Slave Trade, allusion, I believe, is made in the fifth annual Report of the American Colonization Society. The Appendix to the same Report will be found to contain an account of the Settlement which that Society has recently effected, by purchase, at Cape Mesurado, on the Western Coast of Africa.

The House of Representatives has lately passed a resolution, requesting the President to communicate copies of the judicial proceedings and correspondence, relating to the case of a French Slave-ship, *La Pensée*, captured some months ago, together with a South American privateer, *La Centinelle*, to which she was a prize, by the United States sloop of war, *Hornet*, and sent for adjudication into the Port of New Orleans.

(Signed) STRATFORD CANNING.

The Marquess of Londonderry, K. G.

&c. &c. &c.

(Inclosure in No. 2.)

Report of the Committee of Congress.

Friday, April 12, 1822.

MR. GORHAM, from the Committee on the suppression of the Slave Trade, (in compliance with a Resolution of the 15th of January last), made the following Report, accompanied by a Resolution, which was read:—

The Committee on the suppression of the Slave Trade, to whom was referred a Resolution of the House of Representatives, of the 15th of January last, instructing them to inquire whether the Laws of the United States prohibiting that traffick have been duly executed; also into the general operation thereof, and if any defects exist in those Laws, to suggest adequate remedies therefor; and to whom many memorials have been referred, touching the same subject, have, according to order, had the said Resolution and Memorials under consideration,—beg leave to report:—

That under the just and liberal construction put by the Executive on the Acts of Congress of March 3, 1819, and that of the 15th of March 1820, inflicting the punishment of piracy on the African Slave Trade, a foundation has been laid for the most systematick and vigorous application of the power of the United States to the suppression of that iniquitous traffick. Its unhappy

subjects, when captured, are restored to their Country,—Agents are there appointed to receive them,—and a Colony of the offspring of private charity is rising on its shores, in which such as cannot reach their native tribes will find the means of alleviating the calamities they may have endured before their liberation.

When these humane provisions are contrasted with the system which they superseded, there can be but one sentiment in favour of a steady adherence to its support. The Document accompanying this Report, and marked A,* states the number of Africans seized or taken within or without the limits of the United States, and brought there, in their present condition.

It does not appear to your Committee, that such of the naval force of the Country as has been hitherto employed in the execution of the Laws against this traffick, could have been more efficiently used for the interest and honour of the Nation. The Document marked B † is a statement of the names of their Commanders ordered upon this service, with the dates of their departure, &c. The first vessel destined for this service arrived upon the Coast of Africa in March 1820, and in the few weeks she remained there, sent in for adjudication four American vessels, all of which were condemned. The force which has been since employed in this service has made five visits, (the *Alligator* having made two cruizes in the past Summer), the whole of which have amounted to a service of about ten months by a single vessel within a period of near two years; and since the middle of last November, the commencement of the healthy season on that Coast, no vessel has been, nor, as your Committee has been informed, is under orders for that service.

The Committee are thus particular on this branch of their inquiry, because unfounded rumours have been in circulation, that other branches of the publick service have suffered, from the destination given to the inconsiderable force above stated, which, small as it has been, has, in every instance, been directed, both in its outward and homeward voyage, to cruize in the West India seas.

Before they quit this part of their inquiry, your Committee feel it their duty to state, that the loss of several of the prizes made in this service is imputable to the size of the ships engaged in it. The efficacy of this force, as well as the health and discipline of the Officers and crews, conspire to recommend the employment of no smaller vessel than a corvette or sloop of war, to which it would be expedient to allow the largest possible complement of men, and, if possible, she should be accompanied by a tender, or vessel drawing less water. The vessels engaged in this service should be frequently relieved, but the Coast should at no time be left without a vessel to watch and protect its shores.

Your Committee find it impossible to measure, with precision, the effect produced upon the American branch of the Slave Trade, by the Laws above-mentioned, and the seizures under them. They are unable to state whether those American Merchants, the American capital, and seamen which heretofore aided in this traffick, have abandoned it altogether, or have sought shelter under the flags of other Nations. It is ascertained, however, that the American flag, which heretofore covered so large a portion of the Slave Trade, has wholly disappeared from the Coast of Africa. The trade, notwithstanding, increases annually under the flags of other Nations. France has incurred the reproach of being the greatest adventurer in this traffick prohibited by her Laws; but it is to be presumed that this results, not so much from the avidity of her subjects for this iniquitous gain, as from the safety which, in the absence of all hazard of capture, her flag affords to the greedy and unprincipled adventurers of all Nations. It is neither candid or just to impute to a gallant and high-minded people, the exclusive commission of crimes which the abandoned of all Nations are alike capable of perpetrating, with additional

* A.—Five hundred and seventy-three Africans taken without the United States limits.

† B.—The ships *Cyane*, *Hornet*, *John Adams*, *Alligator*, and *Shark*.

wrong to France herself of using her flag to cover and protect them. If the vigour of the American navy has saved its banner from like reproach, it has done much to preserve unsullied its high reputation, and amply repaid the expense charged upon the publick revenue by a system of Laws to which it has given such honourable effects.

But the conclusion to which your Committee has arrived, after consulting all the evidence within their reach, is, that the African Slave Trade now prevails to a great extent, and that its total suppression can never be effected by the separate and disunited efforts of one or more States; and as the resolution to which this Report refers, requires the suggestion of some remedy for the defects, if any exist, in the system of Laws for the suppression of this traffick, your Committee beg leave to call the attention of the House to the Report and accompanying Documents submitted to the last Congress by the Committee on the Slave Trade, and to make the same a part of this Report. That Report proposes as a remedy for the existing evils of the system, the concurrence of the United States with one or all of the Maritime Powers of Europe, in a modified and reciprocal right of search on the African Coast, with a view to the total suppression of the Slave Trade.

It is with great delicacy that the Committee have approached this subject, because they are aware that the remedy which they presumed to recommend to the consideration of the House, requires the exercise of the power of another Department of the Government, and that objections to the exercise of this power in the mode here proposed have existed in that Department.

Your Committee are confident, however, that these objections apply rather to a particular proposition for the exercise of the right of search, than to that modification of it which presents itself to your Committee. They contemplate the trial and condemnation of such American Citizens as may be found engaged in this forbidden trade, not by Mixed Tribunals sitting in a Foreign Country, but by existing Courts of competent jurisdiction in the United States; they propose the same disposition of the captured Africans now authorized by Law, and least of all their detention in America.

They contemplate an exchange of this right, which shall be in all respects reciprocal—an exchange which, deriving its sole authority from a Treaty, would exclude the pretension, which no Nation, however, has presumed to set up, that this right can be derived from the Law of Nations; and further, they have limited it in their conception of its application, not only to certain latitudes and to a certain distance from the Coast of Africa, but to a small number of vessels to be employed by each Power, and to be previously designated. The right of search thus restricted, it is believed, would ensure the co operation of one great Maritime Power in the proposed right of exchange, and guard it from the danger of abuse.

Your Committee cannot doubt that the people of America have the intelligence to distinguish between the right of searching a vessel on the high seas in time of war, claimed by some belligerents, and that mutual, restricted, and peaceful concession by Treaty suggested by your Committee, and which is demanded in the name of suffering humanity. In closing the Report, they recommend an adoption of the following resolution, viz.—

Resolved,—That the President of the United States be requested to enter into such arrangements as He may deem suitable and proper with one or more of the Maritime Powers of Europe, for the effectual abolition of the Slave Trade.

The Report was laid on the table, and ordered to be printed.

No. 3.

The Right Hon. Stratford Canning to The Marquess of Londonderry.—(Received September 14.)

(Extract.)

Washington, July 16, 1822.

AFTER allowing a sufficient interval to elapse, I thought it advisable to afford Mr. Adams an opportunity of making me acquainted with the President's intentions, respecting my last communication on the subject of the Slave Trade. For this purpose I saw Mr. Adams yesterday at his Office—On my introducing the subject, he informed me that The President had been put in possession of all that I had stated and urged, with reference to the Slave Trade, in our preceding interviews; that The President's desire to contribute as far as the circumstances of this Country would admit, to the final suppression of the illicit traffick was unabated; that being disposed to give the most respectful consideration to every suggestion of His Majesty's Government, when directed to that object, he entertained the intention of again taking the advice of his Cabinet on the question, but preferred, as a matter of convenience, to defer that measure till the Autumn, when the heads of Department would be collected at Washington, and he should have more leisure for maturing his views.

