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Class A.

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**CORRESPONDENCE**

WITH THE

**BRITISH COMMISSIONERS,**

RELATING TO

**THE SLAVE TRADE.**

---

1832.

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**Class A.**

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**CORRESPONDENCE**

WITH THE

**BRITISH COMMISSIONERS,**

AT

**SIERRA LEONE, THE HAVANA,**

**RIO DE JANEIRO, AND SURINAM,**

RELATING TO

**THE SLAVE TRADE.**

---

1832.

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*Presented to both Houses of Parliament, by Command of His Majesty,*  
1833.

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LONDON:

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PRINTED BY WILLIAM CLOWES, 14, CHARING CROSS,  
FOR HIS MAJESTY'S STATIONERY OFFICE.



THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 10

STATISTICAL MECHANICS

ENTROPY

10

ENTROPY

ENTROPY

ENTROPY

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## Class A. 1833.

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# Class A.

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## CORRESPONDENCE

WITH THE

## BRITISH COMMISSIONERS.

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### SIERRA LEONE. (*General.*)

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No. I.

*Viscount Palmerston to His Majesty's Commissioners, Sierra Leone.*

GENTLEMEN,

*Foreign Office, January 2, 1832.*

I HEREWITH transmit to you 4 Instruments, bearing date the 2d of January, 1832, by which His Majesty was pleased to appoint William Smith, Esq. to be His Majesty's Commissary Judge, and Henry William Macaulay, Esq. to be His Majesty's Commissioner of Arbitration, and Walter William Lewis, Esq. to be Secretary or Registrar, to the Mixed British and Foreign Commissions, which, under the Treaties and Conventions concluded with Portugal, Spain, the Netherlands, and Brazil, for the prevention of illegal Slave Trade, and pursuant to the several Acts of Parliament for carrying the said Treaties and Conventions into effect, are to be established at one of His Majesty's Possessions or Settlements on the coast of Africa.

You will, at an early opportunity after the receipt of this Despatch, take, in due form, the oath prescribed to you by the inclosed Instruments, and you will administer to Mr. W. W. Lewis the oath prescribed to be taken by him, prior to the entering upon your further respective duties, in the characters assigned to you in His Majesty's Commission of Appointment.

You will announce these appointments to the Foreign Members of the Mixed Commission, destined to act with you under the Treaties above-mentioned.

You will follow strictly the line pointed out in the Instructions, which have heretofore been given by His Majesty's Secretary of State to His Majesty's Commissioners at Sierra Leone.

Further Instructions will, by His Majesty's command, be transmitted to you, according as it shall appear that such Instructions shall be necessary for your guidance.

I am, &c.  
(Signed) PALMERSTON.

*To William Smith, Esq. and  
Henry William Macaulay, Esq.*

## No. 2.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17.)*

MY LORD,

*Sierra Leone, 5th January, 1832.*

WE have the honour to inclose herein, for your Lordship's information, a list of all the Cases adjudicated, by the Courts of Mixed Commissions established here, during the past year. The number of Cases so adjudicated was 9, and the number of slaves decreed by the said Courts to be emancipated, was 1701.

The total number of Cases adjudged, since the establishment of the Mixed Commissions up to this date, is 183, and the number of slaves emancipated during the same period amounts to 25,996. The number of slaves so emancipated, however, is greater by 1,154, than the number registered here, the latter amounting to 24,842.

To account for this, we beg leave to acquaint your Lordship, that Mr. Lewis, the Registrar to the Mixed Courts, when making up the present Return, stated to us his apprehension, that, in the similar annual Return for 1823, transmitted to His Majesty's Secretary of State by His Majesty's Commissioners, an error had accidentally arisen in the number of slaves reported by those gentlemen to have been emancipated, and the number, as appeared by the Records of the Spanish Court, that was actually decreed so to be dealt with. On a careful examination of the Archives such was found to be the case.

We have therefore had the inclosed detailed Document, B, drawn up, accounting, from the beginning, to the 1st of January, 1831, for the disposal of 985 slaves, who had, up to that period, been emancipated, but not registered; and we have added such remarks thereto as will tend, we hope, to make the matter clear and satisfactory to your Lordship.

The number of slaves emancipated, but who have not been registered at Sierra Leone, during the past year, has been duly accounted for in the inclosed List of Cases adjudged in that period. That number (169), added to the before-mentioned 985, makes a total of 1,154 unregistered slaves.

We have, &c.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

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

&c.

&c.

&c.

First Enclosure in No. 2.

A List of Cases adjudged, in the Courts of Mixed Commissions established at Sierra Leone, betwixt the 1st January, 1831, and 1st January, 1832.

Number of Cases adjudged between June 1819, and 1st Jan. 1822.	Number of Vessels liberated between June 1819, and 1st of Jan. 1832.	Number of Cases adjudged between 1st Jan. 1831, and 1st Jan. 1832.	NATION.	NAME of VESSEL.	CLASS.	CONDEMNED.	LIBERATED.	Number of Slaves on board at the time of capture.	Number of Slaves emancipated.	Number of Slaves emancipated and registered.	REMARKS.
175	12	1	Spanish.	Maria . . . . .	Schooner . .	Condemned.		505	497	497	Total number of slaves emancipated and registered here, between June 1819, and 1st of January 1831. . . . . 23,310
176		2		Dos Amigos . .	Brigantine . .	Ditto		....	....	....	Total number of slaves emancipated and not registered here, between June 1819, and 1st January 1831; for the reasons assigned in H. M. Commissioners' Despatch of the 5th Jan. 1832, transmitting this Document.    985
177		3		Primera . . . .	Schooner . .	Ditto		311	310	310	Total number of slaves emancipated between 1st January 1831, and 1st January 1832. 1,701
178		4		Marinerito . .	Brig. . . . .	Ditto		475	*376	*376	Of which number there have not been registered here, as appears by the foregoing remarks. . . . . 1,154
179		5		Potosi . . . . .	Schooner . .	Ditto		192	183	183	Total number registered up to this date. . . . . 24,842
180		6		Regulo . . . .	Brig. . . . .	Ditto		207	164	164	
181		7	Portuguese.	Rapido . . . .	Ditto . . . .	Ditto		2	2	2	
182		8		Roza . . . . .	Schooner . .	Ditto		157	157	157	
183		9	Brazilian.	Ismenia . . . .	Brigantine . .	Ditto		1,849	1,701	1,532	

SIERRA LEONE. (General.)

\* At the time of the emancipation of the "Marinerito's" slaves, 15 of them were stated to have been left at Fernando Po; 3 only of the said 15 persons have subsequently arrived here, and been registered.

† The 157 slaves emancipated as the cargo of the "Roza," at New Providence, Bahama Islands, they could not therefore be registered here.

viz. || 985  
\* 12  
† 157  
1,154

(Signed) ALEX. FINDLAY,  
WILLIAM SMITH.

Sierra Leone, 1st January, 1832.  
WALTER W. LEWIS, Registrar.



## SIERRA LEONE. (General.)

## Second Enclosure in No. 2.

List of Slaves emancipated by Decrees of the several Courts of Mixed Commissions established at Sierra Leone, but who, from the causes herein assigned, have not been registered there, between June 1819, and the 1st of January 1831, distinguishing the Name of the Vessel on board of which they were captured, and the Nation to which such Vessel belonged.

Name and Nation of Vessel.	Date of Condemnation.	No. of Slaves.	REMARKS.	
SPANISH.				
Neustra Señora de Montserrat	Nov. 2, 1820	1	<p>This slave died after emancipation, and before his description could be taken to be registered.</p> <p>These slaves were landed, and delivered into the charge of the officer administering the government of Cape-Coast Castle, by the Captor, Sir Robert Mendis, on the 6th of August, 1823. They were emancipated by Decree of the British and Spanish Court of Mixed Commission, on the 8th of September following, as reported by His Majesty's Commissioners, on the 10th of that month, to His Majesty's Secretary of State. In the annual Return of 1823, however, these said slaves are erroneously shewn as <i>not</i> emancipated. It appears, therefore, that until now, they have never been brought to account.</p> <p>This slave died after emancipation, and before his registration could be effected.</p> <p>These slaves were landed by the Captor, Captain W. F. W. Owen, at Fernando Po.</p> <p>These slaves were also landed by the Captor, Captain Arabin, at Fernando Po.</p> <p>This slave died before his registration could be effected.</p> <p>Three of these slaves died before registration, and ten absconded from the Hospital, where they were placed for medical treatment, before they were registered.</p>	
Maria de la Luz	Sept. 8, 1823	183		
Iberia	Mar. 21, 1826	1		
Musquito	June 16, 1828	124		
Campeadora	Dec. 19, 1828	152		
Manzanares	May 11, 1830	1		
Altimara	May 11, 1830	13		
Total Spanish		475		
NETHERLANDS.				
La Fortuné	July 17, 1826	5		
Henriette, alias Confiance	Oct. 3, 1828	59		
Coquette	Jan. 26, 1829	2		
Hirondelle	June 24, 1829	34		
Total Netherlands		100		
PORTUGUESE.				
Nova Felicidade	Feb. 24, 1820	71		
Dos Amigos Brazilieros	Nov. 15, 1824	2		
União	Nov. 4, 1825	35		
San João Segunda Rosalia	Mar. 21, 1826	1		
Creola	June 9, 1827	1		
Diana	Dec. 8, 1827	1		
Voadora	June 16, 1828	170		
Total Portuguese		281		
BRAZILIAN.				
Carolina	April 13, 1829	2		
Mensageira	June 24, 1829	127		
Total Brazilian		129		
GRAND TOTAL		985		

These slaves were not registered, in consequence of their having been delivered over to the Colonial Government on the 20th of August, 1819, some months previous to their emancipation.

Died before registration.

Died before registration.

Died before registration.

Died before registration.

Absconded before his description could be taken to be registered.

Landed at Fernando Po by the Captor, Captain W. F. W. Owen.

Died before registration.

Landed by the Captor, Captain W. F. W. Owen, at Fernando Po.

No. 3.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17.)*

MY LORD,

*Sierra Leone, 5th January, 1832.*

WE have the honour to transmit, herewith, a certified Copy of the List of slaves registered here during the past half year.

The number of slaves so registered was 349; none having died between the time of their emancipation and registration.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

Enclosure in No. 3.—(Abstract.)

	Number registered.	Number died before Registration, but emancipated.	Number emancipated.
Potosi - - - - -	183	„	183
Regulo - - - - -	164	„	164
Rapido - - - - -	2	„	2
Total - -	349	„	349

<i>Mem.</i> )—Number registered up the 5th July, 1831	- - - - -	24,493
„ „ from 5th July 1831, to 2th January 1832	- - -	349
	Total	24,842

5th January, 1832.

(Signed)

WALTER W. LEWIS, Registrar.

No. 4.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 30.)*

MY LORD,

*Sierra Leone, 24th February, 1832.*

WE had the honour to receive, on the 18th instant, your Lordship's Despatch of the 2d of January, 1832, transmitting to us four Instruments, bearing date the 2d of January, 1832, by which His Majesty was graciously pleased to appoint Mr. Smith, to be His Majesty's Commissary Judge, and Mr. Macaulay, to be His Majesty's Commissioner of Arbitration, and Mr. Lewis, to be Secretary or Registrar, to the Mixed British and Foreign Commissions, which, under the Treaties and Conventions concluded with Portugal, Spain, the Netherlands, and Brazil, for the prevention of illegal Slave Trade, and pursuant to the several Acts of Parliament for carrying the said Treaties into effect, are at present established in this Colony.

In conformity to your Lordship's Instructions, we, on the 20th instant, took in due form, before the King's Advocate, (he being the principal Magistrate of this Colony next to the Chief Justice, who is absent therefrom on duty,) and in the presence of Lieutenant-Governor Findlay, the oaths prescribed to us by His Majesty's Commissions.

A meeting of the British and Foreign Commissioners took place on the 21st instant, when the several Mixed Courts were opened, for the purpose of installing us in our characters of His Majesty's Commissary Judge, and His Majesty's Commissioner of Arbitration, at which Mr. Smith administered to

Mr. Lewis the duly appointed oath of his office of Registrar ; and we are now prepared to enter upon the exercise of our respective functions.

We shall not fail to follow strictly the line pointed out in the Instructions, which have heretofore been given by His Majesty's Secretary of State to His Majesty's Commissioners at Sierra Leone, and to obey such further Instructions as your Lordship may be pleased to give us for our future guidance.

We are deeply impressed with a sense of the high honour and favour, which His most gracious Majesty has condescended to confer upon us by our present appointments ; and we humbly hope, that, in the discharge of the important duties thereof, our conduct will secure to us your Lordship's countenance and support, and give satisfaction to His Majesty's Government.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

No. 5.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, August 11, 1832.*

I HEREWITH transmit to you, for your information, 12 Copies of Papers, marked A and B, relating to the Slave Trade, which have this day been presented, by His Majesty's command, to both Houses of Parliament.

I am, &c.

(Signed)

PALMERSTON.

*His Majesty's Commissioners,*  
&c. &c. &c.

No. 6.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 28.)*  
MY LORD, *Sierra Leone, 5th July, 1832.*

ENCLOSED we have the honour to forward to your Lordship a certified Copy of the List of slaves, registered by the Courts of Mixed Commissions here, in the period from the 5th of last January to this date, in number 945.

In addition to those slaves who were registered, 2 others were emancipated, but they died before their descriptions could be taken, thus the number of slaves emancipated was 947.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

Enclosure in No. 6.—(*Abstract.*)

	Number registered.	Number died before Registration, but emancipated.	Number emancipated.
Frasquita alias Centella	228	"	228
Segunda Teresa - - -	443	2	445
Prueba - - - - -	274	"	274
Total	945	2	947

(*Mem.*)—Number registered up to the 5th January, 1832 - - - - - 24,842  
" " from 5th January 1832, to 5th July 1832 - - - 945

Total - 25,787

5th July, 1832.

No. 7.

*Sir G. Shee to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, December 27, 1832.*

ACCOUNTS having reached His Majesty's Government of the re-employment in Slave Trade of vessels, which had already been condemned and sold, on account of having been engaged in that illegal traffic; Viscount Palmerston has, by an Instruction, of which I herewith send to you a Copy\*, addressed to His Majesty's Representatives with the several Foreign Powers whose interests may be affected by an alteration of the existing engagements on this head, called upon those Governments to acquiesce in the entire destruction of vessels condemned for having been engaged in the Slave Trade, and the sale of their materials broken up.

I am, &amp;c.

(Signed)

G. SHEE.

*His Majesty's Commissioners,*  
    &c. &c. &c.

\* See Class B.

## SIERRA LEONE. (*Spain.*)

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No. 8.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, January 13, 1832.*

I HEREWITH transmit to you, for your information, the Copy of a Note\* which I addressed, on the 9th instant, to the Chevalier de Zea Bermudez, His Catholic Majesty's Envoy at this Court, in answer to the inquiries, which, by order of his Court, that Minister had addressed to His Majesty's Government, for further particulars relating to the "*Veloz Pasagera*," as stated to you in my Despatch of the 8th June, 1831.

I am, &c.

(Signed) PALMERSTON.

*His Majesty's Commissioners,*  
&c. &c. &c.

\* Class B. No. 1.

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No. 9.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

MY LORD,

*Sierra Leone, 28th October, 1831.*

WE have the honour to report to your Lordship the capture, on the 10th of September last, in the River Bonny, of the Spanish brig "*Regulo*," Ramon Gonzalez, Master, by His Majesty's brig "*Black Joke*," Lieutenant Ramsay commanding. The "*Regulo*" had on board, at the time of detention, 207 slaves, and she arrived here for adjudication on the 12th inst. with only 168 of them. Proceedings were immediately instituted against the "*Regulo*," in the British and Spanish Court of Mixed Commission, and full proof of her employment in the prohibited traffic in slaves having been adduced, she was condemned as lawful prize to the Crowns of Great Britain and Spain, and her surviving slaves here, 164 in number, (4 having died after arrival in this Colony,) were decreed to be emancipated on the 22d instant. We have the honour to enclose herein our Report of this Case for your Lordship's information.

Although it does not appear in evidence that the "*Regulo*" had had more slaves on board than those who were there when she was detained, yet, from her being actually on her voyage to the Havana, her returning up the River Bonny and her being run ashore, upon the appearance of the capturing vessel, added to her being a large brig capable of taking (according to the way in which slaves are now shipped on board vessels carrying on that illicit traffic) some hundreds more than those captured on board her, we are strongly inclined to believe that, before her caption, she had succeeded, unfortunately, in relanding very many of her slaves: and her being run on shore, within a few yards of the beach, was, we doubt not, for the purpose of facilitating that object.

We deem it our duty to draw your Lordship's attention to the cause assigned by Lieutenant Ramsay, for his landing 5 of the slaves in the Bonny, and to

our reasons, embodied in our Report, for declining to emancipate those people. The landing of the slaves in question out of lawful protection, is an unprecedented, and, we are of opinion, an improper, course to adopt; as, in the urgent case Lieutenant Ramsay represents, they might, we think, have been removed to, and sent up here in, the "*Rapido*," a Spanish vessel detained, with 2 slaves only on board, in the Bonny, at the same time with the "*Regulo*," by His Majesty's brig "*Fair Rosamond*;" or else to His Majesty's brig "*Black Joke*," and the vicinity of Fernando Po, to the place of capture, would, in all probability, in 36 hours after such removal, have afforded a secure asylum, where freedom could have been ensured to those unfortunate people, who, if now living, may still be held in a state of slavery.

On the examination of the stores of the "*Regulo*," after condemnation, by the duly authorized Officers of the British and Spanish Mixed Court, a deficiency of an anchor was discovered; we therefore instructed the Registrar to communicate with Lieutenant Huntley, the senior Naval Officer here, and in command of the "*Fair Rosamond*," under whose convoy the "*Regulo*" came hither, to institute inquiry into the cause thereof. A Copy of Lieutenant Huntley's Answer, giving the necessary explanation, we beg to enclose; and to add that we shall, on the arrival here of His Majesty's brig "*Black Joke*," on board of which vessel the anchor in question and a cable also, according to Lieutenant Huntley's statement, are, request they may be delivered up, to be sold at public auction for the benefit of the two Crowns.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

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First Enclosure in No. 9.

*Report of the Case of the Spanish Brig "Regulo," Ramon Gonzales, Master.*

THE Spanish brig "*Regulo*" cleared out from the Havana on the 30th of April, 1831, furnished with a Royal Passport, dated at that place on the 28th of the same month, authorizing a commercial voyage to the Island of Princes and St. Thomas, and declaring her to be commanded by Ramon Gonzales. The "*Regulo*" was on her return voyage to the Havana, when, on the 10th of September, she was fallen in with and detained in the River Bonny, by His Majesty's brig "*Black Joke*," (tender to His Majesty's ship "*Dryad*,") Lieutenant William Ramsay commanding, with 207 slaves on board, who were declared to have been shipped in that river on the 8th of that month.

The "*Regulo*" arrived in this harbour on the 12th of October, in the charge of Mr. Tancock, Master of His Majesty's brig "*Black Joke*," having on board only 168 slaves. The Surgeon to the Court, on the 13th, proceeded on board the "*Regulo*," and reported the state of health of her slaves to be far from favourable, many labouring under Psora (itch), and numbers being greatly emaciated; further, that as cases of small-pox, and eruptive diseases of a suspicious nature, had recently appeared amongst them, he strongly recommended their speedy disembarkation. They were accordingly landed on the following day, and delivered into the charge of the Liberated African Department.

On the 13th of October the ship's Papers of the "*Regulo*," together with the Captor's Declaration, were filed in Court, duly authenticated by the affidavit of Mr. Edwin Thomas Hinde, in consequence of the illness of Mr. Tancock, the Prize Master, and the usual monition issued, returnable on the 20th of October, 1831; on which day it was returned into Court, certified by the Marshal to have been duly served.

The Captor, in his Declaration, states, "that on the 10th of September, 1831, being in or about latitude 4° 30' N., and longitude 7° 30' E., he detained the ship or vessel named the '*Regulo*,' sailing under Spanish colours, having on board 207 slaves said to have been taken on board in the River Bonny on the 8th September. He further declared that the said ship or vessel being run ashore, it became absolutely necessary to throw overboard 6 of her guns, and some other heavy stores, in order to lighten her; and also whilst she was getting off, to send the slaves on board the Spanish brig '*Rapido*,' detained by His Majesty's brigantine '*Fair Rosamond*.' That from the report of the Assistant-Surgeon of His Majesty's brig '*Black Joke*,' who stated 5 of the slaves to be affected with small-pox, (one of whom died shortly after the vessel was captured,) on his recommendation to prevent such an infectious disease from endangering the lives of the prize crew and slaves, he deemed it prudent to land them immediately."