This last expression induced me to ask Mr. Adams, whether I might not indulge a hope that The President began to see his way to a more efficient co-operation with His Majesty's Government, but I regret to say that Mr. Adams described him as being still decidedly adverse to the admission of a right of search, however modified: and I apprehend that no proposal of a more extensive nature than one, perhaps, for engaging to maintain a certain number of cruisers permanently on the Coast of Africa, is to be expected under the present circumstances.

The proposal of an engagement to this extent, is even more than Mr. Adams had led me to anticipate when I had last the honour of addressing Your Lordship. He explained the difference which I observed between his language on the present and former occasions, by saying, that in the first instance he had only declared what was unavoidably his own impression, until it had been in his power to submit my representations to The President, and take His pleasure on the subject.

I had already offered all that I could urge in the way of argument, and when I found it was in vain to expect any recommendation in favour of the right of search, I had even insisted on the degree of benefit, which might result from Mr. Gallatin's being instructed, in general terms, to remonstrate with the French Government, on the notorious inadequacy of their Laws and measures for the suppression of the Slave Trade, and to act up to that point, at least, in concurrence with Sir Charles Stuart; but I fear that nothing is to be expected from the American Government on this score, unless it be their intention to act on the French Ministry through Mr. Gallatin, without making any previous agreement to that effect.

Mr. Adams concluded by informing me that a corvette, the *Cyane*, would be dispatched to the Coast of Africa, as soon as the sickly season could be considered as drawing to a close in that quarter; the *Cyane* will probably cruize in the West Indies before she proceeds to her ultimate destination; but I have reason to believe that positive orders have been issued to the Commanders of American cruisers, on no account to search any vessel sailing under a Foreign flag.

Desirous of omitting no step which held out the smallest chance of producing a favourable impression on the minds of the American Ministers, I

sent Mr. Adams a transcript of such parts of the voluminous Correspondence laid before Parliament, as I thought most likely to corroborate the representations which I had made in conformity with Your Lordship's instructions; and I am assured that the body of information thus communicated to him has been submitted to The President, and such Members of the Cabinet, as are still at the Seat of Government.

(Signed) STRATFORD CANNING.

The Marquess of Londonderry, K. G.
&c. &c. &c.

No. 4.

Mr. Secretary Canning to The Right Honourable Stratford Canning.

(Extract.)

Foreign Office, October 11, 1822.

YOUR Report of your last Conference with the American Secretary of State, on the subject of the Slave Trade, presents no very satisfactory prospect of the co-operation to be expected on the part of the United States in our efforts for repressing that abominable traffick.

The Report of The Duke of Wellington's Conference with M. de Villèle, the French Minister, on the same subject, contained in the Despatch, dated Paris, 21st September, a copy of which I inclose to you, is, I am sorry to say, hardly less discouraging.

It is, nevertheless, the duty and the determination of His Majesty's Government, to leave no effort on their part untried; and at least to acquit Great Britain, in the eyes of God and Man, of any responsibility for the continuance of a pest so scandalous and so afflicting to humanity.

I transmit to you, for your information and guidance in any discussions upon this subject, copy of the Instructions, dated the 1st October, which have been given to The Duke of Wellington, after the receipt of his Despatch from Paris.

You will see therein, what are the several expedients, for bringing to bear upon this question the influence of the Sovereigns assembled at Vienna, to which His Grace is successively to resort; but, after all, the mutual right of visit, so often proposed and so often rejected by them, is the one, sole expedient, upon the efficacy of which reliance could be placed; and the pertinacious refusal of which affords countenance, as well as shelter, to the most flagrant acts of violence, rapine and murder.

It is most unfortunate, that The President of the United States, and his Ministers, should see any thing invincibly objectionable, in the proposal for a mutual and regulated, and temporary right of visit,—a proposal perfectly distinct from the long litigated question of belligerent right of search, or if it can be supposed to touch it at all, appearing to operate favourably, for the American view of that question, rather than against it.

There can be no disparagement of national dignity in equal and reciprocal concession.

Great Britain desires no other than that any of her subjects, who so far defy the Laws, and dishonour the character of their Country, as to engage in a trade of blood, proscribed not more by the Acts of the Legislature, than by the National feeling,—should be detected and brought to justice, even by foreign hands.

What Great Britain is ready to allow, in a point so vital to her pride and to her power, may surely be allowed reciprocally by any other Nation.

If apprehension is entertained of occasional abuses of such permission on either part, or on both, limitations and conditions may be devised that shall prevent them from growing into practice: and, at all events, the fixing of a short period for the duration of the experiment may ensure their speedy termination. Two or three years might suffice to sweep the African and American seas of the atrocious commerce with which they are now infested; and the honour of neither flag would be tarnished, by having for that season withdrawn its protection from those by whom such atrocities were perpetrated.

You will judge when the proper opportunity shall arise, for presenting another formal Note to the Secretary of State upon this subject.

The copy of my Despatch to The Duke of Wellington, will furnish you with the means of quieting any apprehension that may be entertained by the American Government, of an intention on the part of Great Britain to call in upon this subject the authority of the Congress, as of a Court whose jurisdiction was supposed competent to give Law to the Nations of the World.

(Signed) GEORGE CANNING.

P. S.—I have said that two or three years of regulated visit might be sufficient for the purpose of suppressing the illicit Slave Trade; but if any objection is felt to a stipulation for a specifick time, (the principle of the agreement being admitted,) there could be no difficulty in inserting a condition making the agreement determinable upon a notice of six months from either Party.

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

G. C.

No. 5.

Mr. Secretary Canning to The Right Honourable Stratford Canning.

(Extract.)

Foreign Office, November 11, 1822.

BY the inclosed extract of a Despatch from Sir Charles Stuart, dated the 10th ultimo, (received not many days after the sailing of the last Packet for America,) you will see that an Instruction has been sent to Mr Gallatin, directing him, singly, to “press the French Cabinet to take effectual measures to check the infraction of their own Laws and the abuses of their flag, which are at present notorious along the whole extent of the African Coast.”

(Signed) GEORGE CANNING.

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

No. 6.

The Right Hon. Stratford Canning to Earl Bathurst.—(Received January 3, 1823.)

MY LORD,

Washington, December 4, 1822.

THE question of the Slave Trade has again been referred, in the House of Representatives, to a Select Committee, of which Mr. Gorham, of Massachusetts, is re-appointed Chairman. While the resolution for renewing this Committee was before the House, one of the Representatives from Maryland,

expressed a decided opinion in favour of conceding the right of visit at sea, as the only effectual measure for suppressing the Traffick in Slaves. There is much reason to hope that a vigorous effort will be made in this sense, by the friends of the measure, before the close of the present Session; but the temper of Congress in general, with respect to its adoption, is still very doubtful. The disposition of the Government on this subject is, to all appearance, so much the same as it was last year, that I am unwilling to take any further steps of an official character, until I receive more detailed instructions.

At a publick meeting lately held in Boston, it was stated by Mr. Webster, a distinguished Lawyer of that City, and one of the Representatives elected for the next Congress, that natives of New England were known to him as being concerned in the Slave Trade. Your Lordship will find a report of the speech by this Gentleman in the National Intelligencer of the 26th ult.

I have the honour to be, &c.

(Signed) STRATFORD CANNING.

Earl Bathurst, K. G.

&c. &c. &c.

No. 7.

The Right Hon. Stratford Canning to Mr. Secretary Canning.—(Received February 6.)

(Extract.)

Washington, January 1, 1823.

EVERY attention in my power shall be paid to the Instructions with which you have honoured me, by His Majesty commands, on the subject of the Slave Trade. I had cherished a hope that the question of mutual search, as recommended by a Committee of the House of Representatives during the last Session, would ere this have been taken up with vigour by the friends of that measure in Congress, but a third of the Session has already been allowed to pass away, without an attempt on their part to bring it forward in any effectual shape, and I still apprehend that nothing short of a decided impulse from that quarter will produce any change in the disposition of the American Government.

In the official returns laid before Congress, the *Cyane*, corvette, is described as having been dispatched to the Coast of Africa. The Secretary of the Navy has since assured me that she is actually under orders for that Station.

(Signed) STRATFORD CANNING.

The Right Hon. George Canning,

&c. &c. &c.

No. 8.

The Right Hon. Stratford Canning to Mr. Secretary Canning.—
(Received March 10.)

SIR,

Washington, February 8, 1823.

IN pursuance of the Instructions which I had the honour to receive from you by the November Mail, I have opened a fresh Correspondence on the subject of the Slave Trade with the American Secretary of State. A copy of the Note which I have addressed to Mr. Adams for this purpose is herewith inclosed. I have not yet received an answer from him, but since the Note was sent in, he has ex-

pressed his intention of replying to it at an early period, and I know that it has been submitted to The President and other Members of the Administration. The Conferences which I held with Mr. Adams in the Summer, reports of which are contained in my Despatches of last year, I considered, under my Instructions of that time, as preparatory to a more formal repetition of the proposal, before so frequently pressed in His Majesty's Name, on the acceptance of the American Government. I did not feel myself at liberty to resume a regular correspondence on the subject with Mr. Adams, so long as there was no appearance of any more favourable disposition on his part than what I had before experienced; the rather, as I had already stated my opinion that little was to be expected from the American Cabinet without a previous impulse from Congress, besides that the advantage of my being supplied with further Instructions was sufficient, under such circumstances, to make up for the delay of waiting for them. Even subsequently to the receipt of your Despatches by the October Mail, I deemed it advisable not to engage in the Correspondence which you have empowered me to open, until I had ascertained whether the Report and Resolution of the Committee on the Slave Trade were likely soon to be debated in the House of Representatives. In a matter of such deep concern I was unwilling to afford the American Ministers an opportunity, before the Report had been called up, of again declining His Majesty's offers, and thus, if unhappily so disposed, of discouraging those Members who are known to favour the proposition, by representing themselves as unalterably committed to a refusal of it. I thought it not unlikely that, except they were driven to an immediate decision, they would prefer leaving the Advocates of the Report to elicit the sense of the House thereon, according to their sense of expediency, and in this way that another chance might perhaps be engaged, in the aid of that great Cause, which a mutual interchange of the right of search would so effectually promote.

In proportion as I looked with hope to the exertions of the Committee, and was latterly induced to cherish that hope with greater confidence, from observing a disposition in Congress far more favourable than any that appeared last year, to the temperate discussion of such a subject,—I felt disappointed in learning that a majority of the Committee is now adverse to taking up the Report; and that even the Chairman, whose zealous attachment to the cause of abolition is well known, himself despairs of being able to take it up with the slightest prospect of success.

(Signed)

STRATFORD CANNING.

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

(Inclosure in No. 8.)

The Right Hon. Stratford Canning to John Quincy Adams, Esq.

SIR,

Washington, January 29, 1823.

GREAT BRITAIN, as you are well aware, has long devoted her anxious and unremitting exertions to the complete abolition of the African Slave Trade. She availed herself, during war, of her belligerent rights and extended dominion in the Colonies to put down the inhuman traffick: in peace she has spared no labour, and shrunk from no sacrifice, to supply, by a general co-operation of the Maritime Powers, whatever has been withdrawn from her peculiar controul by the cessation of hostilities, and the Colonial arrangements consequent on that event.

It is matter of deep regret to His Majesty's Government, that the result of their exertions is far from corresponding either to the cause which demands, or to the zeal which sustains them. The pest, which they have pledged themselves to destroy, if it be in human power to destroy it, not only survives to the disgrace and affliction of the age, but seems to acquire a fresh capacity for existence with every endeavour for its destruction.

To whatever fatality it may be owing, that, while the obligation of adopting and enforcing measures for the extermination of the Slave Trade is solemnly acknowledged by the Civilized World, this object seems rather to elude the grasp than to approach its consummation; Great Britain perceives in the postponement of her hopes, however mortifying for the moment, no reason either to relax from her efforts, or to abandon the expectation of final success. Impelled by the noblest motives to persevere in the cause of Abolition, and mindful by what slow, laborious, steps, the present point has been attained, she looks forward through surrounding obstacles to that triumphant accomplishment of her purpose, the benefit and glory of which will only be rendered more signal by the difficulties attendant on its progress.

In calling upon Europe and America to join with them in the discharge of this sacred duty, His Majesty and His Ministers have appealed, Sir, with the more confidence to your Government, as the United States have long proclaimed their decided hostility to the Slave Trade, and are surpassed by no Country in the vigour of their Legislative enactments for its repression. The identity of principle existing on this subject between the Two Governments is distinctly recorded in the Treaty of Peace; and, in answer to every proposal which has since, by His Majesty's command, been addressed to your Cabinet for redeeming that pledge, by a broad and effectual application of the principle, a fresh assurance has been given of the unceasing interest with which the United States continue to promote the cause of Abolition. When to this accord in principle and sentiment is added the conviction, avowed by both Parties, that, in spite of Laws and Treaties, the accursed traffick still thrives under the eyes of an indignant World, it would seem impossible that the Two Powers should be long prevented from concerting a joint system of measures against the common object of their abhorrence and just proscription. Whatever circumstances, views, or impressions, may have hitherto defeated this expectation, His Majesty's Ministers are still unwilling to despair of finding the United States at length prepared, either to close with the system of concert already offered to their acceptance, or to suggest a plan of equal efficiency in its place. The alternative embraces a duty, for the performance of which both Countries are responsible before God and Man.

A deep sense of this duty, and a reliance, by no means relinquished, on the general disposition of the United States, have prompted the several Communications on this question, which have been addressed to you, at successive periods, either through me, or by means of the American Envoy in London. You will readily call to mind, Sir, that in the course of last Summer I apprized you of the intention of His Majesty's Ministers to press for an early re-consideration of the subject, submitting whether it might not prove agreeable to the American Cabinet to anticipate that intended recurrence to it on the part of Great Britain, by some efficient proposal originating with itself. I took occasion in repeated conversations to urge anew, those various arguments which support and justify the opinion of His Majesty's Government, and I also placed in your hands the Official Papers, then recently printed by order of Parliament, in further evidence of the extent to which the traffick in Human Beings was still carried on from Africa, under circumstances of aggravated cruelty. In declaring, as on former occasions, the readiness of His Majesty's Ministers to examine, with respect and candour, whatever scheme of concert, if any, the American Cabinet might think proper to bring forward as a substitute for theirs, you

will remember how strongly I expressed my belief, that the only effectual measure devised, or likely to be devised, was a mutual concession of the right of search. In the exercise of that right, under such guards, and with such limitations as may serve to tranquillize the most apprehensive and scrupulous minds, it is still conceived that the best, and only cure for this intolerable mischief is to be found. You assured me, at a subsequent conference, that my representations had been duly submitted to The President. I wish it were in my power to add, that the cause which I pleaded had prevailed.

From the printed Documents, which I had the honour of communicating to you, it appears that the French flag is more particularly employed to cover the illicit trade on the Coast of Africa. It would, perhaps, be unfair to conclude that French property and French subjects are concerned to the full proportion in which the colours of that Nation are used; but it is manifest that both are engaged in this commerce of blood, to an extent which reflects discredit, if not on the motives of the French Administration, at least on the efficiency of its measures, and makes it imperative on those Governments which are pledged to each other for the suppression of the Slave Trade, to declare their reprobation of what is, at best, a culpable remissness, and to omit nothing that may rouse the French Cabinet to a more active exercise of its authority.

It was a part of my Instructions to bring this point under your immediate consideration, and to intimate that the remonstrances of His Majesty's Ambassador at Paris might be attended with more effect, if the American Envoy at that Court were directed to concur with His Excellency, in a joint representation on the subject. It would be idle at present to repeat the arguments adduced in executing this instruction. The answer which you returned in the name of The President, was unfavourable to the step I had suggested; and such was the result which it became my duty to announce to His Majesty's Secretary of State; but no doubt was started with respect to the grounds on which my application rested; and, of those notorious facts, to which I referred, as calling for a joint and impressive appeal to the good faith and good feelings of the French Government, you seemed to be equally convinced with myself.

The reasons indeed which you alledged for declining at that time to comply with a proposal, no less simple in its nature, than useful in its object, I understood to be rather of a temporary character; and under this impression, I cannot but hope that the period is now arrived when they will no longer be found to stand in opposition to the great considerations involved in this question.

In repeating, therefore, the invitation which I have already had the honour to convey to you on the part of His Majesty's Government, it only remains for me to request an early communication of the intentions at present entertained on this head by the Government of the United States.