On the 15th of October the Master, Ramon Gonzales, and the Carpenter, Josef Loyacana, were examined on the standing interrogatories:—

The Master deposed "that he appointed himself to the command of the captured vessel, being joint owner thereof with the second mate, Carlos Maristane, who was left on shore in the Bonny; that two-thirds of the vessel, and the whole of the cargo, belonged to himself, and the other third of

the vessel to the aforesaid Maristane; that the present voyage began and was to have ended at the Havana; that the 'Regulo' went direct to the River Bonny to trade in palm oil, ivory, and other articles of produce, but found that slaves could more readily and advantageously be procured; that at about half-past eleven o'clock, a. m. on the 10th of September last, first saw the capturing vessel coming into the River Bonny; he was preparing to leave the Bonny when the capturing vessel was coming in, but put back on her appearance; that the present cargo consists of 207 or 208 slaves, and was shipped from the shore at the Bonny; that he was himself the lader, owner, and consignee thereof; and that it was to have been delivered for his account, risk, and benefit, at the Havana."

Josef Loyacana deposed, "that the present voyage began at the Havana, that it was likewise to have ended there; that the 'Regulo' went direct from thence to the River Bonny, where the present cargo of slaves was shipped; that the Master was the lader, but that he does not know who were the owners or consignees thereof."

On the 20th, an Affidavit of Mr. Hinde was filed; that deponent stated, "that at the time of seizure of the said brig 'Regulo' on the 10th of September, there were 207 slaves on board; and that 24 of the said slaves had died between the said date and the 13th of October, from disease and other causes."

The Court met for the adjudication of the "Regulo" on the 22nd of October, 1831; and this being a clear case of illicit traffic in slaves, pronounced sentence of condemnation upon that vessel, her tackle, apparel, and furniture, and the goods, wares, and merchandize laden on board, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffic by His Majesty's brig "Black Joke" (tender to His Majesty's ship "Dryad"), Lieutenant William Ramsay commanding; and decreed the emancipation of her surviving slaves\* here, 164 in number, 28 having died since capture, viz. 24 on their passage up to, and 4 after their having been landed in this Colony. The Court further declared that it had been proved that there were on board at the time of the said capture 207 slaves, 10 of whom were wholly unaccounted for by the captor. The Court declined to emancipate the 5 slaves, or their survivors, who had been by Lieutenant Ramsay landed in the River Bonny, as it had not been proved that the said slaves had been delivered into the hands of suitable protectors, and might, possibly, be still held in a state of slavery.

(Signed)

ALEX. FINDLAY,  
WILLIAM SMITH.

Sierra Leone, 28th October, 1831.

* Emancipated .. . . .	164
Deaths . . . . .	28
Unaccounted for .. . . .	10
Landed in Bonny . . . . .	5
	207

### Second Enclosure in No. 9.

Lieut. Huntley to Mr. Lewis.

SIR,

His Majesty's Brig "Fair Rosamond," Sierra Leone, Oct. 27, 1831.

I HAVE the honour to acknowledge the receipt of your Letter of this day, requesting me to direct an inquiry into the cause of the deficiency of an anchor and cable belonging to the lately condemned Spanish slave brig "Regulo," such being stated in the Inventory affixed to Lieutenant Ramsay's Declaration, to have been on board at the time of capture.

In answer, I beg to inform you, that the anchor and cable alluded to, was slipped from the "Regulo" when on shore in the river where she was captured, His Majesty's brig "Black Joke" supplying her with another for the time; the anchor and cable belonging to the "Regulo" was subsequently weighed and carried to the "Black Joke," by which vessel it would have been exchanged for the anchor and cable now in use on board the "Regulo," and belonging to His Majesty, had the "Black Joke" been able to clear the shoals at the entrance of the Bonny, with the "Fair Rosamond" and the prizes on the 16th of September; but as she was obliged to anchor within the shoals, and it being then nearly sunset, I deemed it of more importance to proceed on my voyage here with the prizes, than to anchor for the purpose of effecting the exchange of the said anchors and cables the next day; in consequence of which, that belonging to the "Regulo" was left on board the "Black Joke."

I have the honour to be, Sir, &c.

(Signed)

H. V. HUNTLEY,

Lieutenant commanding H. M. B. "Fair Rosamond."

W. W. Lewis, Esq., Registrar.

### No. 10.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 30, 1832.)

MY LORD,

Sierra Leone, 10th November, 1831.

WE have the honour to acquaint your Lordship that His Majesty's brigantine "Fair Rosamond," (tender to His Majesty's ship "Dryad,") under the command of Lieutenant Henry Vere Huntley, detained, on the 10th of September last, in the River Bonny, the Spanish brig "Rapido,"

Santiago Alonzo, Master, under the Explanatory Article between Great Britain and Spain, signed at Madrid, the 10th of December, 1822.

The "*Rapido*" arrived here on the 12th of October, when she was immediately proceeded against in the British and Spanish Court of Mixed Commission.

The investigation of the merits of the "*Rapido's*" capture, however, took a longer time than usual, from her having been claimed by the Master, on the ground that she was, at the time of her detention, engaged in legitimate trade; and from his having impugned the conduct of the Captor, who had, according to his statement, clandestinely taken some of the "*Rapido's*" cargo of merchandize, and had acted harshly towards him and his crew, circumstances in themselves, which, had they been proved, (but they were not) would not have invalidated the capture. We have therefore thought it would not be necessary to detail those alleged circumstances in our Report of the "*Rapido's*" Case; which we most respectfully beg to enclose herewith, for your Lordship's information, having therein confined ourselves to giving the evidence that affected the question of the "*Rapido*" having been engaged, at the time of her detention, in the illicit traffic in slaves; a fact of which there was clear and undeniable proof. The "*Rapido*" was therefore condemned on the 7th instant, and 2 natives of Africa, who were upset in a canoe, and picked up in the water shackled together, and who formed part of a cargo of slaves, whom the claimant had succeeded in landing before the capture of the "*Rapido*," were at the same time emancipated, and delivered over to the Colonial Government.

We have, &c.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

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

&c.

&c.

&c.

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Enclosure in No. 10.

*Report of the Case of the Spanish Brig "Rapido," Santiago Alonzo, Master.*

THE Spanish brig "*Rapido*" was furnished with a Royal Passport, dated Havana, 11th of May, 1831, authorizing a legitimate commercial voyage to the Islands of Princes and St. Thomas, and declaring her to be commanded by Santiago Alonzo. She was detained in the Bonny on the 10th of September last, by His Majesty's brigantine "*Fair Rosamond*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Henry Vere Huntley commanding.

The "*Rapido*" arrived in this harbour on the 12th of October under charge of Mr. John James Robinson, Mate of His Majesty's ship "*Dryad*," but attached to the "*Fair Rosamond*," and on the 13th the Proctor for the Captor prayed that the ship's Papers and the Declaration of the Captor might be filed, and that the usual monition might issue. The former were accordingly filed on the same day, and the latter went forth, returnable on the 20th, on which day it was returned into Court, certified as having been duly served.

The Captor in his Declaration states that "on the 10th of September, 1831, being in or about latitude 4° 30' north, longitude 7° 10' east, he detained the '*Rapido*,' commanded by Santiago Alonzo, who declared her to be from the Havana, and bound to Princes, with a crew of 47 men, in consequence of some having left the vessel previous to capture, as also on account of the confused state at the time. The Captor further certifies that 2 slaves, shackled together, were picked up by a boat from the '*Fair Rosamond*,' near the '*Rapido*,' one of whom stated that he was made to jump overboard from the '*Rapido*' when the '*Fair Rosamond*' was closing her; that this slave also stated that many other slaves were also forced either overboard or into canoes from the same vessel." The Captor also declares "that the '*Rapido*' was observed putting her slaves into canoes alongside of her, the said canoes then pushing off from the '*Rapido*,' and landing the slaves, by an officer and 2 seamen placed at the mast-head of the '*Fair Rosamond*' for the purpose of observing the movements of the '*Rapido*.'"

On the 14th of October, Santiago Alonzo, the Master, Bonoso Cortils, the Mate, and Juan Padron, second Cook, of the '*Rapido*,' were examined on the standing interrogatories.

The Master deposed that "he is a Spanish subject resident in the Havana, and appointed himself to the command of the captured vessel at that place, being the owner thereof; that he is the only person on board who has any share or interest in the vessel or her lading; that his vessel was seized upon the allegation of having had slaves on board; that the present voyage began and was to have ended at the Havana, which was the last clearing port previous to capture; went direct from thence to the River Bonny, in consequence of being unable to make Princes from bad weather, and some injury which the foremast of the vessel had received on the fifty-second day after leaving Havana. He took his vessel on or about the 9th or 10th of July last into the Bonny, to repair the said mast; that the sickness of himself, some of his officers, his carpenter, and others of his crew, detained him a long time in the Bonny; that his vessel was seized a little after sunset on



the 10th of September last past, in the River Bonny; first saw the capturing vessel about twelve o'clock at noon of the 10th of September; that he had brought his vessel out of the River Bonny on the morning of the day of seizure, but put back again in consequence of the capturing vessel and her consort (the 'Black Joke') not showing their colours, which led him to fear that they were pirates; that when he first saw the aforesaid vessels he hoisted Spanish colours; that witness was the lader, owner, and consignee, of the merchandize shipped at the Havana, the principal part of which was on board at the time of capture; that he has not had any slaves on board the detained vessel since her arrival on the coast of Africa; that all the Papers found on board are entirely true and fair; that a part of the detained vessel and cargo is insured to the amount of 20,000 dollars, at a premium of 15 dollars to every 100 dollars; and that the insurance was to be effected for a legitimate trading voyage, with some persons residents of Cadiz."

Bonoso Cortils deposed that "he did not know who appointed the Master to the command of the captured vessel; that the present voyage began and was to have ended at the Havana, which was the last clearing port; that the detained vessel was bound to Princes, but was unable to make it in consequence of some injury which the foremast had received, and which prevented the vessel beating; they therefore bore up for the Bonny, in which place, previous to the completion of the necessary repairs, some of the officers, the tarpernter, and others of the mariners, became ill; that the detained vessel was leaving the Bonny on the 10th of September, when, about noon, she first saw the capturing vessel and another in company, and between four and six o'clock the 'Rapido' was detained; that the 'Rapido' put back as the capturing vessel and her consort did not shew any colours, being led to believe, from this circumstance, that they were piratical vessels; believed that the Master was also the owner of the vessel; that the present cargo consists of the major part of the articles brought from the Havana; and that they have not had any slaves on board since detained vessel came upon the coast of Africa."

Juan Padron deposed that "the Master's name is Don Phillipe, whom he had known during the last 6 years; that the present voyage began, and, he believed, was to have ended at the Havana; is ignorant of the cause for which the detained vessel was seized; went direct from the Havana to the River Bonny; is ignorant of the object in so doing; first saw the capturing ship about 12 o'clock of the 10th September; the 'Rapido' was detained about 4 o'clock the same day; that he does not know who is the owner of the vessel taken; that he does not know of what the present cargo of the detained vessel consists; and that no slaves had been taken on board since the 'Rapido's' arrival on the coast of Africa."

The Captor's Proctor having prayed that special interrogatories might be put to Mr. John James Robinson, the Prize Master, and to John Nelson and John Gilbert, seamen of His Majesty's brigantine "Fair Rosamond," the said persons were examined on the 18th October.

Mr. Robinson deposed that "on the morning of the 10th of September last, at about half-past eight o'clock, he first saw the brig 'Rapido' standing out of the River Bonny in company with another vessel, the 'Regulo'; that during the chase this witness's station on board the 'Fair Rosamond' was forward; but when the 'Fair Rosamond' was entering the Bonny, he went in her foretop in order to observe the proceedings of the 'Rapido' which vessel was hidden from his view in his former station, by her rounding a point of land which is covered with mangrove; that at the commencement of the chase the 'Rapido' and 'Regulo' were at anchor off the mouth of the Bonny, and continued so until the capturing vessel and the 'Black Joke' had come within about 4 miles of them, when they weighed anchor, and stood into the Bonny before the wind, with all sail set; that when the 'Rapido' rounded the point of land aforesaid, he could distinctly see, from the foretop of the 'Fair Rosamond' blacks put into canoes from on board the 'Rapido'; he supposes that vessel had then shortened sail to effect that purpose; he is of opinion that, from where he stood in the 'Fair Rosamond' to where the 'Rapido' was when he witnessed the blacks being put into canoes, the direct distance might be half of a mile; that during the chase the 'Fair Rosamond' had an ensign flying at the peak, an union jack at the fore, and a pennant at the main; that the 'Rapido' had returned into the Bonny before she shewed any colours; that she then shewed Spanish colours; that on the 'Fair Rosamond' rounding the said point of land, and getting into the creek, a canoe was observed pulling close in shore towards the 'Fair Rosamond,' and a boat was despatched to examine the said canoe, as it was evident from the track of the canoe, that it had shortly before left the 'Rapido'; the said canoe was upset in the anxiety of those who had charge of it to get themselves and the blacks they had with them on shore, previous to the boat from the 'Fair Rosamond' coming up with them; that 2 of the blacks who were in the canoe were shackled by the leg together, and were unable to escape; they were picked up in the water by the boat from the 'Fair Rosamond.' The 2 blacks were, in consequence of the 'Fair Rosamond' having gone a-head of the boat, taken on board the 'Black Joke' (which vessel had then come up with the boat), and remained there until after the capture of the 'Rapido,' when they were put on board that vessel; that the upper deck of the 'Rapido' was in some places strewed with yams and wood, and near the gangways slave shackles were scattered about; that the 'Rapido's' guns were in every respect ready for action, but that no resistance was made; that the slave deck appeared to have been hastily swept, when witness went to examine that part of the vessel immediately after the 'Rapido' was detained; the offensive smell, however, was such as he experienced when inspecting that part of a vessel which (having slaves) he boarded on a former occasion, as also when visiting the slave brig 'Regulo' after the 'Rapido's' capture; that there were 2 large cribs of yams and 2 of wood on the upper deck; between the timbers over-head on the slave deck wood was stowed, as also about some of the casks for water; that yams were also stowed in considerable quantities over the water-casks; and that upon the sides of the decks much rice, in bags, was placed."

John Nelson deposed that "he was placed in the foretopsail-yard of the 'Fair Rosamond' in her chase of the 'Rapido'; that the 'Fair Rosamond' was close enough up to the 'Rapido,' before the latter vessel rounded the point, for this witness distinctly to observe, beyond a possibility of doubt, that many black persons were on her deck; that when the 'Fair Rosamond' rounded the point, he observed several canoes along-side of the 'Rapido,' from which vessel black persons were

being transferred to the said canoes in a very hurried manner; that the canoes were of a large size, capable, he thinks, of containing 30 persons, or thereabouts, besides the pullers; that he went below immediately after the '*Rapido*' was boarded; the slave deck was very dirty and in great confusion, and slave irons were scattered about it; that he has been on board many slave vessels where there have been cargoes of slaves, and the offensive smell that he found on visiting the hold of the '*Rapido*' convinces him that slaves must have recently been there." This witness in the rest of his evidence corroborated that of Mr. Robinson.

John Gilbert deposed that "he was stationed at the foretopmast-head of the '*Fair Rosamond*,' during the chase of the '*Rapido*,' in order to observe the proceedings of that vessel; that when the '*Fair Rosamond*' rounded the point aforesaid, he observed great numbers of blacks being driven over the sides of the '*Rapido*' into canoes which were around that vessel." This witness, in the rest of his testimony, corroborated the foregoing evidence of John Nelson, with the exception that he deposed "that he did not go below at the time of the capture of the '*Rapido*.'"

On the 21st, Okoorie, one of the blacks, who were upset in the canoe, mentioned in the evidence of the 3 foregoing witnesses, was examined on special interrogatories, by permission of the Court. He deposed that "he was first put on board the vessel from which he has just come ('*Rapido*') at the same place where the said vessel was captured by the English; that he was kept on board the said vessel shackled by the leg to one of the legs of the other black man who came with him to this Colony; that a great number of blacks were put on board the vessel in question, at the same time that this witness and the man to whom he was shackled were embarked; that some of the said blacks were shackled together similarly to himself and companion; that the vessel on board which he came to this Colony is the vessel in which he was embarked as a slave; that he knows this from having been on board of her 4 nights previous to her seizure, and finding on his return after capture some marks and arrangements on her slave deck exactly the same as when he left the said vessel; that when the capturing vessel was coming near the vessel he was in, the Spanish crew thereof disembarked, by means of canoes, the slaves which were on board; that he was at that time shackled to the black man who has been brought in the said brig with him to this Colony; that the canoe into which the Spanish crew of the '*Rapido*' put him and 19 others of the slaves, who were embarked in her, was upset, and he and the man to whom he was shackled by the leg were picked up by a boat manned with Englishmen; that after they were so picked up, they were then taken on board a man-of-war, but not the capturing vessel, and that only one slave besides himself has come to this place in the vessel which brought him to this Colony."

On the 3d of November, the Proctor for the Captor prayed that he might be allowed to file an Affidavit of Henry Snelling, seaman of His Majesty's brig "*Black Joke*." The Court having granted the prayer of this petition, the same was accordingly filed. Henry Snelling deposed that "he was one of the prize crew on board the detained Spanish slave vessel '*Regulo*,' and that he was on board His Majesty's brig '*Black Joke*,' at the time of seizure of the '*Rapido*,' by His Majesty's brigantine '*Fair Rosamond*,' on the 10th of September last, and that at about five o'clock P.M. on the same day, a boat came along side the '*Black Joke*,' having on board 2 slaves; that the crew of the said boat informed Lieutenant Ramsay that the said 2 slaves had been picked up by them from a canoe which had been capsized coming from the Spanish brig '*Rapido*;' that Lieutenant Ramsay ordered this deponent to lift the said 2 slaves out of the boat, which deponent did, assisted by another seaman, and placed them on the larboard quarter of the deck of the '*Black Joke*;' that the said 2 slaves, were, at this time, shackled together with irons on their legs; and that they are the same slaves who are now on board the Spanish brig '*Rapido*.'"

The Master, Santiago Alonzo, on the 15th of October, filed a claim for the "*Rapido*," and, in his Affidavit in support of the same, he swore that he was, on the 10th of September last, (when captured) in the prosecution of a lawful trading voyage from Havana to the coast of Africa, with a cargo of merchandize on board, and that he should be able to make due proof and specification thereof. For this purpose his Proctor prayed for leave to put special interrogatories to him (Santiago Alonzo) and his Mate (Bonoso Cortils), which was granted, from a desire to afford the Claimant every proper facility to make out his Case, and that he might not, with justice, hereafter allege that he was prevented from so doing, by the Court refusing further evidence on his behalf. They were accordingly examined on the 24th of October, when they again deposed to a positive denial of any participation in the traffic in slaves, or of the "*Rapido*" having had a slave or slaves on board during the present voyage. "The reason of going into the Bonny was in consequence of the '*Rapido*'s' foremast being injured in the head, and other causes; that the officers were consulted as to the most proper course to be adopted, and they all agreed with him in the necessity of bearing up for the nearest port, which was Bonny." To account for the length of time they were in that river, they both swore "that the Master, 2 of the officers, and 12 of the mariners, were ill of the local fever, and one of the mariners died thereof; that the '*Rapido*' was bound to Princes, and was working out of the River Bonny when the capturing ship was first seen in company with another (the '*Black Joke*')." The Master now also deposed "that the goods on board the '*Rapido*' are not the whole of his original cargo; the other portion he in part trusted to some of the natives for ivory, &c., and the remainder he expended for materials required for repairing his mast, and in obtaining fresh provisions; that 5 days after the capture of the '*Rapido*,' 2 negroes were put on board of the said vessel from His Majesty's brig '*Black Joke*' and are now on board the '*Rapido*.'" This the Mate attested to, and they both, therefore, inferred that the 2 negroes in question were slaves belonging to the Spanish brig "*Regulo*," captured by the "*Black Joke*," with slaves on board at the time the "*Rapido*" was detained. This inference was, however, positively contradicted by Okoorie, the negro; nor could it be 5 days after the "*Rapido*'s" detention that the Captor caused the 2 slaves to be reshipped in her; as by an affidavit of Lieutenant Huntley, it is proved that he, in the "*Fair Rosamond*," quitted the River Bonny, in company with the "*Rapido*," on the morning of the 13th of September, leaving there the "*Black Joke*," thus shewing the interval of time between the capture of the "*Rapido*" and her quitting the Bonny to be rather more than 2 clear days, and it must, therefore, have been in 1 of those 2 days that the 2 slaves were returned on board that vessel. The Master also swore "that he has frequently seen the 2 negroes in question make

motions expressive of their desire to go on board the Spanish brig, 'Regulo' whenever that vessel came sufficiently close to the 'Rapido,' (on the passage up to this Colony) for the people on board those vessels to observe each others actions." This, however, the Mate did not confirm, for he says, "the negroes have not, to his knowledge, expressed a desire to go on board any other vessel from the 'Rapido.'" The evidence of the Master and Mate, as to the cause of going into the Bonny, is not borne out by that of Juan Padron, the Cook, who must, in all probability, have known that the alleged accident to the foremast was the reason of so doing, had it really and truly been the case, but he says distinctly "that the 'Rapido' went direct from Havana to the Bonny, but is ignorant of the object;" nor is any mention of such accident made in the Log; that Document, indeed, shews that the "Rapido" was, up to the period when she anchored off the mouth of the Bonny, constantly under a heavy press of canvass, which, the Court presumed, could not be carried with a defective foremast; and for the 3 hours previous to so anchoring, she was sailing at the rate of 8 miles an hour. The Log is also totally silent as to the sickness of the crew of the "Rapido;" which the claimant swore was another cause of remaining so long in the Bonny. During the 2 months she laid there, the entry on each day shews to the contrary, that entry being "continued as before, nothing new," (*continuamos sin novedad*).