I beg, Sir, that you will accept, &c.

John Quincy Adams, Esq.
&c. &c. &c.

(Signed) STRATFORD CANNING.

No. 9.

The Right Hon. Stratford Canning to Mr. Secretary Canning.—(Received April 20.)

(Extract.)

Washington, March 10, 1823.

A RESOLUTION introduced by Mr. Mercer, one of the Members from Virginia, was taken into consideration on one of the latest days of the Session, and was carried by the very large majority of one hundred and thirty-one voices against nine. Mr. Mercer's Resolution makes no mention of the right

of search, but points to a Declaration of Piracy, against the Slave Trade, to be effected, in the first instance, by negotiation among such Powers as are disposed to fix that character upon the Traffick in Slaves, and ultimately by a general recognition of it, as forming a constituent part of the Common Law of Nations. The Resolution is thus expressed.

“ That The President of the United States be requested to enter upon, “ and to prosecute, from time to time, such negotiations with the Maritime “ Powers of Europe and America, as he may deem expedient for the abolition “ of the African Slave Trade, and its ultimate denunciation as Piracy, under “ the Law of Nations, by the Civilized World.”

(Signed) STRATFORD CANNING.

The Right Hon. George Canning.
&c. &c. &c.

No. 10.

The Right Hon. Stratford Canning to Mr. Secretary Canning.—(Received May 9.)

SIR,

Washington, March 31, 1823.

I HASTEN to transmit to you the inclosed copy of an Answer which I have received from the American Secretary of State, to my Official Letter of January 29th, on the necessity of concerting more effectual measures for the suppression of the Slave Trade. It will, doubtless, afford you satisfaction to find that the Government of the United States, though they persist in declining to concede the right of search, proposed on the part of His Majesty, declare their willingness to join with other Nations in treating the Slave Trade as Piracy; and offer, with that principle in view, as a substitute for the right of search, to enter into a mutual engagement with Great Britain. This proposal you will observe, is grounded on a late Resolution of the House of Representatives, which I have already had the honour of making known to you. I hope to have some further communication on the subject with Mr. Adams, before the departure of the monthly Packet. In the mean time, it only remains for me to mention, that Mr. Gallatin has lately made a separate representation to the French Ministry, with reference to the Slave Trade, agreeably to what it appears that he had led His Majesty's Ambassador at Paris to expect.

I have, &c.

(Signed) STRATFORD CANNING.

The Right Hon. George Canning.
&c. &c. &c.

(First Inclosure in No. 10.)

John Quincy Adams, Esq. to The Right Hon. Stratford Canning.

Department of State,

Washington, March 30, 1823.

SIR,

YOUR Letter of the 29th January, was, immediately after being received, submitted to the consideration of The President of the United States. The delay which has hitherto procrastinated a reply to it, has been occasioned, not by any abatement of the interest, on the part of the Government of the United States, with which it regards every effort and proposal for the full and final suppression of the African Slave Trade; nor by any hesitation with

regard to the decision, which had already been formed and declared, respecting the proposal of submitting the Vessels and Citizens of the United States to the search of Foreign Officers upon the high seas; but by an expectation that measures, contemplated by the National House of Representatives, might, before the close of the Session of Congress, indicate to the Executive Government of this Country, views, upon which it would be enabled to substitute a proposal, for accomplishing the total abolition of the traffick, more effectual to its purpose, and less liable to objections on other accounts, than that, to which the United States cannot be reconciled, of granting the right of search. These measures were matured in the branch of the Legislature where they originated, only at the very termination of the Session, and the Senate had not the opportunity of pronouncing its opinion upon them. There is, however, no doubt on the mind of The President, that they would have obtained their sanction; and he has, therefore, no hesitation in acting so far upon the expressed and almost unanimous sense of the House, as to declare the willingness of this Union, to join with other Nations in the common engagement to pursue and to punish those who shall continue to practise this crime, so reprobated by the just and humane of every Country, as enemies of the human race, and to fix them irrevocably in the class, and under the denomination, of Pirates.

I have the honour of inclosing, herewith, a copy of the fourth and fifth Sections of a Law of the United States, passed on the 15th of May, 1820, by which it will be seen, that any Citizen of the United States, being of the crew or ship's company of any Foreign ship or vessel engaged in the Slave Trade, or any Person whatever, being of the crew or ship's company of any ship or vessel owned, in the whole or part, or navigated for, or in behalf of, any Citizen or Citizens of the United States, participating in the Slave Trade, is declared to have incurred the penalties of Piracy, and made liable to atone for the crime with his life. The Legislation of a single Nation can go no farther to mark its abhorrence of this traffick, or to deter the people, subject to its Laws, from contamination, by the practice of others.

If the inference in your Letter of the 29th of January, from the Documents to which it refers, be correct, that the French flag is more particularly employed to cover the illicit trade on the Coast of Africa, and the conjecture likewise suggested in it, that this flag is used to cover the property and the persons of individuals bound to other allegiances, be well founded; this Statute makes every Citizen of the United States, concerned in such covered traffick, liable, if detected in it, to suffer an ignominious death. The code of Great Britain herself, has hitherto no provision of equal severity in the pursuit of her subjects, even under the shelter of Foreign banners, and to the covert of simulated papers and property.

I am directed by The President of the United States to propose, on their part, the adoption by Great Britain of the *principle* of this Act; and to offer a mutual stipulation to annex the penalties of *Piracy* to the offence of participating in the Slave Trade, by the Citizens or Subjects of the respective Parties. This proposal is made as a substitute for that of conceding a mutual right of search, and of a trial by Mixed Commissions, which would be rendered useless by it. Should it meet the approbation of your Government, it may be separately urged upon the adoption of France, and upon the other Maritime Powers of Europe, in the manner most conducive to its ultimate success.

I have the honour of tendering to you the renewed assurance of my distinguished consideration.

(Signed) JOHN QUINCY ADAMS.

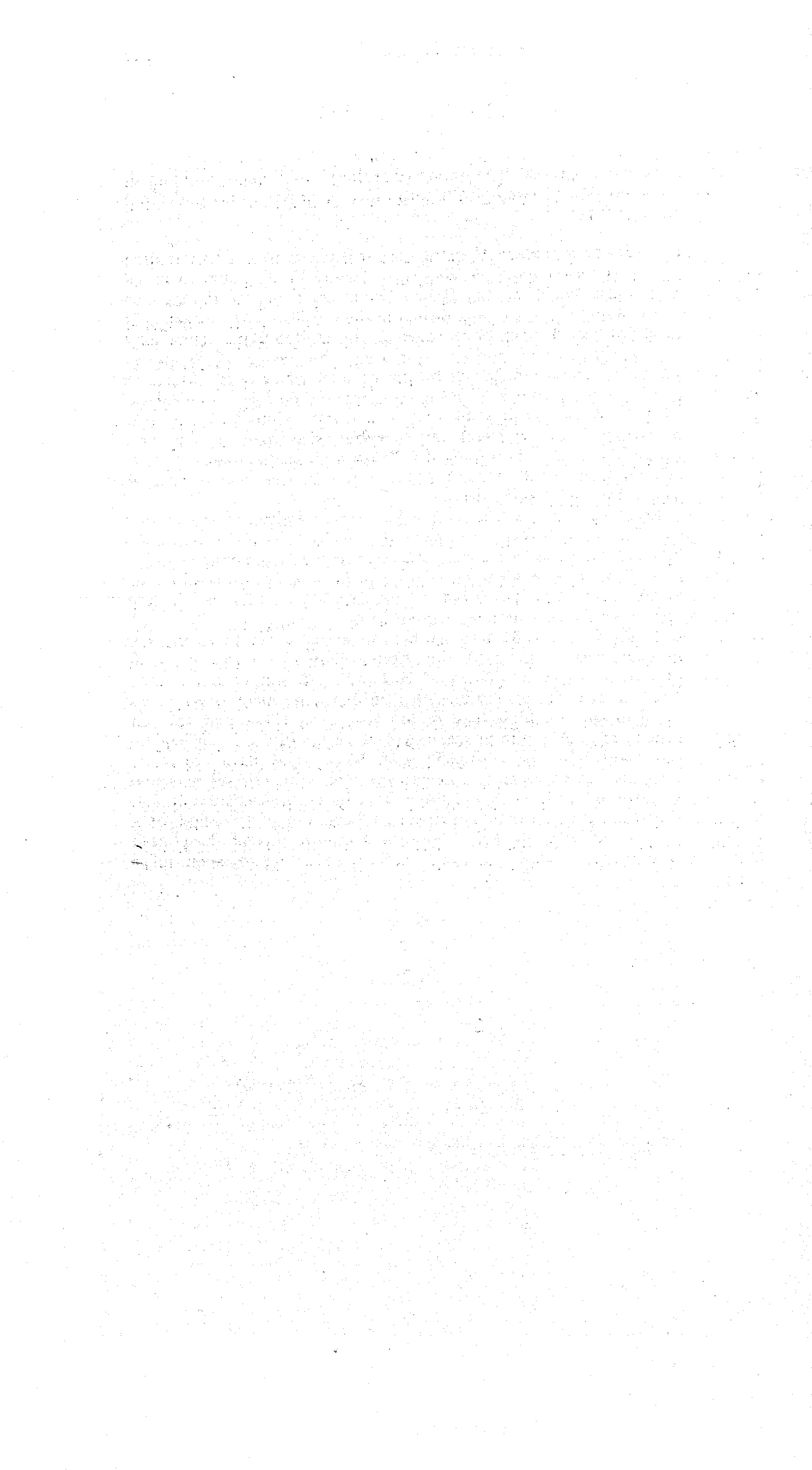
The Right Hon. Stratford Canning,
&c. &c. &c.