The original cargo of the "Rapido" consisted of 80 puncheons of rum, 18 packages of cloths, 460 guns, 65 bales of cotton goods, and 100 rolls of tobacco; which the Master in his examination on the 24th of October, acknowledged, with the exception of a few articles, were all landed at the Bonny for ivory, &c., an explanation that he had, in the first instance, suppressed; and it appeared to the Court very strange that the Mate should be ignorant of the disposal of the cargo, he having denied all knowledge relating thereto. They both swore that the "Rapido" was bound from the Bonny to Princes, but studiously abstained from giving the Court any information as to the object in so doing. Certainly it could not be for provisions, as those witnesses acknowledge they were supplied with them at Bonny; nor could it be to barter the outward cargo there for a return cargo of legitimate produce, as almost the whole of the former (according to the Master's evidence) had been landed in that river. The Court, therefore, considered the statement of the "Rapido's" going to Princes a gross subterfuge. Nor could the Court conceive that the Claimant would pay the enormous premium of 15 per cent. for insurance, if the voyage he was about to be engaged in were truly one for legitimate produce. That fact, of itself, awakened, in the mind of the Court, every suspicion that the "Rapido" was, from the commencement of the present voyage, intended to carry on the illicit traffic; a traffic which the Captor had charged her with being engaged in. The Master also swore "that when the slaves were being landed from the 'Regulo' he saw the 2 negroes on board the 'Rapido,' crying, evidently from their desire to accompany them," a matter out of the bounds of possibility, as the "Regulo's" slaves were landed at Kissy (whither the "Regulo" was sent for that purpose), 3 miles from Freetown. Now, in addition to the distance, that village and the bay there, where the "Regulo" anchored, being totally intercepted from view, either from the harbour or town of Freetown, by many projecting capes of land, rendered it a matter of impossibility for the negroes on board the "Rapido" to see the slaves landed from the "Regulo." No reliance, therefore, could be placed upon the Master's testimony which was evidently, in this point in particular, false.

Special interrogatories on behalf of the Claimant were also put, on the 29th of October, to Mr. John James Robinson, John Nelson, and John Gilbert, with a view, by cross examining them, to shake the credibility of their previous clear testimony. In this, however, the Claimant totally failed, the answers of these witnesses being confirmatory of their former evidence in every respect; and they individually swore that "they saw the blacks being put into canoes from the 'Rapido' without the aid of a spy-glass." Mr. Robinson further deposed "that he did not see any slave boiler on board the 'Rapido,' but there is the usual description of caboose to be found in slave vessels," (corroborated by John Nelson and John Gilbert). "The covers of 2 slave boilers were found on board at the time of capture, and are now there."

The Claimant having filed the original Certificate of the capture of the "Rapido," signed by Lieutenant Huntley, in which the cause of such capture was stated by him to be "for having on board two slaves," prayed that Lieutenant Huntley might be examined thereon, and on other points connected with the "Rapido's" detention. Lieutenant Huntley was therefore examined on the 31st of October, when he swore "that the signature to the Certificate of seizure is in his handwriting, and it is now in the same plight and condition as when he last saw it; that he did not see any slaves actually on board the 'Rapido' at the time of capture. The canoe, from which the 2 slaves now on board the 'Rapido' were upset, he saw coming from that vessel a short time previous to her capture; and in the hurry of making out the Papers respecting the detention of the 'Rapido,' on the evening of her capture, the words, 'having on board 2 slaves,' were used from the fullest impression of their having come from the 'Rapido,' instead of the more correct term, 'having had on board 2 slaves.' He did not see any canoes along side the 'Rapido' on entering the River Bonny. On first seeing the 'Rapido' in the creek or river where she was seized, that vessel was surrounded by canoes, which were large and numerous. He saw the 'Rapido' and canoes distinctly without the aid of a spy-glass." Lieutenant Huntley further swore "that he did not see any slave copper or boiler on board the 'Rapido,' but that the caboose belonging to that vessel is fitted to receive one or more such boilers." The Master and Mate having on the same day been examined touching the latter point, when they swore "that there was not any slave copper or boiler on board;" and Lieutenant Huntley and his witnesses having also sworn to the same fact, the inference the Claimant wished to draw therefrom was, that as coppers or boilers are indispensably necessary on slaving voyages, the "Rapido" being without any, could not have had slaves on board. But her caboose being fitted to receive boilers, and the covers of two slave boilers being actually on board, as sworn to by Mr. Robinson, (which have since been landed and deposited in the Registry,) left no doubt upon the minds of the Court that the "Rapido's" coppers or boilers had been made away with (probably thrown overboard) during the time her slaves were being disembarked.

The Claimant also petitioned the Court to allow Okoorie and Olubarloo, the 2 negroes on board the "Rapido," to be examined on special interrogatories, which was granted; and on the

1st of November they were produced for that purpose; when Okoorie obstinately declined being sworn to give his evidence faithfully, either according to the custom of his country, or upon the Holy Evangelists of Almighty God; a course which, at his examination on behalf of the Captor on the 21st October, 1831, he adopted with the greatest willingness. He also betrayed the most marked disinclination to reply to any questions that were put to him; whilst, on his aforesaid examination, he readily answered every interrogatory, and with as much intelligence as might be expected from a person of his opportunities and situation. This was testified to by the Registrar and by 2 liberated African interpreters (one for Claimant and one for Captor) who witnessed this fact.

The object of the Claimant's Proctor in having Olubarloo examined seemed more particularly to have been to elicit from him, if he had not been told to say that the "*Rapido*" was the vessel on board which he at first embarked. He however deposed "that he never had been told that the vessel on board which he now lives was the vessel in which he was first embarked; and that he never expressed any desire to go to any other vessel from that in which he at present resides."

This closed the "*Rapido's*" Case, and her adjudication took place on the 7th instant, when the Court held that, from the clear testimony of the Captor and his witnesses, and of the slaves, contrasted with the dubious, inconsistent, and in many points contradictory, evidence, adduced on behalf of the Claimant, sufficient proof had been established that the "*Rapido*" had been engaged at the time of capture in the illicit traffic in slaves. The Court therefore condemned the "*Rapido*," her tackle, apparel, and furniture, and the goods, wares, and merchandize laden therein, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffic by His Majesty's brigantine "*Fair Rosamond*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Henry Vere Huntley commanding. The Court at the same time decreed the emancipation of the 2 natives of Africa, who were brought up here in the "*Rapido*," it having been satisfactorily proved, that they had been on board the "*Rapido*" as slaves, and that they composed part of a cargo of human beings, whom the Court regretted that the Claimant had succeeded in landing from the "*Rapido*" before her capture could be effected.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

*Sierra Leone, 10th November, 1831.*

No. 11.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

MY LORD,

*Sierra Leone, December 21, 1831.*

WE have the honour to acquaint your Lordship that that part of the crew of the Spanish ship "*Veloz Pasagera*," and of the Spanish brigantine "*Marinerito*," who were committed to the gaol of Freetown, on a charge of resisting the legal search of His Majesty's ships "*Primrose*" and "*Black Joke*," and wounding several of their men, were, at a sitting of the Royal Commission Court, held on the 30th instant, discharged by proclamation, under the same opinion that led to the liberation of the detained crew of the Portuguese schooner "*Nympha*," for a similar offence.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

No. 12.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17, 1832.)*

MY LORD,

*Sierra Leone, 28th December, 1831.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch of the 8th of November, 1831, enclosing to us the Copy of an Instruction which your Lordship had addressed to His Majesty's Envoy at Madrid, relative to the Slave Trade, as now carried on from the coast of Africa to Cuba by Spanish vessels; and enjoining him to press upon the Spanish Government the adoption of a stipulation, whereby ships when found in certain latitudes equipped for the Slave Trade shall be held to be liable to condemnation, under the compacts between Great Britain and Spain, for the suppression of illegal Slave Trade. We were also favoured therein with the Copy of the last Despatch which your Lordship had received upon the subject from Mr. Addington.

It is with deep regret that we therein find the Spanish Government had given no Official Reply to the repeated representations made to it by that gentleman

on the subject of the propositions submitted by His Majesty's Government to that of Spain for the more effectual suppression of the Slave Trade.

We are perfectly convinced from experience, and from the operation of the Equipment Article of the Netherlands' Treaty, in totally repressing the Slave Trade under the flag of that Nation, that nothing short of a similar Article to the Slave Trade Treaty between Great Britain and Spain will really suppress that Traffic under the Spanish flag.

It is our painful duty to inform your Lordship that the Spanish Slave Trade carried on under our own observation is in as full activity on this devoted coast as it ever was;—we are repeatedly learning the arrival of Spanish vessels at, and their sailing with cargoes of slaves from, the Rio Pongos, Rio Nunez, and Galinas; and we doubt not equal activity is displayed by Spanish slavers in the Bights of Benin and Biafra.

We brought to your Lordship's notice in our Despatch of the 20th of December, 1830, the name of Edward Jousiffe, a British subject, who was deeply engaged in carrying on the Slave Trade in the Rio Pongos. That individual, it appears, left that River with a cargo of slaves in a Spanish vessel about May last for the Island of Cuba, where he safely arrived; and he returned from thence in October last in another remarkably fast-sailing Spanish schooner, named the "*Speculation*," for a fresh supply of slaves.

Lieutenant-Governor Findlay, on learning of Jousiffe's return and the object he had in view, promptly despatched a force to intercept and bring him down here to answer the offended laws of his country.

We lament, however, to inform your Lordship that Colonel Findlay's intention was frustrated; Jousiffe had sailed from the Island of Cuba with a cargo of 250 Africans, some days before the force despatched hence arrived in the Rio Pongos; and, as we have heard nothing of his movements since, he has doubtless succeeded in getting safely off this coast with his cargo of unhappy beings.

We sincerely hope that he may be fallen in with ere he has completed his execrable voyage by some of His Majesty's cruizers in the West Indies, and that he may be brought to condign punishment.

This fact also unfortunately proves that encouragement is afforded by Spanish subjects to those of Great Britain to violate the laws of their country. "It is time," as your Lordship so justly observed to Mr. Addington, on the 23d of February, 1831, "that this disgraceful traffic in the human species should be brought to an end;" and we still cling to the hope that the last appeal which your Lordship has caused to be made to the Spanish Government upon this subject will be attended with success.

We have, &c.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

&c. &c. &c.

No. 13.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17.)*

MY LORD,

*Sierra Leone, 5th January, 1832.*

WE have the honour to forward, enclosed to your Lordship, an Abstract of the proceedings in the British and Spanish Court of Mixed Commission, established here, during the year ending the 1st instant.

The number of Cases adjudicated during that period was 7, all of which were Cases of condemnation; and 1544 slaves were emancipated.

We have, &c.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

&c. &c. &c.

## Inclosure in No. 13.

*Abstract of Proceedings in the British and Spanish Court of Mixed Commission at Sierra Leone; in the period from the 1st of January, 1831, to the 1st of January, 1832.*

No. 1.—The Spanish schooner "*Maria*," José Rodriguez, Master, was furnished with a Royal Passport, dated Havana, 7th of January, 1830, authorizing a legitimate trading voyage to the Islands of Prince's and St. Thomas; but was captured on the 26th of December following, in latitude 5° 26' north, longitude 11° 25' west, with 505 slaves on board, by His Majesty's brig "*Plumper*," Lieutenant Adams commanding. The fact of her illicit employment in the Slave Trade being unquestionable, she was condemned on the 19th of January, 1831, as good and lawful prize to the Crowns of Great Britain and Spain, and her surviving slaves emancipated to the number of 497, 8 having died between the period of capture and adjudication.

No. 2.—The Spanish brigantine "*Dos Amigos*" was commanded by Juan Ramon de Muxica, and was furnished with a Royal Passport from Havana, dated the 9th of July, 1830, for a voyage of lawful commerce to the Islands of Prince's and St. Thomas. She was detained on the 9th of November, 1830, in latitude 3° 53' north, longitude 9° 24' east, by His Majesty's brig "*Black Joke*," Lieutenant Ramsay commanding, for a breach of the Explanatory Article to the Treaty with Spain of the 23d September, 1817. Claim was made for the "*Dos Amigos*" by her Master, on the ground that she was captured in the prosecution of a lawful trading voyage from Havana to the coast of Africa. He failed, however, in substantiating the truth thereof; and the evidence on the part of the Captor having clearly proved that slaves had been on board the "*Dos Amigos*," and landed therefrom, immediately previous to her capture, the Court, on the 5th of February, 1831, pronounced the capture of the "*Dos Amigos*" to have been in accordance with the Explanatory Article to the Treaty with Spain, of the 23d of September, 1817, and condemned the said vessel as good and lawful prize to Great Britain and Spain, and as taken in the illicit traffic in slaves by His Majesty's brig "*Black Joke*," (tender to His Majesty's ship "*Atholl*,") Lieutenant Ramsay commanding.

No. 3.—The Spanish schooner "*Primera*," commanded by Gabriel Perez, and furnished with a Royal Passport, dated Havana, 10th of May, 1830, for a voyage of lawful commerce to the Island of St. Thomas, was captured with 311 slaves on board, on the 22d of February, 1831, by His Majesty's brig "*Black Joke*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Castle commanding, in latitude 6° 20' north, longitude 11° 32' west. The evidence in this Case proved the slaves to have been shipped at the Galinas the day previous to the capture of the "*Primera*." The Court, therefore, on the 14th of March, 1831, pronounced sentence of condemnation upon that vessel, and of emancipation on her surviving slaves, 310 in number; one having been born on the passage to this port, and 2 having died between the period of capture and condemnation; 2 other slaves were killed by a shot fired from the "*Black Joke*" previous to capture.

No. 4.—The brig "*Marinerito*," sailing under Spanish colours, and furnished with a Royal Passport, dated Havana, 12th November, 1830, authorizing a lawful commercial voyage to the Islands of Prince's and St. Thomas, and declaring her to be commanded by Francisco Cavieces, was detained after an action on the 26th of April, 1831, in or about latitude 3° 30' north, longitude 9° 15' east, by His Majesty's brig "*Black Joke*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Ramsay commanding. The Captor declared that she had on board at the time of capture 496 slaves, and that she was taken to the Settlement at the Island of Fernando Po, where, by his order, a survey was held on the state of health of her slaves. The surveyors having reported that 107 were so afflicted with disease, that, to preserve their lives, it was absolutely necessary that they should be landed and placed in hospital; they were accordingly disembarked on the 30th of April, and the acting superintendent's Receipt taken for them. Eighty-one of these slaves were subsequently put on board His Majesty's brig "*Plumper*," for a passage to this port, but only 59 arrived here, 22 having died on the voyage up, and 11 having died previously, in hospital at Fernando Po, leaving 15 survivors there when the "*Plumper*" left. The evidence in this Case clearly proved the whole of the "*Marinerito's*" slaves to have been shipped in the River Calabar. The Court, accordingly, on the 3d of June, decreed the condemnation of the Spanish brig "*Marinerito*," as good and lawful prize to the Crowns of Great Britain and Spain, and pronounced that she had on board, at the time of her capture, 475 slaves. The Court further decreed the emancipation of her surviving slaves landed in this Colony, 373 in number, (86 having died between the period of capture and adjudication,) and of the 15, or the survivors at the time of passing sentence, remaining at Fernando Po.

*Note.*—On the 6th of June His Majesty's cutter "*Sea Flower*" arrived here from Fernando Po, with 3 of the "*Marinerito's*" slaves on board, 3 others having died on the passage to this place, and 5 at Fernando Po previous to her departure for this; leaving at Fernando Po 4 slaves, who were too ill to be removed.

No. 5.—The Spanish schooner "*Potosi*," Juan Batista Arana, Master, having a Passport from Havana, dated 18th of December, 1830, which authorized a voyage for the purposes of legitimate trade to the Islands of Prince's and St. Thomas, was detained with 192 slaves on board, on the 21st July, 1831, in latitude 5° 30' north, longitude 4° 00' east, by the "*Fair Rosamond*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Henry Vere Huntley, commanding. All the slaves were proved, by the evidence adduced, to have been embarked at Lagos. The Court, therefore, condemned the "*Potosi*" as good and lawful prize to Great Britain and Spain, and emancipated her surviving slaves to the number of 183, on the 22d of August, 1831, 9 having died between the period of the capture and the time of the condemnation of the "*Potosi*."

No. 6.—The Spanish brig "*Regulo*," Ramon Gonzales, Master and part Owner, cleared out from the Havana on the 30th of April, 1831, for the ostensible purpose of legitimate commerce, furnished with a Royal Passport which authorized her to proceed to Prince's and St. Thomas's Islands for that object. She was, however, fallen in with and detained on the 10th of September, 1831, in the River Bonny, by His Majesty's brig "*Black Joke*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Ramsay, Commander, who in his Declaration stated her to have had on board at that time, 207 slaves, 5 of whom were affected with small-pox, he, on the recommendation of the Surgeon of His Majesty's brig "*Black Joke*," to prevent the spreading of that infectious disease, landed in the River Bonny.

The evidence having clearly proved the "*Regulo's*" employment in the illicit traffic in slaves, the Court decreed the condemnation of that vessel, and the emancipation of her surviving slaves, in number 164, on the 22d of October, 1831, 21 having died since capture, and previous to adjudication; but the Court declined to emancipate the 5 slaves landed in the River Bonny, as it was not proof that they had been placed in the hands of suitable persons who could have ensured their freedom. The Court also declared that it had been proved that 207 slaves were on board the "*Regulo*" when captured, although the Captor had failed to account for 10 of them.

No. 7.—The Spanish brig "*Rapido*," Santiago Alonzo, Master, was furnished with Papers of a similar nature to those of the "*Regulo*," and for a similar object. She was captured in the River Bonny, on the 10th September, 1831, by the "*Fair Rosamond*," (a tender to His Majesty's ship "*Dryad*,") Lieutenant Huntley commanding, under the Explanatory Article to the Treaty with Spain, of the 23d of September, 1817. The Master, in this Case, filed a Claim for the "*Rapido*," and in his Affidavit in support of it, deposed that he was in the prosecution of a lawful trading voyage on the coast of Africa, when captured on the 10th of September last. He, however, failed, by the evidence of his witnesses, to establish that fact; whilst, on the other hand, the Captor and his witnesses satisfactorily proved the fact of the "*Rapido*" having had slaves on board immediately previous to her capture. It was also in proof that the slaves were seen being landed from the "*Rapido*" in canoes, one of which having upset, the Captor succeeded in picking up 2 of the slaves who had been embarked on board of the "*Rapido*," and the evidence of one of these slaves proved that many other slaves had been on board previous to capture. The Court, accordingly, on the 7th of November, condemned the "*Rapido*," her tackle, apparel, and furniture, and the merchandize laden therein, as good and lawful prize, and as seized in the illicit traffic in slaves by His Majesty's brigantine "*Fair Rosamond*," (tender to His Majesty's ship "*Dryad*,") Lieutenant Huntley commanding; and decreed the emancipation of the 2 slaves brought up in the "*Rapido*" to this Colony, it having been proved that they formed a part of a cargo of human beings, whom the Claimant had succeeded in landing.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

*Sierra Leone, 5th January, 1832.*

No. 14.

*His Majesty's Commissioners to John Backhouse, Esq.—(Received April 17.)*

SIR,

*Sierra Leone, 5th January, 1832:*

In pursuance of the 75th clause of an Act passed in the fifth year of the reign of His late Majesty, George the Fourth, entitled "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade;" we have the honour to enclose herewith a Return of all Cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission established here, from the 1st of July, 1831, to the 1st instant.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

*John Backhouse, Esq.  
&c. &c. &c.*

SIERRA LEONE. (Spain.)

Enclosure in No. 14.

Return of Spanish Vessels adjudicated by the British and Spanish Court of Mixed Commissions, established at Sierra Leone, between the 1st of July, 1831, and the 1st of January, 1832.