(Second Inclosure in No. 10.)

Extract of an Act of Congress, approved 15th May 1820, "to continue in force 'An Act to protect the Commerce of the United States, and punish 'the crime of Piracy'—and also to make further provision for punishing the crime of Piracy."

Sect. IV. *And be it further Enacted*,—That if any Citizen of the United States, being of the crew or ship's company, or any Foreign ship or vessel engaged in the Slave Trade, or any Person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole or part, or navigated for, or in behalf of, any Citizen or Citizens of the United States, shall land from any such ship or vessel, and on any Foreign shore seize any Negro or Mulatto, not held to service or labour by the Laws of either of the States or Territories of the United States, with intent to make such Negro or Mulatto a Slave; or shall decoy, or forcibly bring and carry, or shall receive such Negro or Mulatto on board any such ship or vessel, with intent as aforesaid; such Citizen or Person shall be adjudged a Pirate, and, on conviction thereof, before the Circuit Court of the United States for the district wherein he may be brought or found, shall suffer death.

Sect. V. *And be it further Enacted*,—That if any Citizen of the United States, being of the crew or ship's company of any Foreign ship or vessel engaged in the Slave Trade, or any Person whatever, being of the crew or ship's company of any ship or vessel, owned wholly, or in part, or navigated for or in behalf of any Citizen or Citizens of the United States, shall forcibly confine or detain, or aid and abet in forcibly confining or detaining, on board such ship or vessel, any Negro or Mulatto not held to service by the Laws of either of the States or Territories of the United States, with intent to make such Negro or Mulatto a Slave, or shall, on board any such ship or vessel, offer or attempt to sell, as a Slave, any Negro or Mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer or deliver over to any other ship or vessel, any Negro or Mulatto not held to service as aforesaid, with intent to make such Negro or Mulatto a Slave, or shall land or deliver on shore, from on board any such ship or vessel, any such Negro or Mulatto, with intent to make sale of, or having previously sold such Negro or Mulatto as a Slave, such Citizen or Person shall be adjudged a Pirate, and on conviction thereof, before the Circuit Court of the United States for the district wherein he shall be brought or found, shall suffer death.



SWEDEN.

No. 1.

C. M. St. George, Esq. to The Marquess of Londonderry.—(Received May 28.)

(Extract.)

Stockholm, May 16, 1822.

I BROUGHT to the knowledge of Count Engestrom, in the manner prescribed by Your Lordship, the statement of the facilities afforded to the Slave Trade at St. Bartholomew, and have received in reply the inclosed Note, by which, as Your Lordship will perceive, the Swedish Government, has pledged itself to institute the strictest enquiry as to the abuses alledged against that Island, and to visit the convicted with the utmost rigour of the Law.

The Count requests that Your Lordship will consider the last part of his Note, simply as an additional indication of the willingness of this Government to comply with your wishes, by affording an opening for information ; and he authorizes me to say that silence will be interpreted as a proof that none is forthcoming from Your Lordship's Office. The French Mission here has also been lately addressed by Count Engestrom on this subject.

The Marquess of Londonderry, K. G. (Signed) CHAS. M. ST. GEORGE,
&c. &c. &c.

(Inclosure in No. 1.)

Count Engestrom to C. M. St. George, Esq.

Stockholm, le 13 Mai 1822.

LE Soussigné, Ministre d'Etat et des Affaires Etrangères de Sa Majesté Le Roi de Suède et de Norvège, a reçu la Note que M. de St. George, Chargé d'Affaires de Sa Majesté Britannique, a bien voulu lui adresser en date du 28 du mois passé, par ordre de son Gouvernement, et en consequence d'une assertion renfermée dans une Note, adressée le 12 Mars dernier, par M. de Caraman à S. E. Le Marquis de Londonderry, comme quoi il se fabriquoit de faux papiers Français relatifs à la Traite des Nègres dans la Colonie de St. Barthelemy.

L'expérience a malheureusement constaté jusqu'à quel point ces abus honteux ont été poussés dans quelques Pays de l'Europe, durant les dernières guerres ; mais le Soussigné aimerait cependant à croire, qu'une aussi profonde démoralisation n'aura point encore été introduite parmi les habitans de la Colonie de St. Barthelemy, et il croit devoir ajouter, que si M. de Caraman avait pu appuyer cette accusation sur des preuves suffisantes, la Mission de Sa Majesté Très Chrétienne à Stockholm aurait, d'après toutes les probabilités reçu l'ordre d'adresser officiellement au Ministère du Roi des plaintes à cet égard.

Neanmoins, et pour donner une preuve de son désir sincère de contribuer en autant qu'il dépend de Lui, au maintien de l'ordre en général et à la découverte de menées aussi criminelles qu'opposées aux intérêts de l'humanité, Le Roi a autorisé le Soussigné de déclarer à M. de St. George, que les recherches les plus scrupuleuses seront ordonnées au sujet des abus désignés, et

que les coupables, s'il y en a, n'échapperont point à la sévérité des Loix ; mais le Soussigné croit devoir en même tems inviter M. de St. George, à demander à son Gouvernement tous les éclaircissemens que M. de Caraman aura sans doute fourni au Ministère Britannique, depuis l'envoi de sa Note.

Le Soussigné profite de cette occasion, &c. &c
 M. de St. George, (Signé) LE COMTE D'ENGESTROM.
 &c. &c. &c.

(Inclosure in No. 1.)

Count Engestrom to C. M. St. George, Esq.

(Translation.)

Stockholm, May 13, 1822.

THE Undersigned, Minister of State and for Foreign Affairs of His Majesty The King of Sweden and Norway, has received the Note which Mr. St. George, the Chargé d'Affaires of His Britannick Majesty, has been pleased to address to him, under date of the 28th ultimo, by order of his Government, and in consequence of an assertion contained in a Note, addressed by Monsieur de Caraman to His Excellency The Marquess of Londonderry on the 12th of March last, stating that false French Papers were fabricated relative to the Slave Trade in the Colony of St. Bartholomew.

Experience has unfortunately proved to what extent these shameful abuses were carried in several Countries of Europe during the last war ; but the Undersigned would, notwithstanding, willingly believe that such gross demoralization has not yet found its way amongst the Inhabitants of the Colony of St. Bartholomew, and he thinks it right to add, that if M. de Caraman could have supported the accusation by sufficient proofs, the Mission of His Most Christian Majesty at Stockholm, would in all probability have received orders to make an official complaint to the Swedish Ministry on the subject.

Nevertheless, The King, in order to manifest His sincere desire to contribute, as far as depends upon Him, to the maintenance of order in general, and to bring to light manœuvres no less criminal than contrary to the interests of humanity, has authorized the Undersigned to declare to Mr. St. George, that the most minute investigation shall be made touching the aforesaid abuses, and that the guilty, should there be any, shall not escape the severity of the Laws : but the Undersigned thinks it right at the same time to request Mr. St. George to obtain from his Government, all the information that M. de Caraman will, doubtless, have furnished to the British Ministry, since the delivery of his Note.