NAME OF VESSEL.	WHERE CAPTURED.		PROPERTY SEIZED.	SEIZOR.	DATE OF SENTENCE.	Number of Slaves captured.	Number died before adjudication.	Total number emancipated.	Decretal part of Sentence, whether forfeiture or restitution.	Whether Property condemned has been sold or converted; and whether any part remains unsold, and in whose hands the Proceeds remain.
	Latitude.	Longitude.								
* <i>Marinerito</i> . . . . .	3° 30' N.	9° 15' E.	Brig and 475 Slaves.	Commodore Hayes, C.B. ("Black Joke" tender) } H. B. M. Ship "Dryad."	June 3, 1831	475	86	† 388	Condemned for being engaged in the illicit traffic in Slaves.	Brig and Stores sold by public auction, and the Proceeds paid into the military chest.
Potosi . . . . .	5° 30' N.	4° 00' E.	Schooner and 192 Slaves.	Commodore Hayes, C.B. ("Fair Rosamond" tender) } H. B. M. Ship "Dryad."	Aug. 22, 1831.	192	9	183	Do.	Do.
Regulo . . . . .	4° 30' N.	7° 10' E.	Brig and 207 Slaves.	Commodore Hayes, C.B. ("Black Joke" tender) } H. B. M. Ship "Dryad."	Oct. 22, 1831.	207	28	† 164	Do.	Do.
Rapido . . . . .	4° 30' N.	7° 10' E.	Brig and 2 Slaves.	Commodore Hayes, C.B. ("Fair Rosamond" tender) } H. B. M. Ship "Dryad."	Nov. 7, 1831.	2	"	2	Do.	Do.

\* This Vessel was erroneously omitted in the last half-yearly Return.

† At the time of passing the Decree of Emancipation upon the surviving slaves of the "*Marinerito*," there was one male slave wholly unaccounted for. It was, however, subsequently reported by Commodore Hayes to H. B. M. Commissioners, that one of the slaves landed from the vessel in question at the Island of Fernando Po, on account of sickness, had died on the beach at that Island, whilst awaiting embarkation with others of the said slaves in H. B. M. B. "*Plumper*," for passage to this Colony.

‡ At the adjudication of the "*Régulo*" it was proved, that there were 10 of the 207 slaves sworn to have been on board that vessel at the time of her capture, wholly unaccounted for; and also that 5 of the number captured had been landed, on account of having the small-pox, in the River Bonny. The Court did not pronounce the emancipation of the said 5 slaves, from the possibility of their being, if alive, still held in slavery by the people of the River Bonny.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

(Signed)

Sierra Leone, 1st January, 1832.  
WALTER W. LEWIS, Registrar.



No. 15.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, April 21, 1832.*

WITH reference to your Despatch, marked "Spain," of the 10th of March, 1831, relating to the stores taken from the Spanish brigantine "*Dos Amigos*," by Captain Alexander Gordon, Commander of His Majesty's ship "*Atholl*," I send to you, for your information, the accompanying Copy of a Letter and of its Enclosures, which have been received at this Office from His Majesty's Treasury, stating that the value of the said stores, amounting to the sum of £4. 14s. has been paid by the Agents of Captain Gordon into the Registry of the High Court of Admiralty.

*His Majesty's Commissioners,*  
*&c. &c. &c.*

I am, &c.  
 (Signed) PALMERSTON.

Enclosure in No. 15.

*The Hon. J. Stewart to Sir G. Shee.*

SIR,

*Treasury Chambers, April 11, 1832.*

I AM commanded by the Lords Commissioners of His Majesty's Treasury to transmit herewith, with reference to your Letter of 28th May last, the enclosed Copies of a Letter from Messrs. Maude and Co. and of the Affidavit therein referred to, relative to the value of stores taken from the Spanish brigantine "*Dos Amigos*," which has been paid into the Registry of the High Court of Admiralty; and I am to request that you will lay the same before Viscount Palmerston, and move him to cause these Documents to be transmitted for the information of His Majesty's Commissioners at Sierra Leone.

*Sir George Shee, Bart.*  
*&c. &c. &c.*

I am, &c.  
 (Signed) J. STEWART.

Sub-Enclosure A., in No. 15.

*Messrs. Maude to the Hon. J. Stewart.*

SIR,

*Great George Street, February 13, 1832.*

WITH reference to your Letter of January 10th, calling upon us to produce some satisfactory account of the value of certain stores taken out of the "*Dos Amigos*," a capture made by His Majesty's ship "*Atholl*," under the command of Captain Alexander Gordon, before my Lords can order us to be paid the moiety of the Proceeds to which the Captors are entitled, we have the honour to transmit herewith Copies of an Affidavit and Valuation which have been filed in the Registry of the High Court of Admiralty; and we have at the same time paid into the Registry the sum of £4. 14s. being the amount of the said Valuation. We are, therefore, to pray your Lordships that they will now be pleased to order the moiety of the Proceeds to be issued to us.

*Hon. James Stewart,*  
*&c. &c. &c.*

We have, &c.  
 (Signed) MAUDE AND CO.

Sub-Enclosure B., in No. 15.

ADMIRALTY.

*February 1, 1832.**"Dos Amigos"—Magica, Master.*

APPEARED personally Charles William Hallett, of Great George Street, in the city of Westminster, Navy Agent, one of the partners in the house known by the style or firm of Messrs. Maude and Co. of the same place, Navy Agents, and made oath that the said house are the Agents of Alexander Gordon, Esq. the Commander, and the rest of the officers and crew of His Majesty's ship "*Atholl*," the captors of the Spanish brigantine "*Dos Amigos*," whereof Juan Ramon Magica was master, and her cargo; and he further made oath that he hath made due inquiries at the Office of the Commissioners of His Majesty's Navy, in Somerset House, in the Strand, in the county of Middlesex, for the purpose of ascertaining the value of the following storse and articles, namely;

60 fathoms of 2-inch rope,  
 100 ditto 1½ ditto,  
 10 lbs. pitch,  
 4 small balls of yarn (spun)  
 A little spun yarn,  
 1 keg of white lead,  
 1 ditto green paint,  
 A few yams,

taken from the said vessel "*Dos Amigos*" and put on board His Majesty's brig "*Black Joke*," tender to His Majesty's said ship "*Atholl*," shortly after her capture; and that he hath been informed and believes that the value thereof amounts to the sum of £4. 14s. sterling, as appears by the paper writing hereto annexed, marked A., being the estimate thereof duly made and signed by C. Graham, the head or chief clerk of the Store Department at the Office of the Commissioners of His Majesty's Navy aforesaid, and he lastly made oath that the said paper writing hereto annexed, marked A., is in all respects true and genuine.

(Signed) C. W. HALLETT.

Same day sworn before me,

(Signed)

JOHN DAUBENY, Surr.

(Signed)

J. R. BURCHETT, N.P.

Sub-Enclosure C. in No. 15.

A.

*Atholl—Dos Amigos.*

Stores supplied to the "*Black Joke*."

60 fathoms 2-inch rope,  
100 ditto, 1½ ditto,  
10 lbs. pitch,  
4 small balls of yarn (spun),  
A little spun yarn,  
1 keg of white lead,  
1 ditto green paint,  
A few yams.

The estimated value of the above is £4. 14s

(Signed)

C. GRAHAM.

28th January, 1832. *Navy Office.*

No. 16.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 30.)*

MY LORD,

*Sierra Leone, 24th February, 1832.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch of the 13th of January, 1832, forwarding to us the Copy of a Note, which your Lordship had addressed to His Catholic Majesty's Envoy at London, in answer to the inquiries which, by order of his Court, that Minister had addressed to His Majesty's Government, for further particulars relating to the "*Veloz Pasagera*."

We beg leave respectfully to tender to your Lordship our thanks for this Communication.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

&c. &c. &c.

No. 17.

*His Majesty's Commissioners to Viscount Palmerston.—(Received May 30.)*

MY LORD,

*Sierra Leone, 20th March, 1832.*

WE have the honour to acquaint your Lordship that His Majesty's brig "*Black Joke*," under the command of Lieutenant Henry Vere Huntley, fell in with, on the 15th ult., and, after a chase of 12 hours, succeeded in detaining, the Spanish schooner "*Frasquita*," alias "*Centella*," Juan Raymundo Verger, Master, of, from, and bound to, the Havana, with 290 slaves on board, who had been shipped 2 days before in the Bonny.

The "*Frasquita*" arrived here on the 10th instant, was duly proceeded against on the 12th following, in the British and Spanish Court of Mixed Commission established here, for carrying on an illicit traffic in slaves, and was condemned this day; when the surviving slaves, 228 in number, (62 having died between the period of capture and adjudication,) were decreed to be emanci-

pated from slavery and were delivered over to the Government of this Colony.

The reason given by the prize officer (Mr. A. S. Booth) for the cause of so many deaths having happened, is, that the yams laid in for the food of the unfortunate slaves were in a very forward state of germination, occasioned by the damp and heat of the hold, which caused dysentery amongst them. This disease, together with small-pox, carried off 50 on the passage up, 4 after her arrival, and 8 after they had been landed, on the 12th instant, in this Colony.

We have the honour to enclose herein, for your Lordship's information, our Report of the Case of the "*Frasquita*," in which there is no novel feature to distinguish it from ordinary Cases of slave traffic.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

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Enclosure in No. 17.

*Report of the Case of the Spanish Schooner "Frasquita," alias "Centella," Juan Raymundo Verger, Master.*

THIS vessel was furnished with a Royal Passport from the Havana, dated the 7th of November, 1831, for a legitimate trading voyage to the Islands of Prince's and St. Thomas, and left the Havana, ostensibly for that object, on the day following. She, however, proceeded direct to the River Bonny, where she arrived on the 30th of December, and having taken on board a cargo of slaves, was, on the 15th of February, 1832, in the prosecution of her voyage from that river to the Havana, when fallen in with and detained in latitude 3° 30' north, longitude 7° 20' east, with the said slaves on board, by His Majesty's brig "Black Joke," (tender to His Majesty's ship "Dryad,") Lieutenant Henry Vere Huntley commanding.

The "*Frasquita*" arrived in this harbour on the 10th of March, with only 240 of her slaves on board, 50 of them having died on the passage up. She was the same day visited by the surgeon to the Court, who reported that of the slaves who were then on board, 13 were affected with dysentery, 6 with small-pox, and 6 with gonorrhoea, besides a number of cases of "craw craw." He therefore recommended that they should all be landed for the benefit of medical attendance. Two hundred and thirty-six were therefore landed on the afternoon of the 12th, (the intervention of Sunday having prevented this being done earlier,) at the village of Kissy, (4 having died between the period of her arrival and that date,) and placed in the charge of the Liberated African Department.

On the 12th the ship's Papers and Declaration of the Captor were filed in Court, duly authenticated by the Affidavit of Mr. A. S. Booth, the Prize-master. On the following day the Motion, citing all persons interested to appear, was issued, and returned on the 20th, certified by the Marshal to have been duly served.

On the 13th Santiago Hill, the cook of the "*Frasquita*," (the Master being too ill to attend to be examined,) was examined on the standing Interrogatories. He deposed "that the Master appointed himself to the command of the captured vessel, he being the owner thereof; that the '*Frasquita*' was seized for having slaves on board; that the detained vessel and her lading, as far as he has learned, are the sole property of the said Master; that the present voyage began and was to have ended at the Havana, which was the last clearing port; that she went direct from thence to the River Bonny, and there shipped 290 slaves; and that the said Master was the lader and consignee thereof."

This was the only witness produced by the Captor's Proctor up to the 16th of March; and on that day he prayed to be allowed to file an Affidavit of Mr. Booth, to account for the non-production of the Master, the mate of the vessel having died on the passage to this place. The prayer of this petition was accordingly granted, and the Affidavit filed. Mr. Booth therein deposed "that after the seizure of the '*Frasquita*,' and on her passage to this port, the Master was constantly suffering from severe attacks of intermittent fever, and that since her arrival in this harbour, the said Master left the schooner in a very sickly and debilitated state, and is still suffering from the effects of the said fever, and is in consequence thereof confined to his bed, and unable to attend to be examined in the said cause."

It being, however, specially enjoined in the Regulations for the guidance of the Commissions, that the Master of the detained vessel should be examined, the Commissioners instructed the Registrar to visit, in company with the Surgeon to the Court, the Master of the "*Frasquita*" at his lodgings, and in the event of the Surgeon reporting him in such a state of health as would allow of his being examined, to take his evidence upon a few of the standing Interrogatories, in order to elicit from him the most prominent facts of the voyage in which the "*Frasquita*" was engaged. The Surgeon having found the Master sufficiently well, both mentally and bodily, the Registrar took his deposition as follows:—that he is a native of Spain, and usually resides at Havana; that the schooner "*Frasquita*," alias "*Centella*," of which he was lately Master, is a Spanish vessel, and all the Papers found on board of her at the time of her detention by His Britannic Majesty's brig "Black Joke," are entirely true and fair. That the owner of the said

schooner was Jozé Dardet, a Spaniard: he was also the first mate thereof. He, witness, took the said schooner from the Havana to the River Bonny, for the purpose of lading her with slaves. He put on board the detained vessel in the said river 290 slaves, with whom he was seized by the "Black Joke" on the second day after leaving the Bonny.

The Court met this day for the adjudication of the "*Frasquita*," alias "*Centella*," and full proof of her illicit employment in the traffic in slaves having been established, pronounced Sentence of condemnation upon the said vessel, her tackle, apparel, and furniture, and the goods, wares, and merchandize laden therein, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffic by His Majesty's brig "Black Joke," (tender to His Majesty's ship "Dryad,") Lieutenant Henry Vere Huntley commanding, and decreed the emancipation of her surviving slaves, 228 in number, 62 having died between the period of capture and adjudication, *viz.* 54 previous to, and 8 after, their having been landed.

(Signed)

WM. SMITH.  
H. W. MACAULAY.*Sierra Leone, 20th March, 1832.*

## No. 18.

*His Majesty's Commissioners to Viscount Palmerston.—(Received June 25th.)*

MY LORD,

*Sierra Leone, 23d April, 1832.*

WE have the honour to report to your Lordship that His Majesty's brig "Pelorus," Richard Meredith, Esq. Commander, fell in with, and detained, on the 19th ult. the Spanish brig "*Segunda Teresa*," Ramon Agulleyro, Master, in latitude 2° 38' north, longitude 3° 9' east, with 459 slaves on board, who had been shipped 5 days previously from Whydah, and with whom she was proceeding to the Havana.

She arrived here on the night of the 12th inst. after a passage of 24 days, during which period 12 slaves only, out of the densely crowded number on board, died.

Proceedings were, on the following day, instituted against the "*Segunda Teresa*," for being engaged in the illicit traffic in slaves, in the British and Spanish Court of Mixed Commission, and proof thereof having been substantiated, that Court, on the 21st instant, condemned her as good and lawful prize to the Crowns of Great Britain and Spain, and decreed the emancipation of her surviving slaves, 545 in number, 14 having died between the period of capture and adjudication.

We enclose herein our Report of the "*Segunda Teresa's*" Case, to which we most respectfully beg to refer your Lordship.

We feel confident that the "*Segunda Teresa*" made a successful slave voyage in the end of last year. She cleared out from the Havana on the 17th of May, 1831, upon an alleged commercial voyage to the Islands of Prince's and St. Thomas precisely as was done in the present case, and the boatswain swears that her return cargo consisted of 436 slaves, who were shipped at Ajuda (the same port from whence the present cargo was shipped) and delivered at the Havana; although in the face of such evidence the Master has sworn that the last voyage of the "*Segunda Teresa*" was from Baltimore with flour, fruit, &c., affording another proof that slave dealers attach no value to the solemn obligation of an oath.

We have, &amp;c.

(Signed)

WM. SMITH.  
H. W. MACAULAY*The Right Hon. Viscount Palmerston, G.C.B.**&c. &c. &c.*

## Enclosure in No. 18.

*Report of the Case of the Spanish Brig "Segunda Teresa," Ramon Agulleyro, Master.*

THE "*Segunda Teresa*" was furnished with a Royal Passport, dated at the Havana, 20th of December, 1831, authorizing her to proceed, under the command of Don Ramon Agulleyro, on a voyage of lawful commerce to the Islands of Prince's and St. Thomas, to which Islands, it also appears by her said Passport, she was authorized on the 17th of May, 1831, to proceed for the same object under the command of Don Francisco Antonio de Sarria.

The "*Segunda Teresa*" was detained with 459 slaves on board, on the 19th of March, 1832, in or about latitude 2° 38' north, longitude 3° 9' east, by His Majesty's brig "Pelorus," Richard Meredith, Esq. Commander, the said slaves having been declared by the Master of the detained vessel to have been shipped at Ajuda (Whydah) 5 days previous to detention.

The "*Segunda Teresa*" arrived at Sierra Leone on the night of the 12th instant, with 447 slaves on board, 12 having died on the passage up. The slaves were, early on the following morning, visited by the Surgeon to the Court, who reported that the sickness among them consisted of many cases of small-pox, of ulcers, of bowel complaint, and other disorders; that, reflecting upon the nature of these diseases, he recommended that the small-pox cases should be forwarded by water to the Hospital at Kissy, and the rest of the slaves be landed in Freetown as soon as possible, and placed in the Liberated African Yard; which recommendation was accordingly carried into effect early on the 14th.

On the 13th of April, the ship's Papers and the Declaration of the Captor were brought into Court, and filed, duly attested by the Affidavit of Lieutenant Philip de Saumarez, the prize-master. The Motion was also issued on the same day, and returned on the 21st, certified to have been duly served.

On the 14th of April, the Master Ramon Agulleyro, and the boatswain Jayme Guillot, were examined on the standing Interrogatories.

The Master deposed "that he is a Spanish subject, and appointed himself to the command of the detained vessel, being joint owner thereof with the first mate of her, Betoriano Laguna; that the '*Segunda Teresa*' was seized for having slaves on board; sailed under Spanish colours; that the lading of the detained vessel during her last voyage was flour, fruit, &c. shipped at Baltimore for Havana; that the present voyage began at Havana and was to have ended there; that it was the last clearing port previous to capture; that she went from thence to Elmina, where he purchased 2 canoes for the use of his vessel; and from Elmina she went direct to Ajuda, where he took on board the present cargo of slaves, in number 460, none of whom had died previous to capture; that the laders, owners, and consignees of the aforesaid cargo of slaves were himself and the first mate."

The boatswain deposed "that the '*Segunda Teresa*' was seized for having slaves on board; that the present voyage began and was to have ended at the Havana, the last clearing port sailed from previous to capture; from thence the detained vessel went to Elmina, where 6 canoes were purchased; and from Elmina to Ajuda, where a cargo of 460 slaves was shipped; none of them died previous to capture; that the outward lading of the detained vessel in her last voyage was an assorted cargo for the Slave Trade; that the return cargo consisted of 436 slaves who were shipped at Ajuda and delivered at Havana; that he does not know who are the owners of the detained vessel, but that the Master was the lader and owner of her present cargo of slaves."

A Court was held for the adjudication of the "*Segunda Teresa*" on the 21st instant, and due proof having been afforded that she was at the time of capture engaged in the illicit traffic in slaves, sentence of condemnation was passed upon the '*Segunda Teresa*,' her tackle, apparel, and furniture, and the goods, wares, and merchandize, laden therein, as good and lawful prize to Great Britain and Spain, and as taken in such illicit traffic by His Majesty's brig "*Pelorus*," Richard Meredith, Esq. Commander. The Court also decreed the emancipation of her surviving slaves, 445, 14 having died between the period of capture and adjudication, viz. 12 on the passage up to, and 2 after their having been landed at this port.

(Signed)

WM. SMITH.  
H. W. MACAULAY.*Sierra Leone, April 23d, 1832.*

## No. 19.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Aug. 14.)*

MY LORD,

*Sierra Leone, 8th June, 1832.*

WE have the honour to enclose herein, for your Lordship's information, our Report of the Case of the Spanish schooner "*Prueba*," Antonio Ferrara, Master, which vessel being on her return to the Havana, and having on board 308 slaves, who had been shipped in the River Bonny on the 28th of April last, was, on the 3rd of May following, in latitude 3° 10' N., longitude 5° 36' E. fallen in with, and captured by His Majesty's brig "*Brisk*," Lieutenant Edward Harris Butterfield, commanding.

The "*Prueba*" arrived here on the night of the 26th of May, and the proceedings against her in the British and Spanish Court of Mixed Commission having been concluded on the 5th instant, that Court, on the same day, pronounced sentence of condemnation upon her as good and lawful prize to the Crowns of Great Britain and Spain; and decreed the emancipation from slavery of the surviving slaves captured on board of her, in number 274, 34 having died between the period of capture and adjudication.

The "*Prueba*" was, when taken, on her third slaving voyage, having made, we regret to state, 2 successful voyages in that traffic.

We have, &amp;c.

(Signed)

WM. SMITH,  
H. W. MACAULAY.*The Right Hon. Viscount Palmerston, G.C.B.*

&amp;c. &amp;c. &amp;c.



## SIERRA LEONE. (Spain.)

## Enclosure in No. 20.

Return of Spanish Vessels adjudicated by the British and Spanish Court of Mixed Commission established at Sierra Leone, betwixt the 1st of January and the 1st of July, 1832.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of slaves captured.	Number died before Adjudication.	Total emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Frasquita, alias Centella.	1832. 15th February.	3° 30' N.	7° 28' E.	{ Schooner and 290 slaves.	{ Commodore John Hayes, C.B., (Black Joke Tender) H. B. M. ship Dryad.	1832. 20th March.	290	62	228	{ Condemned for being engaged in the illicit traffic in slaves.	Vessel and stores sold by public auction, and the proceeds paid into the military chest.
Segunda Teresa.	19th March.	2° 33' N.	3° 9' E.	{ Brig and 459 slaves.	{ Captain R. Meredith, H. B. M. sloop Pelorus.	21st April.	459	14	445*	Ditto Ditto	Ditto Ditto
Prueba.	3d May.	3° 10' N.	5° 36' E.	{ Schooner and 308 slaves.	{ Lieut. E. H. Butterfield, H. B. M. brig Brisk.	5th June.	308	34	274	Ditto Ditto	Ditto Ditto

\* One boy and one girl slave died after emancipation, and previous to their descriptions being taken to be registered.

On the condemnation of the Spanish slave brig "Regulo," on the 22d October, 1831, an anchor and chain-cable, belonging to that vessel, were remaining on board of H. B. M. brig "Black Joke," (then absent from Sierra Leone,) where they had been left from necessity, when the 2 brigs were working out of the River Bonny. The said anchor and chain-cable having been received on the 4th May, 1832, from the "Black Joke," were duly sold by public auction, and the Proceeds thereof paid into the military chest.

(Signed) WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 1st July, 1832.

(Signed) WALTER W. LEWIS, Registrar.

## No. 21.

*His Majesty's Commissioners to Viscount Palmerston.—(Received November 5.)*

MY LORD,

*Sierra Leone, September 15th, 1832.*

WE have the honour to report to your Lordship that His Majesty's ship "Favourite," Captain Joseph Harrison, being in latitude 2° 53' N., longitude 7° 19' E., on the 15 ult. fell in with and detained the Spanish brig "Carolina," Nicolas Calveras, Master, with a cargo of slaves on board.

The "Carolina" belonged and was bound to the Havana with her slaves, who had been shipped in the River Nun the day previous to her detention. They were, however, from long confinement on shore previous to shipment, in a very sickly and emaciated state; and although the passage hither was made in almost as short a space of time, as it has yet been performed in (18 days), and an Assistant Surgeon from the "Favourite" put on board to attend them, 48 died previous to arrival on the 2d instant, and 9 between that time and the day of the "Carolina's" condemnation, which took place on the 11th following; when the survivors, 369 in number, (426 having been on board at the time of capture,) were emancipated, and delivered over to the Colonial Government.

Gabriel Perez, the Mate and owner of the "Carolina," was Master and owner of a schooner called the "Primera," condemned in the British and Spanish Court of Mixed Commission on the 14th of March last year for slaving. This last capture has, he asserts, ruined him; and we hope that similar acts of retribution may befall others of his countrymen, who still outrage humanity by carrying on the Slave Trade.

We enclose, herewith, our Report of the "Carolina's" Case, to which we beg to refer your Lordship for details.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

&c.

&c.

&c.

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Enclosure in No. 21.

*Report of the Case of the Spanish Brig "Carolina," Nicolas Calveras, Master.*

The "Carolina" was furnished with a Royal Passport from the authorities at Havana, under date of the 6th of December, 1831, declaring her to be commanded by Don Nicolas Calveras, and giving her permission to proceed to the Island of St. Thomas for the purpose of lawful commerce. Instead, however, of directing her course to that Island she made the land off, and anchored at Cape Mount, and thence proceeded down the coast and touched at Elmina and Little Popo, to obtain information upon the object of the voyage, from whence she went to the Rio Brasse or Nun, where, on the 13th of August last, she took on board a cargo of slaves, with which she was proceeding to the Havana, when, being in latitude 2° 53' N., longitude 7° 19' E., she was fallen in with and detained on the 15th of the same month by His Majesty's ship "Favourite," Joseph Harrison, Esq. Commander.

The "Carolina" arrived here on the evening of the 2d of September. The Surgeon to the Court immediately visited the slaves, and on the following morning reported "that although unsatisfactory reasons had been given to account for the deaths that had occurred on board the 'Carolina,' yet from the information obtained, the fatality appeared to be mainly attributable to extreme debility arising out of long confinement previous to the shipment of the slaves; that of the survivors 8 were in the very last stage of debility; a number affected with diarrhoea, and all labouring more or less under crawl, were looking very sickly. He therefore recommended their being landed as soon as convenient." They were, consequently, disembarked on the same day and delivered over to the charge of the Liberated African Department.

On the 3d instant the ship's Papers and the Captor's Declaration were brought into Court and filed, duly authenticated by the Affidavit of Mr. Stephens, the Prize-master. The Monition was likewise issued on the same day, and returned on the 11th instant, certified by the Marshal to have been duly served.

On the 4th of September, Nicolas Calveras, the Master, and Gabriel Perez, the Mate of the "Carolina," were examined on the standing interrogatories.

Nicolas Calveras deposed, "that Gabriel Perez, the first Mate, appointed witness to the command of the detained vessel, the said Perez being the owner thereof; that the said vessel was seized for having slaves on board; that he had 4,000 dollars embarked in the speculation in which the detained vessel was engaged; and he believes that the aforesaid Perez had the remaining part of the cargo; that the present voyage began and was to have ended at the Havana; the



vessel touched at Cape Mount to procure fire-wood, and remained at that place 24 hours; she went thence direct to the Rio Nun, and there took on board her cargo of slaves, and that the laders, owners, and consignees, of the aforesaid cargo were the mate Perez and himself."

Gabriel Perez deposed, "that he was the owner of the detained vessel and cargo, with the exception of the Master's interest in the latter, which was from 4000 to 5000 dollars; that the present voyage began and was to have ended at Havana, which was also the last clearing port previous to capture; that the detained vessel touched at Elmina and Little Popo to obtain information respecting the object of their voyage, previous to entering the River Nun to obtain the present cargo; that a cargo of slaves was taken on board in the River Nun, and that the Master and himself were the laders, owners, and consignees, thereof."

On the 6th of September, an Affidavit of Mr. Stephens, the Prize-master, was filed, accounting for the death of the slaves on the passage up. He therein deposed, "that subsequent to the seizure of the said brig 48 of the said slaves died; and further, that every care and attention in the power of himself, of the Assistant Surgeon, and of the crew, was afforded to the said slaves; and that the death of the 48 slaves did not ensue through his neglect, nor that of the Assistant Surgeon and crew."

The Court met for the adjudication of the "*Carolina*" on the 11th instant, and pronounced her to have been at the time of her capture engaged in the illicit traffic in slaves, and as such subject and liable to condemnation; and therefore condemned the said vessel, her tackle, apparel, and furniture, and the goods, wares, and merchandize, laden therein, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffic by His Majesty's ship "*Favourite*," Joseph Harrison, Esq. Commander. The Court further decreed the emancipation of the surviving slaves, 369 in number, 57 having died between the period of capture and adjudication, viz. 48 on the passage up to this port, and 9 after their having been landed here.

(Signed)

WM. SMITH.  
H. W. MACAULAY.*Sierra Leone, 15th September, 1832.*

## No. 22.

*His Majesty's Commissioners to Viscount Palmerston.—(Received December 18.)*

MY LORD,

*Sierra Leone, 8th August, 1832.*

WE have the honour to inform your Lordship that the Spanish brig "*Carolina*," condemned on the 11th ultimo by the British and Spanish Court of Mixed Commission for illegally trading in slaves, was purchased at public auction on the following 19th by a British subject of the name of Michael Proctor.

Six days afterwards Mr. Proctor sold her to a Spaniard named Jozé Hidalgo, who had come here for the purpose of purchasing a vessel from the Gallinas. Hidalgo retained the name of "*Carolina*" to his purchase, and cleared out in ballast and sailed from this on the 6th instant, bound to Cape Mount and Cadiz, of which city Hidalgo professed himself to be a merchant.

We cannot, however, but strongly suspect that the "*Carolina*" is again destined to be employed in the Slave Trade, and that she will take off a cargo of slaves for the Havana from the Gallinas, Cape Mount being contiguous to that notorious slave mart.

The late Master and Mate of the "*Carolina*," Nicolas Calveras and Gabriel Perez, went in her as passengers.

We have, &amp;c.

(Signed)

WM. SMITH.  
H. W. MACAULAY.*The Right Hon. Viscount Palmerston, G.C.B.*

&amp;c. &amp;c. &amp;c.

SIERRA LEONE. (Portugal.)

No. 23.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

MY LORD,

*Sierra Leone, October 12th, 1831.*

WE have the honour to enclose in this Despatch, our Report of the Case of the Portuguese schooner "*Roza*," Jozé Antonio da Fonseca, Master.

The "*Roza*" sailed from the Portuguese Settlement of Cacheo in May last, with a cargo of slaves consigned to one Isidro Powell (a passenger in the "*Roza*"), and bound for a market to Mantanzas in Cuba. When not far from her place of destination, the "*Roza*," then having on board 157 slaves, was fallen in with and detained, off Stirrup Key, on the Bahama Bank, by His Majesty's schooner "*Pickle*," Lieutenant Thomas Taplen, Commander.

Lieutenant Taplen having doubts as to the nationality of the "*Roza*," from the circumstance of her being bound to Mantanzas, and Isidro Powell, the Supercargo, calling himself a Spaniard, proceeded with the "*Roza*" to the Havana, for the purpose of conferring with Mr. Macleay, His Majesty's Commissary Judge, whether he (Lieutenant Taplen) ought to bring her before the Mixed British and Spanish Commission there for adjudication. The "*Roza*," however, being unquestionably a Portuguese vessel, the Mixed British and Spanish Commission could not take cognizance of her Case. Lieutenant Taplen then, under the very proper advice of Mr. Macleay, and according to the 8th Article of the Instructions to Ships of War, took the "*Roza*" to Nassau in New Providence, and made application to his Excellency Major-General Sir James Carmichael Smyth, the Governor of the Bahamas, to allow the unfortunate negroes to be landed at Nassau, who, as Lieutenant Taplen feelingly remarked in his Letter, would be dreadfully inconvenienced were they again subjected to another long voyage across the Atlantic in such a vessel; indeed the state of their health, since they left the Havana, and the tendency to scurvy which had shewn itself among them, would, from motives of humanity, render such a measure extremely cruel. Sir James Carmichael Smyth having caused a Medical Board to be held upon the state of the health of the negroes in question, and a survey upon the state of the "*Roza*," decided upon receiving the unfortunate creatures in charge, until he received orders as to their future disposal, subsequent to the Proceedings before the British and Portuguese Mixed Commission here. A Copy of the Correspondence which took place between Lieutenant Taplen and Mr. Macleay at the Havana, and of that between Lieutenant Taplen and Sir James Carmichael Smyth at Nassau, together with Copy of the Reports of the Medical Board and survey of the "*Roza*," which were filed in the Case, we have the honour to forward herewith.

The "*Roza*" having arrived here on the 26th of September, was duly proceeded against for a breach of the Treaty between Great Britain and Portugal for the repression of the illicit traffic in slaves, and full proof of her employment in such illicit traffic having been established, sentence of condemnation was passed against the "*Roza*" as good and lawful prize, and the 157 slaves landed at Nassau, or the survivors of them, were decreed to be emancipated on the 6th instant.

We respectfully beg to draw your Lordship's attention to the fact deposed to by all the witnesses, that the slaves were shipped on board the "*Roza*," a little below the town of Cacheo on one night in May last, which the Master swears was the 17th.

Cacheo has been often reported by His Majesty's Commissioners to His Majesty's Secretary of State as a most notorious Slave Mart; and as, amongst the *Roza's* Papers, there are 6 Bills of Lading for her cargo of slaves, signed in the town of Cacheo, and dated the 16th and 17th May, as follows:—

Jozé dias d'Moura,	4 slaves for his account and risk.
Clito Tuxeira da Motta,	7 slaves ditto.
Manoel Pereira Barretto,	4 slaves ditto.
Isidro Powell,	34 slaves ditto.
Clara d'Oliveira Fortes,	2 slaves ditto.
Donna Roza Carvalho d'Alvarenga and Son,	100 slaves ditto.

All consigned to Isidro Powell or to his order—we are led to believe that there existed no necessity for the parties concerned in this nefarious transaction to conceal it under cover of the night, and draw from thence the painful conclusion that the authorities at Cacheo, if not participating therein, were, at least, by their supineness, conniving at it. We are strengthened in this opinion from having also found a written and signed Agreement, dated the 25th of April, 1831, for the delivery of 120 slaves at Fogo, one of the Cape de Verde Islands, in November next, by Caetano Jozé Nozolini, a Captain in the Portuguese Infantry, usually residing at Cacheo, but occasionally at the Cape de Verde Islands, (whose name figured conspicuously in the Case of the Portuguese schooner "*Toninha*," condemned here in 1827, and in the Cases of the Portuguese vessels, "*Vingador*" and "*Aurelia*," condemned in March, 1829,) unto Isidro Powell, the Supercargo of the "*Roza*."

The original Contract, a translated Copy of which we have appended to it, as well as the 6 original Bills of Lading, we have thought proper to transmit, enclosed to your Lordship; so that should His Majesty's Government be pleased to represent to the Portuguese Government these unlawful practices, the most direct and unequivocal proof thereof may be in the hands of your Lordship. We also enclose a translated Copy of the Instructions which were given by the owners of the "*Roza*," Donna Roza Carvalho da Alvarenga and Son, to the reputed Master, Jozé Antonio da Fonseca, which clearly shews the mass of fraud connected with that vessel and cargo—Isidro Powell being, *de facto*, the Master and Supercargo. This same man, Isidro Powell (whom we believe to be a renegade American), appears by other Papers to be deeply connected at Cacheo, at the Rio Pongos, and at the Galinas, in the Slave Trade; from whence he has made many successful voyages;—and we regret to report to your Lordship that those places still continue to afford large supplies of slaves to undiminished numbers of vessels under the flags of Spain, France, and Portugal; the parties connected with them being neither awed by the presence of the British Squadron, nor intimidated by the many captures that Squadron has made from carrying on an extensive illicit slave traffic.

We have, &c.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

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

&c.

&c.

&c.

For Lieutenant Taplen's Correspondence with His Majesty's Commissioners at the Havana on the subject of the "*Roza*," see Class A. 1831, No. 78. p. 101.

### First Enclosure in No. 23.

#### *Report of the Case of the Portuguese Schooner "Roza," Jozé Antonio da Fonseca, Master.*

THE Portuguese schooner "*Roza*" was furnished with a Passport, dated in the city of Lisbon on the 17th of November, 1830, and signed by the Duke do Cadaval, authorizing a voyage to the Cape de Verdes, and the ports on the coast of Africa, and declaring her to be commanded by Antonio dos Santos Chaves, senior, and owned by Donna Roza Carvalho d'Alvarenga.

The "*Roza*" cleared from Lisbon on the 5th of January of the present year for, and proceeded to, Cacheo; from whence she went to St. Jago, one of the Islands of Cape de Verde, as appears by an endorsement on her Passport, dated at the former place on the 22nd of March, 1831, and signed by the Governor, A. Miranda. It does not appear by her Papers when the "*Roza*" arrived at St. Jago; but, on the 7th of May, 1831, at Villa da Praia, the name of Jozé Antonio da Fonseca, as Master, was endorsed on her Passport. From Villa da Praya she returned to Cacheo, and there received a cargo of slaves, for which Bills of Lading were signed by the Master, Jozé Antonio da

Fonseca, on the 16th and 17th days of May; and, as is stated in her Log, on the 20th of that month she took her departure.

His Majesty's schooner "Pickle," commanded by Lieutenant Taplen, whilst cruising off Stirrup's Key, Bahama Bank, on the 18th of June, 1831, fell in with and detained the "Roza" with 157 slaves on board, stated to be 31 days from Cacheo and bound to Matanzas. Lieutenant Taplen being doubtful of the national character of the "Roza," took her, in the first instance, to the Havana, and afterwards to Nassau in New Providence; where, on Lieutenant Taplen's application, the Governor, Sir James Carmichael Smyth, permitted the 157 negroes to be landed, and for which number the Collector there gave Lieutenant Taplen a receipt in triplicate, Copy of which is subjoined. Lieutenant Taplen then despatched the "Roza" for adjudication to this port, where she arrived on the evening of the 26th of September, under the charge of Mr. W. Newton Fowell, Admiralty Mate of His Majesty's schooner "Pickle." On the 28th the Proctor prayed that the Affidavit of Mr. Newton Fowell, together with the ship's Papers, might be filed, and that the usual Monition might go forth. This was granted the same day, and the Monition went forth returnable on the 5th of October; on which day it was returned into Court, certified to have been duly served.

On the 30th of September, Jozé Antonio da Fonseca, the Master, Mauricio Gomez Contente, the Boatswain, and Marcelino de Almeida Coimbra, the Cabin-boy, of the "Roza," were examined on the standing interrogatories.

The Master deposed, "that he was appointed to the command of the captured vessel by Honorio Pereira Barretto, the owner thereof, (a Portuguese subject and merchant resident at Cacheo,) and took charge of her at that place in May, 1831; that the Supercargo was the only person on board interested in the detained vessel and cargo, but does not know his share; that the present voyage began at Cacheo, where it was also to have ended, after the vessel had delivered the cargo, with which she was captured, at the Island of Cuba. St. Jago was the last clearing port before capture, from which place the vessel went in ballast to Cacheo; did not touch at any place after leaving Cacheo with the slaves; that Honorio Pereira Barretto was the sole owner of the vessel at the time of capture; that he is of this opinion in consequence of never having known any other person interested in her; that the aforesaid Barretto was also the lader and owner of the slaves, and the Supercargo of the vessel the consignee thereof; that all the slaves were shipped from the shore, just below the town of Cacheo, in the night of the 17th of May, 1831; but that he does not know for whose account and benefit they were to have been delivered."

Mauricio Gomez Contente, the Boatswain, swore, "that the Master was appointed to the command of the vessel by Honorio Pereira Barretto, and took possession of her on the 4th of May, at Porto Praya, Island of St. Jago; that the present voyage began and was to have ended there, after having taken from Cacheo to Matanzas, Cuba, a cargo of slaves; and that all the slaves were shipped a little below the town of Cacheo."

Marcelino de Almeida Coimbra, Cabin-boy, deposed, "that he did not know who appointed the Master to the command, as witness only joined her on the day she left St. Jago for the coast; that the voyage began at St. Jago, Cape de Verdes, and was to have ended there; that the vessel went to Cacheo and there embarked, a little below the town, a cargo of slaves one night, in canoes belonging to the town; that the lader and owner of them was Honorio Pereira Barretto, who was likewise the owner of the vessel; does not know the consignee of the slaves."

The Court, met for the adjudication of this vessel on the 6th of October, 1831, and the proof of the illicit traffic in slaves having been satisfactorily established, condemned the schooner "Roza," her tackle, apparel, and furniture, and the goods, wares, and merchandize, laden therein, as good and lawful prize to the Crowns of Great Britain and Portugal, and as taken in such illicit traffic by His Majesty's schooner "Pickle," Lieutenant Thomas Taplen commanding; and decreed the 157 slaves captured on board her, and subsequently landed at Nassau, New Providence, or the survivors thereof, at the time of passing sentence, to be emancipated from slavery; one man having died, and one child having been born, on board, previous to the said landing.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

Sierra Leone, 12th October, 1831.

P.S.—The Master stated to the Registrar that Donna Roza Carvalho d'Alvarenga was the mother of Honorio Pereira Barretto, and this will account for the reason why the former person is named as the owner in the "Roza's" Papers, and the latter named as owner by the witnesses; the probability is, that they are partners, and joint owners of that vessel, as the Letter of Instructions to the Master is signed Donna Roza Carvalho d'Alvarenga and Son.

(Signed)

A. F.  
W. S.

## Second Enclosure in No. 23.

Lieutenant Taplen to

His Majesty's Schooner "Pickle," off Nassau,  
30th June, 1831.

SIR,

I HAVE the honour to forward, herewith, Copies of my Correspondence with the British Commissioner at the Havana, respecting the Portuguese slave schooner "Roza," which His Majesty's schooner under my command captured on the 18th instant off Stirrup's Key, with 157 negroes on board.