The Undersigned profits of this opportunity, &c.

C. M. St. George, Esq. (Signed) LE COMTE D'ENGESTROM.
 &c. &c. &c.

No. 2.

Mr. Secretary Canning to Charles M. St. George, Esq.

SIR,

Foreign Office, October 19, 1822.

THE accompanying Paper will put you in possession of the circumstances under which a vessel, named the *Joseph*, which was found illegally trading in Slaves, assumed the Swedish flag in order to escape the penalty to which she would have been subject under the flag of that Country to which she belonged.

The Governments of those Countries which have renounced the Slave

Trade, although they may object, or may have delayed, to take international measures to ensure the discontinuance of it on the part of their subjects, can hardly deny that frauds like these call loudly for their interposition.

It cannot be indifferent to their feelings, or to their honour, that their flag should be thus prostituted to purposes which they have disavowed, in contravention of their own solemn abjurations.

His Majesty has, therefore, deemed it a proper attention to the Court of Stockholm, that a communication of this fact should be forthwith made to the Swedish Government; not doubting but that His Swedish Majesty, the character of whose flag has been in this instance indecently and fraudulently abused, will be the first to issue a Declaration so consonant to the principle of His engagements of the 3d March 1813; "not to permit the subjects of Sweden to engage in the Slave Trade;" by which He will disclaim any wish to protect persons who thus wickedly assume and disgrace the Swedish flag, and will direct that they may be dealt with, as if that flag had not been so assumed.

Whether such Declaration shall be issued in the shape of a publick Manifesto, or shall be conveyed in that of an Official Note, to be transmitted to the British Government, with permission to furnish copies of it to British cruisers, is a matter entirely for His Swedish Majesty's consideration:—but, in one shape or other, it is to be hoped that you will be able to induce M. d'Engestrom to prevail with His Swedish Majesty to consent to the issue of it without delay.

Chas. M. St. George, Esq.
&c. &c. &c.

I am, &c.
(Signed) GEORGE CANNING.

(Inclosure in No. 2.)

Paper relating to the Ship *Joseph*.

(Extract.)

Sierra Leone, July 9, 1822.

THE case of the ship *Joseph* is of a peculiar description, and as it may, and doubtless will happen again, requires early attention.

This vessel was captured at the Gallinas, and after capture pretended to be a Swedish vessel. She had on board Swedish, English and American colours,—a clearance from Matanzas, in Cuba—the measurement of a vessel called the *Joseph* at Gustavia, St. Bartholomews, dated July 1819,—and a certificate *in English*, dated the same Place, the same time, and purporting to testify that Johan Krause had made oath he was the Owner of the said schooner *Joseph*,—and signed by a Notary. She had no other ship's paper whatever, except her log, kept in English by Elliot, the Mate. The Master, *Krause*, whose real name is suspected to be *De la Cruz*, called himself Owner, and was the only one on board who pretended to be a Swede. The two Mates pretended to be Americans, the sailors were Americans, French, Danes, and one an acknowledged Irishman.

In the private examinations taken, it was found the cargo was shipped at Matanzas, by one Zacharius Atkins, whom one of the parties believed to be an Englishman. On her arrival on the Coast she was repaired at Bulama, and in the Rio Grande, by the assistance of David Lawrence, a son of old Lawrence's; and Slaves were purchased from him, and Pock, an Englishman; D. Lawrence's signature to the oath of allegiance was produced.

Having thus a fair *prima facie* case, A. B. determined to try how far the Judge would act up to law and practice, and oblige the claimants to furnish proof in opposition to our case, or, in default of claim and proof on their part, would condemn the property. A. B. therefore libelled her under the British Abolition Acts. The Judge, however, determined, that though not properly documented

as a foreign vessel, yet, if she had a foreign flag, we had no right to enquire into the property, unless English interest was so self-evident that it must be seen by all; that it being doubtful in this Case he should consider her as a *bond fide* foreign vessel; that Bulama, though belonging to His Majesty, was not in His actual possession: that David Lawrence having taken the oath of allegiance as a matter of policy or convenience, at the time of the Rio Pongas expeditions, could not be considered a British subject, except when in British Territory: that the fact of purchasing Slaves from a British subject did not render the foreign vessel liable to any penalty; and that, therefore, being a foreign vessel, and in his opinion not affected by the transactions at Bulama, she must be released: that he could not allow that if no claim was made the seizors were entitled to a judgment; nor would he allow the "*onus probandi*" to lie on the claimants; he would in all such cases force the seizors to prove the whole of their allegations.

A. B. quoted Acts of Parliament and Admiralty decisions to shew he was wrong, but to no purpose; she was released. He, however, recommended we should try our luck in the British and Spanish Mixed Commission Court. This decision took up thirty days.

In the Mixed Commission Court a claim for restoration and damages was given in at once, A. B. proceeded over nearly the same ground, and brought home perjury to the Master, several times. Here the Judge (Fitzgerald), was for condemnation on the grounds that Atkins was part Owner, at least, and that Krause had sworn to so many lies that he could not be believed when he asserted she was a Swede. Mr. Gregory, however, objected; he believed she was a Swede, and did not think, if employed on account of Spanish subjects, or even if partly owned by them, she could be condemned if sailing under another flag. A. B. pressed upon him that part of the fifth Article, which declares unlawful, Slave-trading, "either by Spanish ships or under the Spanish flag, or for the account of Spanish subjects by any vessel or under any flag whatever, after the 30th May 1820, &c." and asked him what it could apply to, but to vessels under circumstances like this. He gave no answer, and we continued in this state of suspense for five weeks, with the Judges of different opinions. Mr. Gregory, however, got enlightened soon after the Commodore's return; found out that Krause was a great liar, the Swedish papers a sham, the vessel all Spanish, and he condemned her.

It has at last turned out that she is not *the Joseph*, Krause had at Gustavia, but a vessel picked up at Matanzas, and fitted out for this voyage under the same name.

No. 3.

C. M. St. George, Esq. to Mr. Secretary Canning.—(Received December 5.)

SIR,

Stockholm, November 7, 1822.

ON the 4th instant I had the honour to receive your Despatch of the 19th ultimo, concerning the ship *Joseph*, as engaged in the Slave Trade, and have begun to execute the commands contained in it.

I have the honour to be, &c.

(Signed) CHAS. M. ST. GEORGE.

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

No. 4.

C. M. St. George, Esq. to Mr. Secretary Canning.—(Received December 25.)

(Extract.)

Stockholm, December 14, 1822.

YOU will receive with satisfaction the inclosed Note from Count d'Engeström, which, publickly and explicitly, abjures, on the part of The King of Sweden, all concern whatever, in any form or modification of Slave Trade,—excludes from the protection of the Swedish flag all persons or vessels, whether Swedish or foreign, that may be found engaged in that traffick, and authorizes the transmissal to His Britannick Majesty's cruizers of Count Engeström's Declaration to the above effect.

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

(Signed) C. M. ST. GEORGE.

(Inclosure in No. 4.)

Count Engestrom to C. M. St. George, Esq.

Stockholm, le 13 Decembre 1822.

LE Soussigné, Ministre d'Etat et des Affaires Etrangères de S. M. Le Roi de Suède et de Norvège n'a pas manqué de mettre sous les yeux du Roi, la Note, que M. de St. George, Chargé d'Affaires de Sa Majesté Britannique, a bien voulu lui adresser, en date du 9 Novembre, relativement aux mesures à prendre pour prévenir l'abus du pavillon Suédois dans la Traite des Nègres; et le Soussigné se fait un devoir bien agréable de faire part à Monsieur de St. George des hautes décisions du Roi sur un objet aussi intéressant.

Pour ce qui concerne d'abord le fait particulier, cité dans la Note de Monsieur de St. George, il paroît constaté par la procédure, que le bâtiment, *le Joseph*, étoit Espagnol, malgré qu'il se soit illicitement servi du pavillon Suédois. Les recherches les plus scrupuleuses seront néanmoins ordonnées dans la Colonie de St. Barthelemy pour obtenir, s'il est possible quelques renseignemens plus positifs à cet égard, lesquels seront de suite communiqués au Ministère de S. M. Britannique.