My Instructions regarding Portuguese slave vessels are so clearly pointed out, that I have no other resource for condemning the vessel than by taking her before a Mixed British and Portuguese Commission, but the poor negroes would be dreadfully inconvenienced were they again subjected to another long voyage across the Atlantic in such a vessel; indeed the state of their health

since we left the Havana, and the tendency to scurvy which has shewn itself among them, would, from motives of humanity, render such a measure extremely cruel.

I have therefore the honour to request that you will inform me, whether you will allow the said negroes to be landed at Nassau, granting me the necessary Receipt for them.

I have &c.  
(Signed) THOMAS TAPLEN,  
Lieutenant Commanding.

*His Excellency Major-General Sir J. C. Smyth,*  
&c. &c. &c.

### Third Enclosure in No. 23.

*Certificate.*

*His Majesty's Schooner "Pickle," off Nassau,*  
30th June, 1831.

WE do hereby certify that from the state of the health of the negroes on board the Portuguese slave schooner "*Roza*," and the tendency to scurvy which has shewn itself among them since we left the Havana, that we consider it would endanger their lives were they again subjected to the inconvenience of another voyage to the coast of Africa, and we are of opinion that it is highly necessary, for the sake of humanity, that they be landed at this place, particularly as several of the women are pregnant.

(Signed) THOMAS TAPLEN,  
Lieutenant Commanding.  
(Signed) ALEX. C. BELL,  
Assistant Surgeon.

### Fourth Enclosure in No. 23.

*Sir J. C. Smyth to Lieutenant Taplen.*

SIR,

*Government House, Bahamas, 16th July, 1831.*

WITH reference to your Letter of the 30th ultimo, I am to acquaint you, that as soon as arrangements can be made for the reception of the negroes, now on board the Portuguese slaver "*Roza*," on shore, I shall direct the Collector of the Customs to receive them from you, and to give to you a Receipt for them. The Collector of the Customs has fed them from the 5th instant, as you are aware.

I enclose for your information Copies of the Proceedings of a Medical Board reporting to me as to the health and probable effects of a voyage to Sierra Leone upon the negroes in question, as also a Copy of a Report upon the state of the vessel "*Roza*," and her want of sufficient accommodation to carry such a number of people so long a voyage, which Captain Hobson of the Royal Navy, assisted by the Mate of His Majesty's schooner "*Nimble*," and Pilot, Mr. Pinder, was good enough to prepare for me at my request. These Documents, in addition to your statement in your Letter, and what appears in your Correspondence with the British Commissioner at the Havana, have convinced me of the propriety and necessity of acceding to your request in taking these negroes from you.

The negroes will of course be only considered here, as being held in charge until orders are received from home as to their future disposal subsequent to the proceedings before the Mixed Portuguese Commission.

I have, &c.  
(Signed) J. C. SMYTH,  
Major-General and Governor of the Bahamas.

*Lieutenant Taplen, commanding His Majesty's schooner "Pickle."*

### Fifth Enclosure in No. 23.

*Report of Medical Officers.*

*Nassau, New Providence, Bahamas, 2nd July, 1831.*

PROCEEDINGS of a Board of Medical Officers, held agreeable to Instructions from His Excellency the Governor, Major-General Sir James Carmichael Smyth, Bart. to inquire into, and report upon the state of health of certain Africans, slaves, on board the slave vessel "*Roza*," (now in harbour,) lately captured by Lieutenant Taplen, commanding His Majesty's schooner "*Pickle*," and to state whether the said slaves are sufficiently free from disease to proceed forthwith in the schooner "*Roza*" to Sierra Leone or Fernando Po, on the coast of Africa, without great suffering and risk of life from the continued confinement on board the vessel.

The Board having proceeded to the vessel "*Roza*," and inspected the slaves, to the number of 158, find that they are generally in a weakly and emaciated state, exhibiting incipient symptoms of scurvy, and that from their present condition it may be fairly inferred they were in a starved and miserable state when embarked about 7 or 8 weeks ago, and the Board is of opinion they could not proceed forthwith on a voyage back to Africa (in the vessel "*Roza*"), which might occupy from 7 to 9 weeks, without encountering great suffering, and in all probability considerable mortality, not only from the progress of scurvy amongst them, but from other diseases likely to be generated in their crowded and confined state; and further, that in a voyage from hence to Sierra

Leone they would be carried into a northern latitude, and subjected to cold and changes of atmosphere, which, in their present weakly state and perfect nudity, they are little able to bear.

(Signed)

J. RICHARDSON, Surgeon 2nd W. I. Regiment.  
JAMES BRYDON, Assistant-Surgeon to the Forces.  
BENJ. TYNES HEATH, Officer for the Port of Nassau.

### Sixth Enclosure in No. 23.

*Report of Committee of Survey.*

*Nassau, 3rd July, 1831.*

SIR,

WE whose names are hereunto affixed have, in compliance with your Excellency's requisition, been on board the slave schooner "*Roza*," and have taken such a survey of the state of her hull and rigging, as we were enabled to do in the crowded state of the vessel, which we found to be as follows:—

By the report of the Officer in charge, we are satisfied that, even in strong breezes under a press of sail, she does not make water; the standing rigging appears more than half worn; the running rigging is nearly all condemnable; the sails are all bad except the mainsail; one of them, the foresail, is in rags. Upon a view of the whole it is our opinion, that with a new foresail, and a general repair of other sails, a few coils of rope for running rigging, and a partial caulking, the "*Roza*" would be quite fit to undertake any voyage.

Although your Excellency has not particularly called our attention to the accommodation the "*Roza*" affords for the unfortunate creatures now on board of her, we feel it our duty to state, that it is repugnant to every feeling of humanity to allow so many human beings to be confined in so limited a space as the hold of this vessel; and we give it as our most decided opinion, that the effect of a protracted voyage, under such circumstances, must be fatal to a large portion of them.

We have, &c.

(Signed) W. HOBSON, Captain R.N.  
JOHN H. NORCOCK, Mate of H. M. S. "*Nimble*."  
JOHN PINDER.

*His Excellency Major-General Sir J. C. Smyth,*  
&c. &c. &c.

### Seventh Enclosure in No. 23.

*The Collector of Customs' Receipt for the Slaves of the "Roza."*

*New Providence, Bahama Islands.*

WHEREAS His Majesty's schooner "*Pickle*," Thomas Taplen, Commander, captured on the 18th of June, 1831, the Portuguese schooner "*Roza*," on a voyage from the coast of Africa bound for Matanzas in Cuba, with a cargo of slaves, and the said Commander took her to the Havana, but was informed by the authorities that the trial of the Case could not take place there, in consequence of which he came hither. And whereas the Governor of the Bahamas, Major-General Sir James Carmichael Smyth, Bart., has deemed it fit to allow the negroes to be landed in this Island, and to direct that they shall be held in charge until orders shall be received from His Majesty's Government as to their future disposal—which landing was accordingly effected on the 23d instant, and 157 negroes put on shore at a place appointed for the purpose.

Therefore, in obedience to His Excellency's commands, I hereby acknowledge to the said Thomas Taplen, Esq., to have received from on board the said Portuguese schooner the following Africans:—77 men, 8 boys, 52 women, 14 girls, 6 infants at the breast, making a total of 157 persons.

*Custom-House, Nassau,*  
25th July, 1831.

(Signed) J. WALKER,  
Collector.

### Eighth Enclosure in No. 23.

*Contract between C. J. Nozolini and I. Powell for 120 Slaves.*

(Translation.)

I, the undersigned, Caetano José Nozolini, declare that I have contracted with Don Isidro Powell, to deliver to him in the Island of Fogo, at the end of the month of November of the present year, 120 assorted slaves, in good health, and all young; the said Powell being hereby obliged to credit me for the said slaves at the rate of 125 dollars for each. Two-thirds of the whole amount thereof is to be paid in money, and the other third in goods, consisting of rum, tobacco, gunpowder, and blue cloths, at the following prices:—rum at half of a Spanish dollar per gallon, gunpowder at 18 dollars by the quintal of 100 pounds, tobacco at 10 dollars for every 100 pounds, blue cloths at one quarter of a dollar per yard. I also declare that I have received this day from the said Isidro Powell, 5,500 dollars on account of the said 120 slaves above specified; by which he only owes me, when I deliver the slaves, 4,500 dollars, which I, or my Agent at Fogo, will receive in gold doubloons at 18 dollars each, as also the third part of the amount for the said slaves (that is 5,000 dollars), to be received in goods as specified above, it being well understood that the aforesaid Powell is not to pay any Custom-House duty; but in case there is any to be paid, it will be on my account. It being optional with

the said Powell to pay the whole amount in gold doubloons at 18 dollars each, instead of the above-named goods. It being understood by this Agreement that if the said Powell should not be at Fogo at the time stipulated, he is to credit me with the amount of maintenance of the said slaves up to the beginning of January of the next ensuing year, at which period it will be at my election to dispose of the said slaves, always being answerable for the amount that the said Powell delivered to me this day. It is also obligatory upon me to have ready at Fogo 2½ tons of clean rice. And for the due performance of this Contract we sign 2 Agreements of the same tenor and date at Villa da Praya, in the Islands of Cape de Verde, the 25th April, 1831.

(Signed) ISIDRO POWELL. (Signed) CAETANO JOZE' NOZOLINI.

Ninth Enclosure in No. 23.

*Donna R. C. d'Alvarenga and Son to J. A. da Fonseca.*

(Translation.)

*Cacheo, 17th May, 1831.*

OUR schooner "*Roza*," in whose Papers you will appear as Captain, being ready to undertake the voyage from this River to the Port of Matanzas in the Island of Cuba, we make the following Instructions for your Government, of which we keep a Copy, signed by you, in proof that you will conform thereto.

You will immediately sail for the above-mentioned Port of Matanzas, as you have agreed with us, and as have also the Boatswain and the remainder of the crew of the said schooner, to be under the orders of the Supercargo, Isidro Powell, not only in quality of Supercargo, but you will consider him as Captain and first Pilot, whom you and all the crew will obey implicitly in all things. The said gentleman will regulate the route and manœuvring of the vessel, and discipline of the crew, and the care and treatment of the cargo, in the present voyage from this River to Matanzas. And in case that the said gentleman should resolve to remain at Matanzas, you will continue on board in command of the schooner in the voyage from Matanzas to the Port of St. Jago da Praia, Islands of Cape de Verde, with the cargo that Isidro Powell will ship on board, with the assurance that you will not be under the orders of any other person on the return of the schooner to the Port of St. Jago da Praia, for we have so agreed. This Letters of Instruction will shew you that the said Supercargo, Isidro Powell, is interested in the greater part of the actual cargo, and being a person worthy of great confidence of the best men, we put all confidence in him from the great experience that he has in voyages of this kind, and particularly his knowledge of the Island of Cuba, as also the best way that is to be pursued to land the cargo in the Port of Matanzas, or wherever it may be convenient, if the said Powell shall not think it convenient to go into the Port of Matanzas with the cargo. We hope that you will do every thing in your power that these Instructions may be executed to the letter, as they are necessary for our interest.

We remain, wishing you a very happy voyage and a quick return to St. Jago da Praia, &c. &c.

(Signed) DONNA ROZA CARVALHO DA ALVARENGA & SON.

(Countersigned) JOZE' ANTONIO DA FONSECA.

No. 24.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

MY LORD,

*Sierra Leone, 20th December, 1831.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch, of the 29th of September, 1831, together with its several Enclosures respecting the crew of the Portuguese slave vessel "*Nympha*," who having resisted the legal search of, and wounded in so doing some of the men belonging to, His Majesty's brig "*Conflict*," had been sent to England by Lieutenant-Governor Findlay, to be dealt with as His Majesty's Government might deem most advisable.

We perceive that His Majesty's Government have deemed it most proper, that the men in question should be forwarded to Lisbon to be tried for the offence with which they are charged, and we trust that due punishment will be inflicted by the Portuguese Government upon the offenders, that such may deter the subjects of Portugal from committing, in future, similar outrages.

That part of crew of the "*Nympha*," who were detained here in gaol, were, at a sitting of the Royal Commission Court, held on the 30th ult., discharged by Proclamation, under the opinion of Mr. Jones, Solicitor to the Admiralty, and adopted by His Majesty's Government, that they could not be legally dealt with as pirates before any British Tribunal.

We have, &c.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

&c.

&c.

&c.

No. 25.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17.)*

MY LORD,

*Sierra Leone, 5th January, 1832.*

ENCLOSED we have the honour to transmit, for your Lordship's information, an Abstract of the Proceedings in the British and Portuguese Court of Mixed Commission, established in this Colony, during the period from the 1st of January, 1831, to the 1st instant.

Only one Case (the *Roza's*) was adjudicated and condemned in that time, and the number of slaves decreed to be emancipated was 157, who were landed by the Captor at Nassau, New Providence.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

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Enclosure in No. 25.

*Abstract of Proceedings in the British and Portuguese Court of Mixed Commission, established at Sierra Leone, from the 1st of January, 1831, to the 1st of January, 1832.*

THE Portuguese schooner "*Roza*," Jozé Antonio da Fonseca, Master, was furnished with a Passport from Lisbon for a commercial voyage to the Cape de Verd Islands and the coast of Africa. The "*Roza*" proceeded to Cacheo, and from thence to St. Jago, one of the Cape de Verd Islands; from St. Jago she returned to Cacheo on the coast of Africa, and there took on board a cargo of slaves on the night of the 17th of May, 1831, and left on the 20th following, bound for the Port of Matanzas. She was in the prosecution of her voyage, when fallen in with on the 18th of June, 1831, with 157 slaves on board, by His Majesty's schooner "*Pickle*," Lieutenant Taplen commanding, off Stirrup's Key, Bahama Bank. The Captor took the "*Roza*" in the first instance to Havana, and from thence to Nassau, New Providence; where the slaves were landed and Receipts taken for them from the Collector of Customs at that place. The "*Roza*" was then despatched for this Colony, and arrived here on the evening of the 26th of September. Proceedings were immediately instituted against her in this Court, and full proof having been brought forward of her illicit employment in the Slave Trade, Sentence of Condemnation was passed upon her on the 6th of October, 1831, as good and lawful prize to Great Britain and Portugal, and the 157 slaves captured on board of her and landed at Nassau, New Providence, or the survivors thereof at the time of passing Sentence, were decreed to be emancipated from slavery, one man having died, and one child having been born, on board previous to the said landing.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

*Sierra Leone, 5th January, 1832.*

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No. 26.

*His Majesty's Commissioners to J. Backhouse, Esq.—(Received April 17.)*

SIR,

*Sierra Leone, 5th January, 1832.*

PURSUANT to the 75th clause of an Act passed in the fifth year of the reign of His late Majesty, entitled "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade," we have the honour to forward herewith a Return of the Cases of Portuguese vessels adjudicated in the British and Portuguese Court of Mixed Commission established here, from the 1st of July, 1831, to the 1st instant.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

*John Backhouse, Esq.*  
&c. &c. &c.



SIERRA LEONE. (Portugal.)

Enclosure in No. 26.

Return of Portuguese Vessels adjudicated by the British and Portuguese Court of Mixed Commission, established at Sierra Leone, betwixt the 1st day of July, 1831, and the 1st day of January, 1832.

Name of Vessel.	Where captured.		Property seized.	Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before Adjudication.	Total Number emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
	Latitude.	Longitude.								
Roza . . . . .	18th June, 1831.	{ Off Stirrup Key, } { Bahama Islands. }	Schooner and } 157 Slaves. }	Thos. Taplen, Esq. H. B. M. S. Pickle.	October 6th, 1831.	157	1	*157	{ Condemned for being engaged } { in the illicit Traffic in Slaves. }	{ Schooner and Stores sold } { by Public Auction, and the } { Proceeds paid into the Mil- } { itary Chest. }

\* One male infant born on board after capture.

The Slaves belonging to the "Roza" were landed at New Providence, Bahama Islands, on the 23d of July, 1831.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

Sierra Leone, 1st January, 1832.  
(Signed) WALTER W. LEWIS, Registrar.

No 27.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received August 28.)

MY LORD,

*Sierra Leone, 5th July, 1832.*

WE have the honour to acquaint your Lordship that we have no return of Cases of Portuguese vessels to make to your Lordship, pursuant to the 75th clause of the 5th of George IV., cap. 113; no slave vessels of that nation having been brought before the British and Portuguese Court of Mixed Commission established here, between the 1st of January and the 1st of July, 1832.

We have, &amp;c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

&amp;c. &amp;c. &amp;c.

No. 28.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received December 18.)

MY LORD,

*Sierra Leone, 27th October, 1832.*

WE have the honour to report to your Lordship that His Majesty's schooner "Nimble," under the command of Lieutenant J. M. Potbury, being off the Isle of Pines, near Cuba, detained, early in the morning of the 13th of July last, the Portuguese brig "Hebe," Domingo Jozé d'Almeida, Master, bound for that Island, with a cargo of slaves on board, who had been shipped between the 31st of May and the 2nd of June, at Loando, in latitude 9° 0' S., longitude 12° 20' E.

We learn that Lieutenant Potbury took the "Hebe" in the first instance into Havana, (her Papers being countersigned by Mr. Macleay,) and from thence to Nassau, in New Providence.

On her arrival there, Lieutenant Potbury appears to have made application to Sir James Carmichael Smyth, the Governor of the Bahamas, to receive the slaves of the "Hebe," who were suffering greatly from sickness; but previously to that Officer consenting to do so, he caused a Medical Board to be held upon them, and upon that Board confirming the extent to which the sickness prevailed, they were, under the Governor's directions, landed at Hyburn Key on the 11th of August, and taken charge of by the Collector of Customs at Nassau, who certified to the receipt of 385 slaves, on the 20th of the same month.

The "Hebe" was afterwards despatched to this Colony for adjudication, and she arrived here (having in her way touched at Bermuda for water and provisions) on the 16th instant.

The Proceedings in this Case, it being undefended, were closed on the 25th instant, and it having been proved that the "Hebe" was bound with a cargo of slaves to a port not within the Dominions of His Most Faithful Majesty, and was not authorized by a Royal Passport to carry them, the British and Portuguese Court held that the "Hebe" was, at the time of capture, engaged in carrying on a traffic in slaves, which the 4th section of the first Article, and the 4th Article of the additional Convention between Great Britain and Portugal for the Suppression of the Slave Trade, denounce as illicit. The Court, therefore, on the same day, condemned the "Hebe" as good and lawful prize to the Crowns of Great Britain and Portugal, and decreed the emancipation from slavery of the surviving slaves who had been captured on board of her.

Our Report of the "Hebe's" Case we have the honour to enclose herewith, and think it our duty to remark to your Lordship, that the Certificate of the Collector of Customs at Nassau for the receipt of the slaves, was the only Document produced that furnished the Court with any information relative to the Proceedings had in this Case at Nassau, except a subsidiary Declaration of Lieutenant Potbury to the same effect as the Collector's Certificate. It would have been much more satisfactory had the Captor transmitted to the British and Portuguese Court, a Copy of his Correspondence with the Governor of the Bahamas, and of

the Report of the Medical Board held upon the slaves, as was done by Lieutenant Taplen in the Case of the Portuguese schooner "*Roxa*," detained by His Majesty's schooner "*Pickle*" in July 1831, Copies of which were forwarded with His Majesty's Commissioners' Report of that Case, to your Lordship, on the 12th of October of that year.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

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

&c. &c. &c.

Enclosure in No. 28.

*Report of the Case of the Portuguese Brig "Hebe," Domingo Jozé d'Almeida, Master.*

THE brig "*Hebe*," sailing under Portuguese colours, commanded by Domingo Jozé d'Almeida, and owned by João Antonio de Moraes Faião, was captured on the 13th of July, 1832, off the Isle of Pines, (to which island she was bound,) in latitude 21° 15' north, longitude 83° 5' west, by His Majesty's schooner "*Nimble*," Lieutenant J. M. Potbury commanding, having on board a cargo of slaves, 401 in number.

The "*Hebe*" arrived here on the 16th instant. On the 18th following the ship's Papers were brought into Court, duly authenticated by the Affidavit of the Prize-master, Mr. Henry Mann; who also deposed "that His Majesty's schooner '*Nimble*' was duly authorized and empowered, according to the provisions of the additional Convention to the Treaty between Great Britain and Portugal, to make seizures of vessels under Portuguese colours engaged in the Slave Trade." Two Declarations of the Captor, the original and a subsidiary one, were also filed the same day, and the Monition prayed for, granted, and issued.

The Captor, in his original Declaration, states, "that on the 13th of July, 1832, being in or about latitude 21° 15' north, longitude 83° 5' west, he, commanding His Majesty's schooner '*Nimble*,' detained the Portuguese brig '*Hebe*,' commanded by Domingo Jozé d'Almeida, who declared her to be bound from Angola to the Isle of Pines, off the Island of Cuba, having on board 401 slaves, said to be taken on board at Angola between the 31st of May and the 2d of June, 1832.

In his subsidiary Declaration the Captor declares, "that finding it necessary to disembark 397 of the said slaves, before the vessel could arrive at Sierra Leone, to which place it was his intention to send the '*Hebe*' for adjudication, on account of sickness prevailing to a great extent amongst the slaves, and it being the opinion of a Medical Board, ordered by His Excellency Major-General Sir James Carmichael Smyth, Bart., Governor of the Bahamas at Nassau, New Providence, that the said slaves were not in a fit state to proceed to Sierra Leone or Fernando Po, without great suffering and risk of life on the passage, he did, on the 11th of August, 1832, disembark 397 of the said slaves, the remainder having died from their date of capture.

In support thereof a Certificate of the Collector of Customs at Nassau, under date of the 20th of August, 1832, was filed, which Certificate is as follows:—

"These certify that His Majesty's schooner '*Nimble*,' commanded by Lieutenant Potbury, sent into this port, on the 28th of July, 1832, the Portuguese slave brig '*Hebe*,' containing 397 Africans, whom His Excellency Major-General Sir James Carmichael Smyth, the Governor of this Colony, directed me by Letter, dated 1st August, to receive under my charge, and place in Hyburn Key, one of the Bahama Islands, as soon as the necessary accommodation could be prepared there, and the people taken round, and that the said 397 Africans, consisting of 318 males, and 79 females, have been so received accordingly, and so placed by me, except 12 males, who died on board the said brig between her arrival in this port on the 28th ultimo, and the disembarkation of the people on this 11th day of August, 1832. Given under my hand at the Custom House, Nassau, the 20th day of August, 1832.

(Signed)

"J. WALKER, Collector."

The "*Hebe's*" Passport is the usual mercantile Passport granted by the Government of Portugal to vessels belonging to Portuguese subjects; is signed by the Duque de Cadaval, and dated at Lisbon the 16th of April, 1831. This Passport declares her to be commanded by Jozé de Couto Faças, owned by João Antonio de Moraes Faião, and bound to Angola and ports of Brazil; but does not authorize the "*Hebe*" to carry slaves. It appears that the "*Hebe*" really went from Lisbon to Angola, as her Passport is certified by the Intendant of Marine and Custom-House at Loando, dated the 12th of July following, and from thence she took her departure for Bahia; at which place, on the 13th of January, 1832, the Portuguese Consul, João Pereira Leite, certifies her to be under the command of Domingo Jozé d'Almeida. From Bahia she returned back to Angola, and left that place on the 2d of June last, with a cargo of slaves, bound, as her Clearances say, to the West Indies (*Ilhas d'Oeste*), and was captured on the 13th of July within a few miles of the Isle of Pines, where her slaves were to have been disembarked.

On the 19th of October, the Master, Domingo Jozé d'Almeida, the first Mate, Francisco de Borges Barboza, and the second Mate, Sebastião Ribeiro Pinto, were examined on the Standing Interrogatories.

The Master deposed, "that he was a Portuguese subject; that he was appointed to the command, and received possession of the detained vessel, on the 5th of January last, from Joaquim Jozé Teixeira, at Bahia, who was the Consignee at that Port of the Owner of the said vessel, João Antonio de Moraes Faião, a Portuguese subject resident at St. Paul de Loando; that the

'*Hebe*' was detained for having slaves on board; that she sailed under Portuguese colours; that there were also 2 Brazilian colours and 1 American colour on board, and also a signal flag: they were on board when he took possession of the detained vessel, and have been used only as screens; that the present voyage began at Angola, which was the last clearing port the vessel sailed from previous to capture: at this place was shipped a cargo of slaves; that the vessel then sailed for the Isle of Pines, where the said slaves were to have been delivered: after this the vessel was destined for Lisbon in Ballast; that the aforesaid Joao Antonio de Moraes Faião was the sole owner of the said vessel, and lader and owner of the cargo of slaves; but that he does not remember the name of the Consignee; that the said cargo consisted of 432 slaves, who were shipped from the shore at Angola, 31 of whom died previous to capture; that since the detention of the said vessel she was taken into Havana, New Providence, and Bermuda, previous to arriving here; and that the slaves were landed at New Providence by the Captors."

The evidence of the first and second mate of the detained vessel fully corroborated that of the Master.

The Monition having been returned on the 25th instant, certified to have been duly served, and no claim for the "*Hebe*" and her cargo having been preferred, the British and Portuguese Court, on the above day, met and heard the Case, and passed sentence to the following effect:—

The Evidence filed in this Case proves that an infraction of the Convention of the 28th of July, 1817, between Great Britain and Portugal, for the prevention of the illicit traffic in slaves, was committed by the parties interested in the slaves, the moment they were shipped at Loando, as the "*Hebe*" was not provided with a Royal Passport to carry slaves, conformable to the model annexed to, and as stipulated by the 4th Article of, that Convention.

This circumstance, added to the "*Hebe's*" Fort-pass, Custom-House Clearance, and Bill of Health from Loando, declaring her to be bound to the West Indies (*Ilhas d'Oeste*), implicates the Portuguese authorities in conniving at this fraudulent transaction, as they must also have known that there the King of Portugal has no Possession.

The "*Hebe*" was, on the 13th of July last, near the Isle of Pines, in latitude 21° 15' north, longitude 83° 5' west, at which Island the slaves on board of her were intended to be landed. His Majesty's schooner "*Nimble*," under the command of Lieutenant J. M. Potbury, cruising in that neighbourhood to prevent the illicit importation of slaves into Cuba, fortunately fell in with the "*Hebe*," which vessel, after a few hours, would most probably have succeeded in disembarking her unfortunate cargo; and Lieutenant Potbury being furnished with the duly signed Instructions, to detain to the north of the equator Portuguese vessels found slaving, he boarded and seized her. That officer, in subsequently taking the "*Hebe*" to, and landing the slaves at, the Bahama Islands, was justified by the merits as well as urgency of the case.

The detention of the "*Hebe*," by a duly authorized ship of the Royal Navy of Great Britain, was therefore just and proper; and the Case of that vessel falls under the 4th Section of the 1st Article, and the 4th Article of the aforesaid Convention, in which the High Contracting Parties declare, that they "consider as illicit, any traffic in slaves carried on by Portuguese vessels, bound for any port not within the dominions of His Most Faithful Majesty;" and that "every Portuguese vessel, which shall be destined for the Slave Trade, on any point of the African coast, where this traffic still continues to be lawful, must be provided with a Royal Passport, conformable to the model annexed to this present Convention, and which model forms an integral part of the same."

The Court is therefore of opinion that the "*Hebe*" is subject and liable to confiscation; and as such condemns the "*Hebe*," her tackle, apparel, and furniture, and the goods, wares, and merchandize laden therein, as good and lawful prize to the Crowns of Great Britain and Portugal, for being engaged at the time of capture in the illicit traffic in slaves, and that she was so captured by His Majesty's schooner "*Nimble*," Lieutenant J. M. Potbury commanding.

The Court further decrees the 385 slaves captured on board the "*Hebe*," and landed at Hyburn Key, one of the Bahama Islands, or the survivors, to be emancipated from slavery; and declare it to have been proved that 401 slaves were on board the "*Hebe*" at the time of her capture, 16 having died on board that vessel, previous to their having been disembarked.

(Signed)

WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 27th October, 1832.

## SIERRA LEONE. (*Netherlands.*)

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No. 29.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

MY LORD,

*Sierra Leone, 14th November, 1831.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch, of the 21st of July last, enclosing to us the Copy of a Communication your Lordship had received from the Admiralty, under date of the 16th of July, stating that the Instructions, referred to in the Treaty between Great Britain and the Netherlands for the suppression of the Slave Trade, had been issued to His Majesty's ships "Shannon," "Dryad," "Favourite," "Columbine," "Hyacinth," and "Conflict," and that the Instructions which had been issued to His Majesty's ships "Undaunted," "Sybille," "Medina," "Grasshopper," "Primrose," "Mersey," "Clinker," and "Icarus," had been recalled.

We have, &c.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

&c. &c. &c.

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No. 30.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 28.)*

MY LORD,

*Sierra Leone, 5th July, 1832.*

WE have the honour to acquaint your Lordship, that we have no return of Cases of Netherland vessels to make to your Lordship, pursuant to the 75th Clause of the 5th of George IV. Cap. 113; no slave vessels of that Nation having been brought before the British and Netherland Mixed Court of Justice established here, between the 1st of January and the 1st of July, 1832.

We have, &c.

(Signed) WM. SMITH.  
H. W. MACAULAY.

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

&c. &c. &c.

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## SIERRA LEONE. (*Brazil.*)

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No. 31.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

MY LORD,

*Sierra Leone, 14th November, 1831.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch, of the 9th of August last, enclosing to us a copy of the Sentence delivered in the Case of the Brazilian schooner "*Donna Barbara*," to the decision of which Court the application of Sir Francis Augustus Collier, for payment of the bounty for the slaves captured on board that vessel, was referred; and the Judge pronounced that the capture of the "*Donna Barbara*" was not made under such circumstances as entitled the Captor to the bounty.

We beg to express our thanks to your Lordship for that Communication; and, from the lucid manner in which the learned Judge has explained the principles upon which his decision was founded, we do not conceive that we shall experience any difficulty, in applying those principles to such Cases as may hereafter be brought under our consideration.

We have, &c.

(Signed)

ALEX. FINDLAY.  
WM. SMITH.

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

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No. 32.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 2, 1832.)*

Extract.

*Sierra Leone, 14th November, 1831.*

WE have been honoured with your Lordship's Despatch of the 16th of August, 1831. The Copy of the Note addressed by your Lordship to the Brazilian Charge d'Affaires at the Court of London, upon his demand for the instant dissolution of the Mixed Commission Court here, and at Rio de Janeiro, shews to us the grounds upon which the King's Advocate is of opinion, that the British and Brazilian Mixed Courts may still continue to apply the provisions of the Treaties for the abolition of the Slave Trade, so far as to pronounce a Sentence condemning Brazilian ships engaged in that trade, and decreeing the liberation of the slaves.

We shall, therefore, according to your Lordship's Instructions, continue, as heretofore, our Proceedings in the British and Brazilian Mixed Court, taking as the rules for our guidance the observations laid down in your Lordship's Note to the Chevalier de Mattos, of the 16th August, 1831.

Whilst we are happy in being able to announce to your Lordship, that no Brazilian vessel, carrying on the Slave Trade, has been captured since the 13th of March, 1830, which doubtless has arisen from the operation of the Treaty between Great Britain and Brazil, of November, 1826, which now constitutes that traffic piracy; yet, from the information we have lately obtained from authentic sources, we greatly fear its revival.

Three vessels under the Brazilian flag were lying in August last at Whydah. One, a small schooner, our informant, who was there, says, was *bonâ fide* loading with the lawful produce of Africa for Brazil, but the other 2, he feels assured, were there for the purpose of slaving, and he is confirmed in such assurance

from his intimate knowledge, that Whydah does not at present afford such a supply of lawful produce, as would engage 3 vessels therein.

This, together with the information Lieutenant Huntley, commanding the "Fair Rosamond," has afforded us, that since the 23d of April last, he, on one occasion, saw at Popo, 3 schooners under the Brazilian flag, and 2 days after, that he saw a large brig, under the same colours, in Lagos roads, both places being notorious slave marts, and similarly circumstanced to Whydah in respect to lawful produce, tends to increase our suspicion that the Brazilian Slave Trade, if not at the present time actually in existence, is in progress of being revived.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

## No. 33.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17, 1832.)*

MY LORD,

*Sierra Leone, 28th December, 1831.*

WE have had the honour to receive your Lordship's Despatch, of the 17th of October, 1831, transmitting to us the Copy of a Despatch and of its Enclosure from His Majesty's Charge d'Affaires at Rio de Janeiro, stating that an order had been issued by the Brazilian Government, enjoining the adoption of stricter measures, for the prevention of the illicit importation of slaves from the coast of Africa into the Ports of Brazil.

We beg leave respectfully to tender our thanks to your Lordship for that Communication.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

## No. 34.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17, 1832.)*

MY LORD,

*Sierra Leone, 28th December, 1831.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch, dated the 9th November, 1831, enclosing to us the Copy of a Despatch, which your Lordship had recently addressed to His Majesty's Charge d'Affaires in Brazil, enjoining him to press for the adoption of a stipulation between Great Britain and Brazil, whereby ships, when found in certain latitudes, equipped for the Slave Trade, shall, on that account, be deemed liable to condemnation for illegal Slave Trade, under the Treaty of the 23d of November, 1826.

The fact that Brazilian ships have of late resorted to these places on this coast, which are notorious for supplying large numbers of slaves, as reported by us to your Lordship in our Despatch, marked Brazil, of the 14th of November last, naturally creates the greatest suspicion, that the only object those ships can have in view in frequenting those places where but trifling, if any, legitimate produce can be obtained, is to carry on, in spite of the Treaty of the 23d of November 1826, the Slave Trade.

The adoption under these circumstances, by the Brazilian Government, of a stipulation to the effect proposed by your Lordship, appears to be indispensably necessary; such a measure would be attended with the most beneficial results to the cause of humanity, inasmuch as, what we have before had the honour to report to His Majesty's Secretary of State, it would have the effect of suppressing, in its early prosecution, the odious traffic in slaves.

We, therefore, fervently hope that the Brazilian Government, if they are, as

they profess themselves to be, sincere in their desire to prevent Brazilian subjects from carrying on the Slave Trade, will not hesitate to adopt the only plan likely to attain that desirable object; and that, at an early date, we may have the satisfaction of learning that your Lordship's endeavours have been crowned with success.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

## No. 35.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17, 1832.)*

MY LORD,

*Sierra Leone, 28th December, 1831.*

WE were honoured, on the 27th instant, with your Lordship's Despatch of the 16th November last, acquainting us, with reference to the intimations, which had been addressed to us, on the 20th of June and 27th of July last, by M. De Paiva, Brazilian Commissary Judge, that the King's Advocate, to whom the Case had been referred, has reported that it does not appear that the Commission of M. De Paiva was actually revoked: and as the Order from his Government, desiring him to continue at his post, bears date in February, 1831, before the time had arrived at which the former orders were to be acted upon, the King's Advocate is of opinion that M. De Paiva's appointment as Commissary Judge continues valid.

Your Lordship's Instructions thereupon to recognise M. De Paiva in that capacity shall be strictly obeyed.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

## No. 36.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17, 1832.)*

MY LORD,

*Sierra Leone, 28th December, 1831.*

WE had the honour yesterday to receive your Lordship's Despatch, dated the 17th of November last, acquainting us, with reference to the Case of the Brazilian vessel "*Ismenia*," that His Majesty's Government are pleased to approve of our conduct, in declining to consent that the Protest of the Brazilian Commissary Judge, against the Sentence pronounced upon that vessel, should be entered upon the Records of the Court; and instructing us to follow the same course, in any similar case which may hereafter occur.

We value most highly the honour which the approbation of His Majesty's Government confers upon us; and beg most respectfully to assure your Lordship, that it is, and ever will be, our anxious study to endeavour to obtain so distinguished and flattering a testimonial of our humble services.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

## No. 37.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 14.)*

MY LORD,

*Sierra Leone, 5th January, 1832.*

WE beg leave to enclose herein an Abstract of the Proceedings in the British and Brazilian Court of Mixed Commission established here, from the 1st of January, 1831, to the 1st of January, 1832.



The "*Ismenia*" was the only Case adjudicated and condemned by this Court in the above period : no slaves were emancipated.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

Enclosure in No. 37.

*Abstract of Proceedings in the British and Brazilian Court of Mixed Commission, established at Sierra Leone, in the period from the 1st of January, 1831, to the 1st of January, 1832.*

THE Brazilian schooner "*Ismenia*," commanded by João Antonio da Silva, and owned by José Ribeiro Guimaraens of Rio de Janeiro, was furnished with an irregular Passport, signed by Miguel de Souza Mello e Alvim, Minister and Secretary of State for the Marine Department at that place, and dated the 28th of August, 1829, authorizing her to proceed on a slave trading voyage, and to touch in the prosecution of it at the Islands of Princes and St. Thomas ; but also making it obligatory upon her to enter solely such ports on the coast of Africa, where the Slave Trade was permitted to the subjects of Brazil. She was detained on the 28th of November, 1829, in the River Cameroons, by Lieutenant Mercer of His Majesty's ship "*Eden*," in command of a detachment of boats belonging to that ship, for a breach of the Convention between Great Britain and Brazil for the repression of the illicit traffic in slaves. She arrived here on the 10th of January, 1830, and proceedings were immediately instituted against her in this Court. The Master in this Case filed his claim on the 22d of January, 1830, for the "*Ismenia*," and deposed in support thereof, that she was captured on the 28th of November, 1829, in the prosecution of her voyage, and while lying at anchor in the River Cameroons, repairing her damaged mast, and making trade for palm oil and other African produce ; that the said vessel had touched at Molembo, and landed there the greater part of her outward cargo, together with two persons in charge thereof to trade for slaves ; that she then left Molembo for Princes to purchase provisions, and on the passage to that Island the said vessel was struck on the 31st of October, 1829, with a heavy Tornado, and the main-mast very much injured ; and that the Cameroons being the nearest port, Deponent ran for the same to repair the damaged mast. The evidence in this Case was not finally closed until the 24th of June, 1831 ; and it proved the matters alleged in the claim to be false ; and that the "*Ismenia*" was engaged in carrying on the Slave Trade ; but as she had not had a slave on board during the present voyage, a difference of opinion existed between the British and Brazilian Commissary Judges, as to the sentence they ought to pronounce. The Case was therefore referred to the British Arbitrator (the only arbitrator present) to decide thereon ; and at a Court held on the 29th of June, 1831, he having agreed in opinion with His Britannic Majesty's Commissary Judge, that the "*Ismenia*" was engaged at the time of her capture in the illicit traffic in slaves, and as such subject and liable to confiscation, Sentence of Condemnation was pronounced upon her, as good and lawful prize to the Crowns of Great Britain and Brazil.

The delay which took place in the adjudication of this vessel, arose principally from the Brazilian Commissary Judge demanding the presence of the Captor ; which demand he, only on the 20th of June, 1831, relinquished.

(Signed) ALEX. FINDLAY.  
WM. SMITH.

*Sierra Leone, 5th January, 1832.*

No. 38.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 17th.)*

MY LORD,

*Sierra Leone, 5th January, 1832.*

WE have the honour to acquaint your Lordship, that no Brazilian vessel has been adjudicated by the British and Brazilian Court of Mixed Commission, established here, between the 1st of July, 1831, and the present date. As we have therefore no return to make under this head, (pursuant to the 75th clause of the 5th George IV. cap. 113,) probably your Lordship will be pleased to cause the Lords Commissioners of His Majesty's Treasury to be informed, that the Brazilian brigantine "*Ismenia*" and stores, condemned on the 29th of June, 1831, (reported in our last half-yearly Return as being in the charge of the Marshal of the Court for sale,) were sold on the 7th of July following, that no part remains unsold, and that the net Proceeds of such sale have been paid into the Military Chest, the Receipts of which we forwarded to your Lordship in our Despatch, marked Brazil, under date of the 20th of July, 1831.

We have, &c.  
(Signed) ALEX. FINDLAY.  
WM. SMITH.

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

No. 39.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, 4th June, 1832.*

I HEREWITH transmit to you the Copy of a Note, dated the 30th ultimo, which I have received from M. de Mattos, Brazilian Envoy at this Court, stating that M. Matheus Egidio da Silveira has been nominated, by the Government of Brazil, Commissioner of Arbitration on the part of the Emperor of Brazil, in the Mixed Commission established at Sierra Leone, under the Treaties and Conventions between Great Britain and Brazil on Slave Trade.

You will therefore, upon the exhibition by M. da Silveira of his Warrant of Appointment, drawn up in due form, and upon his going through the usual and proper formalities, admit and acknowledge him as Commissioner of Arbitration upon the part of Brazil accordingly.

I am, &c.  
PALMERSTON.

(Signed)

*His Majesty's Commissioners,*  
&c. &c. &c.

\* See Class B. No. 41.

No. 40.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 28.)*

MY LORD,

*Sierra Leone, 5th July, 1832.*

WE have the honour to acquaint your Lordship, that we have no Return of Cases of Brazilian vessels to make to your Lordship, pursuant to the 75th Clause of the 5th of George IV., cap. 113, no slave vessels of that Nation having been brought before the British and Brazilian Court of Mixed Commission established here, between the 1st of January and the 1st of July, 1832.

We have, &amp;c.

(Signed)

WM. SMITH.  
H. W. MACAULAY.*The Right Hon. Viscount Palmerston, G.C.B.*  
&c. &c. &c.