Pour ce qui en est des mesures plus générales à adopter contre les abus en question, S. M. Le Roi de Suède et de Norvège sera le premier à y concourir par tous les moyens en Son pouvoir. La Législation Suédoise essentiellement protectrice des droits de l'humanité a depuis un tems immémorial, aboli et défendu l'esclavage sous quelque forme qu'ils se présentat; et la Traite des Nègres s'est par conséquent trouvé impliquée dans cette défense générale. Le Roi compte parmi les plus beaux titres de gloire de Son Auguste Père, feu S. M. Le Roi Charles XIII. de s'être associé aux nobles efforts du Gouvernement et de la Nation Britannique, pour prévenir ce fléau de l'humanité, par l'engagement contracté dans la section 4 de l'Article séparé du Traité du 3 Mars 1813, engagement, qui découloit naturellement du texte même de nos Loix; mais qui n'en renfermoit pas moins la déclaration la plus explicite des principes, qui ne cesseront jamais d'être ceux du Gouvernement du Roi. La Suède a depuis pris part aux mesures adoptées par le Congrès de Vienne, pour effectuer l'abolition d'un trafic, honteux pour l'humanité, indigne d'un siècle civilisé et également dégradant pour ceux qui s'y livrent, et pour ceux qui en sont les malheureuses victimes. Confondant ainsi les antiques dispositions des Loix de la Suède avec les engagemens récemment

contractés avec un Gouvernement Allié, qui de tout tems s'est prononcé avec courage et persévérance contre l'oppression, Le Roi se félicite de pouvoir donner en cette occasion un nouveau gage des sentimens, qui animent Sa Majesté, ainsi que de Son désir d'aller au devant des vûes éclairées et bien-faisantes de Sa Majesté Britannique, en autorisant le Soussigné à déclarer :

Que tout bâtiment Suédois ou Norvégien qui, contre toute attente, seroit trouvé employé dans une entreprise aussi illicite que la Traite des Nègres, ayant contrevenu aux Loix du Pays, sera censé avoir reponcé par le fait même, à tout droit de réclamer la protection du Gouvernement Suédois et Norvégien, laquelle lui seroit refusée le cas échéant ; qu'à plus forte raison, Sa Majesté n'entend point, que le pavillon Suédois ou Norvégien frauduleusement porté par des bâtimens étrangères puisse leur servir de protection contre les inconveniens, auxquels ils se seront exposés en se livrant à un trafic aussi odieux : Que Le Roi sera toujours redevable au Gouvernement Britannique de la découverte et de la punition de tout abus du pavillon Suédois ou Norvégien, dont Sa Majesté cherche à soutenir l'honneur en toute occasion ; et enfin, que par suite de ces principes, Le Roi consent, à ce que tout bâtiment trouve engagé dans la Traite des Nègres et portant pavillon Suédois ou Norvégien, soit traité exactement comme s'il n'avoit jamais arboré ce pavillon.

En donnant ces assurances au Ministère de Sa Majesté Britannique, au nom du Roi, son Auguste Souverain, le Soussigné est chargé d'ajouter que le Gouvernement Suédois n'a aucune objection à ce que le contenu de cette Nôte soit porté à la connoissance des Officiers Commandans de S. M. Britannique de la manière qui sera jugée la plus convenable.

Le Soussigné profite de cette occasion, &c.

(Signed)

LE COMTE D'ENGESTROM.

M. St. George,
&c. &c. &c.

(Inclosure in No. 4.)

Count Engestrom to C. M. St. George, Esq.

(Translation.)

Stockholm, December 13, 1822.

THE Undersigned, Minister of State and for Foreign Affairs of His Majesty The King of Sweden and Norway, did not fail to submit to The King the Note, under date of the 9th November, addressed to him by Mr. St. George, the Chargé d'Affaires of His Britannick Majesty, relative to the measures to be adopted for preventing the abuses of the Swedish flag in the Slave Trade ; and the Undersigned considers it a very agreeable duty to make known to Mr. St. George the high decisions of The King on so interesting a subject.

In the first place, so far as regards the particular fact mentioned in Mr. St. George's Note, it appears established by the procedure, that the vessel, the Joseph, was Spanish, notwithstanding its having illicitly carried Swedish colours. The most scrupulous researches shall, however, be ordered in the Colony of St. Bartholomew, for the purpose of obtaining, if possible, more positive information on the subject, which shall be immediately communicated to the Minister of His Britannick Majesty.

With regard to the more general measures to be adopted against the abuses in question, His Majesty The King of Sweden and Norway will be the first to concur in them by every means in his power. The Swedish Legislature, essentially the Protector of the Rights of Humanity, has, from time immemorial, abolished and prohibited slavery, under whatever form it might present itself ; and the Slave Trade is consequently included in this general prohibition. The King reckons amongst the most noble titles to

glory of his August Father, His late Majesty Charles XIII, that of having associated himself in the noble efforts of the British Government and Nation to prevent this scourge to humanity, by the engagement contracted in the fourth Section of the separate Article of the Treaty of the 3d March 1813, an engagement which flowed naturally from the very text of our Laws, but which did not less contain the most explicit declaration of principles which will never cease to be those of The King's Government. Sweden has since taken a part in the measures adopted by the Congress of Vienna, to effect the abolition of a traffick which is a disgrace to humanity, unworthy of a civilized age, and equally degrading to those who carry it on, and to those who are its unfortunate victims. Blending thus the ancient provisions of the Swedish Laws with the engagements recently contracted with an Ally, who, with courage and perseverance, has at all times, declared Himself an enemy to oppression; The King is happy in being able, on this occasion, to give a new proof of the sentiments by which His Majesty is actuated, as well as of His desire to anticipate the enlightened and beneficent views of His Britannick Majesty, and has therefore authorized the Undersigned to declare:

That all Swedish or Norwegian vessels which, against every expectation, shall be found employed in so illicit a traffick as the Slave Trade,—having violated thereby the Laws of the Country,—shall be considered as having, by the fact itself, renounced the right of claiming the protection of the Swedish and Norwegian Government, which, in such case, shall be refused:—and His Majesty further declares that the Swedish or Norwegian flag, fraudulently used by foreign vessels shall be no protection to them against the consequences to which they will be exposed in carrying on so odious a traffick:—That The King will always be thankful to the British Government for the discovery and punishment of the abuses of the Swedish or Norwegian flag, of which His Majesty seeks, on all occasions, to sustain the honour;—and, finally, in furtherance of these principles, The King consents that every vessel found engaged in the Slave Trade under the Swedish or Norwegian flag, shall be treated in all respects as if it had never carried that flag.

In making these assurances to the Ministry of His Britannick Majesty, in the name of The King, his August Sovereign, the Undersigned is commanded to add, that the Swedish Government has no objection to the contents of this Note being made known to the commanding Officers of His Britannick Majesty, in whatever manner may be deemed expedient.

The Undersigned profits by this opportunity, &c.

(Signed) THE COUNT D'ENGESTROM.

C. M. St. George, Esq.
&c. &c. &c.

No. 5.

Chârlés M. St. George, Esq. to Mr. Secretary Canning.—(Received April 4.)

(Extract.)

Stockholm, March 20, 1823.

IN reference to my Despatch of the 14th of December of last year, I have the honour to inclose a Proclamation, lately issued by this Government, declaring the Swedish and Norwegian flag to be no protection, in any case of Slave-dealing whatever.

(Signed) CHARLES M. ST. GEORGE.

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

(Inclosure in No. 5.)

(Translation.)

Royal Ordinance respecting the consequences to which Swedish Vessels expose themselves, which shall be employed in the Slave Trade.

WE, Charles John, do hereby declare, that, desiring most carefully to maintain the principles which have been adopted by Our Father, King Charles the Thirteenth, of glorious memory, and which are conformable to Our own sentiments, against the Traffick of Slaves, We have found it expedient hereby to declare, that Swedish and Norwegian vessels which shall be employed in the Slave Trade, shall lose by this contravention of Our Orders, Our Royal protection, and that of our Officers and Functionaries; that we shall see with satisfaction, discovered and punished, every use which may be made of the Swedish and Norwegian flag in the prosecution of this odious traffick; and that, in consequence, all vessels which shall be found participating in the Slave Trade under Swedish and Norwegian colours, shall be looked upon as not carrying those colours; which shall hereafter be considered as a Law.

In virtue of which, &c.

(Signed) CHARLES JOHN, (L. S.)

Given at the Palace of Stöckholm this Seventh day of February 1823.

(Signed) C. D. SKOGMAN.

No 6.

Mr. Secretary Canning to Sir Benjamin Bloomfield.

SIR,

Foreign Office, May 9, 1823.

MR. ST. GEORGE inclosed to me, in his Despatch of the 20th of March last, the copy of a Proclamation which The King of Sweden issued on the 7th of February 1823, declaring that all vessels, Swedish or Norwegian, or under Swedish or Norwegian colours, found to be participating in the Slave Trade, should forfeit all right to the protection of the Swedish or Norwegian flag, or sovereignty.

I am to direct you to state to the Government of Sweden, that His Majesty has derived great satisfaction from this convincing mark of His Swedish Majesty's firm and honourable determination, to adhere to the principle of "not permitting Swedish subjects to engage in the detestable Traffick in "Slaves."

You will add, that, in order to give due effect to the spirit of this Proclamation, and to enable Great Britain to issue corresponding Instructions to her cruisers, and to the British Commissioners, and others employed in putting down illegal Slave Trade, it will be essential that a Conventional Arrangement should be entered into between Great Britain and Sweden, binding upon both Parties, with respect to the effect of the Proclamation, and defining (if it be thought necessary), the measures and the forms which are to be adhered to in carrying the object of that Document into execution.

You will state that you are ready to open a Negotiation upon this matter ; and, if there shall appear to be a disposition to come to some definitive arrangement upon it, you will invite them to prepare the *Projet* of a Treaty or Convention, which you will transmit home for consideration. Full Powers for concluding the same will be sent out to you, as soon as the state of the Negotiation shall render it necessary.

I inclose, in the mean while, for your information and guidance, copies of the several Papers which have been laid before Parliament by His Majesty's command, upon the subject of the Slave Trade, including copies of the Treaties entered into by His Majesty with Spain, Portugal, and the Netherlands, for preventing the continuation of this odious Traffick.

I am, &c.

(Signed)

GEORGE CANNING.

The Right Hon. Sir Benjn. Bloomfield,
&c. &c. &c.

DENMARK.

No. 1.

H. U. Addington, Esq. to The Marquess of Londonderry.—(Received April 25.)

(Extract.)

Copenhagen, April 16, 1822.

I HAVE the honour to acknowledge the receipt of Your Lordship's Despatch of the 26th March, relative to the irregular practices pursued at the Danish Colony of St. Thomas, in furtherance of the Slave Trade.

I lost no time in bringing this subject under the consideration of this Government; and M. Rosenkrantz assured me that orders should be immediately dispatched to the Governor of the Danish West India Colonies, to sift the matter to the bottom, and to adopt the necessary measures for preventing a recurrence of the practices complained of.

(Signed) H. U. ADDINGTON.

The Marquess of Londonderry, K. G.
&c. &c. &c.

No. 2.

Augustus J. Foster, Esq. to Earl Bathurst.—(Received September 18.)

MY LORD,

Copenhagen, September 10, 1822.

I HAVE the honour to transmit to Your Lordship the inclosed copy of a Reply, which M. Rosenkrantz, His Danish Majesty's Minister for Foreign Affairs, has just sent to me, in answer to the representation which Mr. Addington made to him, pursuant to the instructions he had received from Lord Londonderry the 26th of last March, in consequence of a complaint of the French Government, relative to a practice, said to exist at St. Thomas's, of counterfeiting French ship's papers, for the use of vessels engaged in the Slave Trade, but which allegation the Danish Minister shews, by the admission of the French Commercial Agent himself, who was said to have given the information, to be wholly groundless.

I have the honour to be, &c.

Earl Bathurst, K. G.
&c. &c. &c.

(Signed) AUGUSTUS J. FOSTER.

(Inclosure in No. 2.)

M. de Rosenkrantz to Augustus J. Foster, Esq.

MONSIEUR,

Copenhague, le 4 Septembre 1822.

SOUS le 14 Avril dernier, Monsieur Addington, Chargé d'Affaires de Sa Majesté Britannique, m'a fait part d'un mémoire, remis au feu Marquis de Londonderry, par Le Comte de Caraman, et portant la dénonciation pré-

tendûment faite par Monsieur de Ligny, Agent François à St. Thomas, “ que
 “ dans cette Ile il se fabrique de faux papiers de bord, revêtus de la signature
 “ contrefaite du Gouvernement de la Guadeloupe, ou de celle du Gouverneur
 “ de la Martinique, à la faveur desquels des spéculateurs étrangères rejettent
 “ sur la Commerce François l’odieux d’un trafic illicite—la Traité des Nègres ;
 “ et que de plus M. de Ligny se seroit trouvé dans le cas d’avoir à demander
 “ au Commandant de St. Thomas de faire tirer sur un bâtiment qui étoit
 “ entré le matin sous pavillon Danois, et qui sortit le même soir sous pavillon
 “ François.”

Ayant requis le Gouverneur-Général des Iles Danoises, aux Indes Occidentales, de faire examiner scrupuleusement, l’objet d’une dénonciation faite avec tant d’assurance, en citant des sources officielles, J’ai l’honneur de vous informer, Monsieur, que d’après les éclaircissemens fournis par le dit Gouverneur-Général, aussi bien que par le Commandant de St. Thomas, rien n’a été decouvert qui pourroit servir à constater, où même à faire soupçonner la réalité des faites dénoncés ; que dans l’Île de St. Thomas il n’existe pas même la possibilité de contrefaire des papiers quelconques, vû qu’aucun graveur n’y est établi et qu’il n’y a qu’une seule imprimerie fort imparfaite à peine propre à imprimer une Gazette ; et que finalement l’Agent François à St. Thomas interpellé à s’expliquer sur les faits qui auroient pu motiver sa dénonciation, a formellement et par écrit désavoué d’avoir jamais fait une pareille dénonciation, gratuitement mise sur son compte, ou d’avoir eu recours au Commandant de St. Thomas pour l’affaire du bâtiment en question.

Je me flatte, Monsieur, que ces éclaircissemens suffiront pour qu’aux yeux de Votre Gouvernement, les Autorités du Roi dans les Colonies soient justifiés d’un accusation de négligence répréhensible et peu méritée.

J’ai l’honneur d’être, &c. &c.

M. Augustus J. Foster,
 &c. &c. &c.

(Signé) N. ROSENKRANTZ.

(Inclosure in No. 2.)

M. de Rosenkrantz to Augustus J. Foster, Esq.

(Translation.)

SIR,

Copenhagen, September 4, 1822.

ON the 14th of April last, Mr. Addington, Chargé d’Affaires of His Britannick Majesty, communicated to me a Memorandum transmitted to the late Marquess of Londonderry by The Count de Caraman, and containing the denunciation made, as is pretended, by Monsieur de Ligny, French Agent at St. Thomas’s : “ that in this Island false ship-papers are fabricated, provided
 “ with the forged signature of the Guadeloupe Government, or with that of
 “ the Governor of Martinico, by means of which, foreign Speculators throw on
 “ French commerce the odium of an illegal traffick—the Slave Trade ; and
 “ that, moreover, Monsieur de Ligny had found himself under the necessity of
 “ requiring the Commandant of St. Thomas to give orders for firing
 “ upon a vessel which had entered in the morning under the Danish flag,
 “ and went out the same evening under the French flag.”

Having required the Governor-General of the Danish Islands in the West Indies to institute a rigorous inquiry into a denunciation made with so much confidence, and quoted as coming from official sources, I have the honour to inform you, Sir, that according to the explanations given by the said Governor-General, as well as by the Commandant

of St. Thomas, nothing has been discovered which could lead to prove, or even to raise a suspicion of the truth of the facts denounced; that in the Island of St. Thomas there does not even exist the possibility of forging any Papers whatsoever, there not being a single Engraver established there, and there being only one Printing Press, very imperfect, and scarcely fit for printing a Gazette; and that, lastly, the French Agent at St. Thomas, when called upon to explain himself as to the facts which might have led to the denunciation, has, formally, and in writing, denied having ever made such a denunciation, gratuitously imputed to him, or having had recourse to the Commandant of St. Thomas respecting the vessel in question.

I flatter myself, Sir, that these explanations will be sufficient, to justify in the eyes of your Government, The King's Authorities in the Colonies from a reprehensible and undeserved charge of negligence.

I have the honour to be, &c.

Augustus J. Foster, Esq.
&c. &c. &c.

(Signed) N. ROSENKRANTZ.