No. 41.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Nov. 5.)*

MY LORD,

*Sierra Leone, 13th September, 1832.*

WE have had the honour to receive your Lordship's Despatch, of the 4th of June last, enclosing to us the Copy of a Note to your Lordship from M. de Mattos, Brazilian Envoy, stating that M. Matheus Egidio da Silveira has been nominated by the Government of Brazil, Commissioner of Arbitration, on the part of the Emperor of Brazil, in the Mixed Commission established in this Colony, under the Treaties and Conventions between Great Britain and Brazil on Slave Trade.

In conformity to your Lordship's Instructions, we shall, after M. da Silveira has exhibited to us his Warrant of Appointment, drawn up in due form, and upon his going through the usual formalities, admit and acknowledge him as Commissioner of Arbitration on the part of Brazil accordingly, and will not fail to report to your Lordship that Gentleman's arrival here, at the earliest opportunity afterwards.

We have, &amp;c.

(Signed)

WM. SMITH.  
H. W. MACAULAY.*The Right Hon. Viscount Palmerston, G.C.B.*  
&c. &c. &c.

## HAVANA.

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No. 42.

*His Majesty's Commissioner to Viscount Palmerston.*—(Received Jan. 28, 1832.)

MY LORD,

*Havana, 30th November, 1831.*

I AM sorry to state that in the course of the present month no less than 5 Spanish schooners have left this Port for the coast of Africa, viz. on the 3d instant the "*Ligera*," Jozé Benito Pardo, Master; on the 8th instant the "*Frasquita*," Juan Veguer, Master; on the 10th instant the "*Churruea*," Jozé Francisco Gonzalez, Master; on the 13th instant the "*Veloz*," Joaquin Blanco, Master: and on the 20th the "*Amistad Habanera*," Mariano Sarria, Master.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

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No. 43.

*His Majesty's Commissioner to Viscount Palmerston.*—(Received Jan. 28, 1832.)

MY LORD,

*Havana, 3d December, 1831.*

DURING the last month 4 Spanish slave vessels arrived in this Port after having landed their slaves on the coast, viz. the brig "*Segunda Teresa*," Francisco Antonia Sarria, Master, on the 16th ultimo; the schooner "*Prueba*," Antonio Ferreira, Master, on the 18th ultimo; the schooner "*Indagadora*," Francisco Roviroza, Master, on the 26th ultimo; and the schooner "*Juanita*," Juan Bantista Arrarte, Master, on the 27th. Although all these vessels are notoriously engaged in the illicit traffic, the Captain General has returned his usual form of answer to the representations I had made to His Excellency on their several arrivals.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

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No. 44.

*His Majesty's Commissioner to Viscount Palmerston.*—(Received Jan. 28, 1832.)

MY LORD,

*Havana, 12th December, 1831.*

The "*Deidad*," a Portuguese schooner, commanded by Jacinto Pereira Carneiro, arrived here on the 10th instant in ballast, having previously landed her negroes on the coast; and I regret to state that I have reasons for believing that the Portuguese Flag is used at the present moment to a considerable extent in landing slaves on the more remote coasts of this Island.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

No. 45.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, January 31, 1832.*

I HEREWITH transmit to you, for your information, the Copy of a Despatch, (dated the 29th of March, 1830,) which I have received from His Majesty's Minister at the Court of Madrid, containing a notification that orders had been sent out to the Havana by the Spanish Government for the recognition of you, each in his respective appointment of His Majesty's Commissary Judge and Commissioner of Arbitration, in the Mixed Commission Court at that place for the suppression of illicit Slave Trade.

I am, &c.  
(Signed) PALMERSTON.

*His Majesty's Commissioners,*  
&c. &c. &c.

Enclosure in No. 45.

*Mr. Addington to the Earl of Aberdeen.*

MY LORD,

*Madrid, March 29, 1830.*

ON the receipt of your Lordship's Despatch, marked Slave Trade, of the 1st instant, I communicated to M. Salmon the nomination of Messrs. Macleay & Mackenzie to the respective posts of Commissary Judge and Commissioner of Arbitration at the Havana; and I have this day received a reply from M. Salmon, in which he assures me that orders are already sent to the Havana for the recognition of those Gentlemen, in their respective characters, by the Authorities of that Colony.

I have, &c.  
(Signed) H. U ADDINGTON.

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

No. 46.

*His Majesty's Commissioner to Viscount Palmerston.—(Received March 6, 1832.)*

MY LORD,

*Havana, 31st December, 1831.*

I HAVE the honour to inform your Lordship, that during this present month 4 Spanish slave vessels have left the Port of Havana for Africa, viz. the brig "*Carolina*," Nicolas Calveras, Master, on the 16th inst.; the schooner "*Indagadora*," Ramon Casal, Master; and the brig "*Teresa*," Ramon Agulleiro, Master, on the 25th inst.; and likewise the schooner "*Juanita*," Domingo Elorduy, Master, on the 27th inst.

I have received his usual form of answer from the Captain-General respecting the Spanish brig "*Urraca*," Domingo Castro, Master, which came in here on the 25th inst., after having landed a cargo of slaves.

I have, &c.  
(Signed) W. S. MACLEAY.

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

No. 47.

*His Majesty's Commissioner to Viscount Palmerston.—(Received March 6.)*

MY LORD,

*Havana, 2nd January, 1832.*

IN pursuance of the Act of Parliament, I have the honour to report to your Lordship, that no slave vessel has been brought for adjudication before the Mixed Commission during the last half year.

I have, &c.  
(Signed) W. S. MACLEAY.

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

*His Majesty's Commissioner to Viscount Palmerston.—(Received March 6.)*

MY LORD,

*Havana, 2nd January, 1832.*

I HAVE the honour to transmit herewith, for your Lordship's information, 3 Lists, which will unfortunately shew but too plainly that the Slave Trade of this Port has not decreased during the last year.

By the first of these Lists it will be seen that during the year 1830, 29 vessels sailed for the coast of Africa. Of these, 18 have returned with slaves and safely landed their cargoes, 1 has returned without slaves, 2 have been captured on the coast of Africa, so that the fate of only 8 of them is unknown.

By the second of these Lists it will be seen that during 1831, 36 slave vessels have arrived here from Africa, which is the same number that arrived during 1830. But it must be urged in favour of the Havana, that several of these vessels were fitted out from Spain, and that 3 of them are foreigners.

I am sorry to state, that by the third List it will appear that 31 vessels have sailed during 1831 from this Port for the coast of Africa; of these, however, 2 are foreigners, the one being Brazilian, and the other Portuguese. On the whole it will be seen, that if the Slave Trade of this Port has not experienced any considerable decrease during the year just expired, it cannot at least be said to have much augmented during that period. Still I confess that at the commencement of last year I had flattered myself that the traffic was on the immediate eve of very considerable diminution. The first and most prominent cause of the failure of my hopes has been without doubt the little success of His Majesty's cruisers on this coast during the last 18 months. The second cause is the impossibility of investing money here at present in any profitable speculations, so that persons of small capital are, in a manner, forced into a traffic which has ever had peculiar attraction in the eyes of a nation addicted to gambling, on account of its presenting enormous profits and comparatively small risk.

I lament to have to state to your Lordship, that a considerable portion of the Slave Trade of this Island during 1831 is also to be attributed to foreign slave vessels, particularly French, Portuguese, and Brazilians; and I fear that this mode of supplying the Island of Cuba with negroes is viewed with a favourable eye, both by the Planter and the local Government, since, from the tenor of the treaties between Great Britain and Spain on this subject, the capture of foreign slave vessels on the coast of Cuba does not tend to increase the number of its emancipated slaves. I have reason to believe that the Portuguese are the most deeply engaged in this traffic, which is principally carried on in the more remote parts of the Island.

An idea has always in some degree prevailed in the Island of Cuba that Great Britain, in her anxiety to extinguish the Slave Trade, has only been actuated by a desire to protect the interests of her own sugar Colonies; and it is undeniably true that the facility with which the Cuban Planter can supply himself with negroes, and the impunity with which he can overwork them, are among the most serious sources of the depression which actually affects the British West-India Islands. I have, however, with sorrow perceived this idea to have gained considerable ground during the last year among the Havana Proprietors, so that I fear some of them may be expected to do all in their power to thwart measures that they conceive to be dictated by a foreign nation only to further its own commerce, and to annihilate that of its rivals. Still there are many individuals, and those I will venture to say among the most respectable and wealthy of the Havana, who have taken warning by the fate of St. Domingo, and providing for the future welfare of their children, are now sincerely anxious to abolish this detestable traffic. Such persons, however, have repeatedly said to me, that either effectual measures ought to be taken to put down the Slave Trade; or it ought to be left free as formerly, because in the present singular state of the traffic, which is only nominally abolished, they are obliged, when African negroes are brought to their doors, to supply themselves with slaves, in order to place themselves on a level with neighbours who have less scruples, and who only regard the interest of the present moment.

Cuba is in daily expectation of the arrival of a new Captain-General, and I

would fain trust that Spain will not allow the opportunity to escape which is thus offered of changing a system which has so long disgraced this Island. A new Governor can scarcely be expected not to be desirous to give proofs of zeal in the execution of the orders of his Government. Nevertheless I will venture to say, that no plan for abolishing this illicit traffic can be effectual, without the adoption on the part of Spain of those additional Articles which have been so repeatedly and so urgently proposed for her acceptance by His Majesty's Government.

I have, &amp;c.

W. S. MACLEAY.

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

*&c. &c. &c.*

First Enclosure in No. 48.

*List of Slave Vessels which sailed from the Port of the Havana, during the Year 1830, with the results of their Voyages as far as is known.*

No.	Date.	Nation.	Class.	Name.	Name of the Master.	Remarks.
	1830.					
1	11 Jan.	Spanish	Schooner	Maria . . . .	Jozé Rodriguez	
2	22 Feb.	"	"	Aerostatica . . .	Manuel Aldecoa	
3	"	"	"	Barbarita . . . .	Salvador Felin . . .	Returned 9 Dec. 1830
4	1 March	"	"	Pagarito . . . .	Fortunato Romero . .	{ Slaves emancipated at Sierra Leone.
5	7 "	"	"	Marinerito . . . .	Antonio Pulles . . . .	Returned 19 Oct. 1830
6	"	"	"	Asturiana . . . .	Jozé Dordal . . . .	" 6 Nov. "
7	4 April	"	"	Segunda Gallega	Santiago Manzana . .	" 22 Oct. "
8	21 "	"	"	Bella Juliana . . .	Jozé Escardo	
9	1 May	"	"	Primera Gallega . .	Antonio Musar	
10	13 "	"	"	Primera . . . .	Gabriel Perez	
11	21 "	"	Brig	Almirante . . . .	Jozé Ramon Zavala . .	" 30 Jan. 1831
12	27 "	"	Schooner	Manuelita . . . .	Marcelino Rodriguez . .	" 9 April, "
13	8 June	"	"	Pantica . . . .	Pedro Manegat . . . .	" 31 March, "
14	28 "	"	"	Prueba . . . .	Antonio Ferreira . . . .	" 20 Feb. "
15	14 July	"	Brig	Dos Amigos . . . .	Juan Ramon Mujica	
16	19 "	"	"	Andromaca . . . .	Ramon Gonzalez . . . .	" 9 Dec. "
17	25 "	"	"	Urraca . . . .	Domingo Ant. de Castro	" 26 Jan. 1831
18	"	"	"	Joven Maria . . . .	Ant. Maria de Carvajal	" 8 " "
19	"	"	Schooner	Amistad Habanera	Juan Baut. Arrarte . .	" 14 Dec. 1830
20	27 "	American	Brig	Lion . . . .	J. Mackenzie . . . .	" 15 March, 1831
21	31 "	Spanish	Schooner	Indagadora . . . .	Angel Ximenes . . . .	" 16 " "
22	1 Oct.	"	Brig	Negrito . . . .	Jozé Azpeitia . . . .	" 12 June, "
23	"	"	"	Coruñes . . . .	Jozé Maria Pequeño . .	{ " 26 March, " without Slaves.
24	13 "	"	Ship	Montezuma . . . .	Jozé Villanova . . . .	" 17 Aug. "
25	14 Nov.	"	Brig	Vengador . . . .	Juan Jozé Rodriguez . .	" 26 Oct. "
26	20 "	"	Schooner	Marinerito . . . .	Francisco Cabieses . .	{ Captured on the Coast of Africa.
27	26 "	"	"	Segunda Gallega	Jozé Luna . . . .	Returned 24 June, 1831
28	20 Dec.	"	"	Preferida . . . .	Juan Martinez . . . .	
29	"	"	"	Potosi . . . .	Juan Baut. Arrarte	

18 Returned with Cargoes of Slaves

1 Returned without Slaves

2 Captured on the Coast of Africa

8 Fate unknown

29 Total.

Second Enclosure in No. 48.

*List of the Vessels which have arrived in the Port of the Havana, from the Coast of Africa, during the Year 1831.*

No.	Date.	Nation.	Class.	Name.	Name of the Master.	Remarks.
	1831.					
1	3 Jan.	Spanish	Schooner	Urania (a) Cristina	Jozé Benito Pardo	
2	"	Brazilian	Sumaca	Santo Ant. Vencedor	Lorenzo Ant. Rochadel	
3	7 "	Spanish	Schooner	Veloz . . . .	Franco. Ant. Sarraia	
4	8 "	"	Brig	Joven Maria . . . .	Juan Arranco	
5	23 "	"	"	Semiramis . . . .	Juan Baut. Manerse	
6	26 "	"	"	Urraca . . . .	Domingo de Castro	
7	30 "	"	"	Almirante . . . .	Juan Baut. Zavala	
8	31 "	"	"	Marinero . . . .	Geronimo Villar	
9	20 Feb.	"	Schooner	Prueba . . . .	Antonio Ferreira	
10	9 March	"	"	Viscayna . . . .	Jozé Balanora	
11	15 "	American	Brig	Lion . . . .	J. Mackenzie . . . .	From Whydah.

*List of the Vessels which have arrived in the Port of the Havana, from the Coast of Africa, during the Year 1831.—(Continued.)*

No.	Date.	Nation.	Class.	Name.	Name of the Master.	Remarks.
12	16 March	Spanish	Schooner	Indagadora . . .	Angel Ximenes	} Said to have arrived without Slaves,
13	26 "	"	Brig	Coruñes . . . .	Jozé Maria Pequeño	
14	31 "	"	Schooner	Pantica . . . . .	Francisco Cuero	
15	9 April	"	"	Manuelita . . . . .	Jozé Ferry	
16	22 May	"	"	Tres Manuelas . . .	Victoriano Laguna	
17	4 June	"	Brig	Ninfa . . . . .	Vicente Ballesteros	
18	12 "	"	"	Negrilo . . . . .	Francisco Azpeitia	
19	19 "	"	Schooner	Segunda Tentativa .	Ramon Nosedal	
20	24 "	"	"	Segunda Gallega . .	Leandro Ortez	
21	30 "	"	"	Urraca . . . . .	Juan Sagreras	
22	1 July	"	"	Urania . . . . .	Juan Baut. Arrarte	
23	14 "	"	"	Planeta . . . . .	Pedro Badia	
24	17 Aug.	"	Ship	Montezuma . . . . .	Jozé Villanova	
25	22 Sept.	"	Brig	Catalana . . . . .	Jozé Ant. de la Vega	
26	25 "	"	Schooner	Veloz . . . . .	Ramon Agulleiro	
27	9 Oct.	"	"	Ligera . . . . .	Jozé Benito Pardo	
28	" "	"	Brig	Andromaca . . . . .	Franc. Logreiro	
29	23 "	"	Schooner	Amistad Habanera .	Juan Garcia	
30	26 "	"	Brig	Vengador . . . . .	Juan Jozé Rodriguez	
31	16 Nov.	"	"	Segunda Teresa . . .	Franc. Ant. Sarria	
32	18 "	"	Schooner	Prueba . . . . .	Antonio Ferreira	
33	26 "	"	"	Indagadora . . . . .	Franc. Rovirosa	
34	27 "	"	"	Juanita . . . . .	Juan Baut. Arrarte	
35	10 Dec.	Portuguese	"	Deidad . . . . .	Jacinto Pereira Carneiro	
36	25 "	Spanish	Brig	Urraca . . . . .	Domingo de Castro	

### Third Enclosure in No. 48.

*List of Slave Vessels which have left the Port of the Havana during the Year 1831.*

No.	Date.	Nation.	Class.	Name.	Name of the Master.	Remarks.
1	20 Jan.	Spanish	Schooner	Hoss	Salvador Felin	} Sailed for Bahia de todos los Santos.
2	21 "	Brazilian	Sumaca	San. Ant. Vencedor	L. A. Rochadel . .	
3	22 "	Spanish	Schooner	Segunda Tentativa	Ramon Nosedal . .	Returned 19 June, 1831
4	3 Feb.	Portuguese	"	Estela . . . . .	José Maria Ibargaray	} Returned 14 July "
5	" "	Spanish	"	Planeta . . . . .	Petro Badia . . . .	
6	6 "	"	Brig	Andromaca . . . . .	Francisco Loureiro .	" 9 Oct. "
7	15 "	"	Schooner	Urania (a) Cristina	Juan Baut. Arrarte	" 1 July "
8	16 "	"	"	Ligera . . . . .	Jozé Benito Pardo .	" 9 Oct. "
9	" "	"	"	Amistad Habanera	Juan Garcia . . . . .	" 23 Oct. "
10	24 "	"	Brig	Urraca . . . . .	Juan Sagreras . . .	" 30 June "
11	6 March	"	Schooner	Veloz . . . . .	Joaquin Blanco . . .	" 25 Sept. "
12	29 April	"	"	Prueba . . . . .	Antonio Ferreira . .	" 18 Nov. "
13	7 May	"	"	Indagadora . . . . .	Francisco Rovirosa .	" 26 Nov. "
14	15 "	"	Brig	Rapido . . . . .	Santiago Alonza	} Sailed for the Cape de Verdes.
15	22 "	"	"	Teresa . . . . .	Francisco Sarria . .	
16	24 "	"	Schooner	Segunda Gallega	José Rodriguez	" 16 Nov. "
17	" "	"	Brig	Urraca . . . . .	Domingo de Castro	" 25 Dec. "
18	27 "	"	Schooner	Juanita . . . . .	Juan Baut. Arrarte	" 27 Nov. "
19	5 Aug.	"	"	Manuelita . . . . .	Pedro Badia	} Sailed for the Cape de Verdes.
20	7 "	"	"	Esperanza . . . . .	José Ibargaray . . .	
21	1 Oct.	"	"	Tentativa . . . . .	José Garay	} Sailed for the Cape de Verdes.
22	9 "	"	"	Planeta . . . . .	Salvador Felin	
23	3 Nov.	"	"	Ligera . . . . .	José Benito Pardo	} Sailed for the Cape de Verdes.
24	8 "	"	"	Frasquita . . . . .	Juan Verguer	
25	10 "	"	"	Churruca . . . . .	José Franco. Gonzalez	} Sailed for the Cape de Verdes.
26	13 "	"	"	Veloz . . . . .	Joaquin Blanco	
27	20 "	"	"	Amistad Habanera	Mariano Sarria . . .	} Sailed for the Cape de Verdes.
28	16 Dec.	"	Brig	Carolina . . . . .	Nicolas Calveras	
29	25 "	"	Schooner	Indagadora . . . . .	Ramon Casal	} Sailed for the Cape de Verdes.
30	" "	"	Brig	Teresa . . . . .	Ramon Agulleiro	
31	27 "	"	Schooner	Juanita . . . . .	Domingo Elorduy	} Sailed for the Cape de Verdes.

No. 49.

*His Majesty's Commissioner to Viscount Palmerston.—(Received March 6.)*

MY LORD,

*Havana, 24th January, 1832.*

ON the 5th instant the Spanish schooner "*Segunda Gallega*," Jozé Rodriguez, Master, arrived in this Port after having landed a cargo of slaves. The Captain-General has transmitted to me his usual form of answer on the subject.

On the 15th instant the schooner "*Prueba*," Antonio Ferreyra, Master, sailed for the coast of Africa.

I have, &amp;c.

(Signed)

W. S. MACLEAY.

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

&amp;c.

&amp;c.

&amp;c.

No. 50.

*His Majesty's Commissioner to Viscount Palmerston.—(Received April 9.)*

MY LORD,

*Havana, 17th February, 1832.*

ON the 1st instant the notorious Spanish brig "*Urraca*," Jozé Maria Moreno, Master, sailed for the coast of Africa from this Port. On referring to the List of Arrivals of slave vessels in the Havana during 1831, which I had the honour to enclose in my Despatch of the 2d of January of the present year, your Lordship will perceive that this vessel landed no less than 3 cargoes of slaves on the coasts of Cuba between the 1st of January, 1831, and the 1st of January, 1832.

I have also the honour to state that I have reported to the Captain-General the brig "*Joven Maria*," Antonio Gonzalez, Master, as having arrived here on the 15th instant, after having landed a cargo of slaves.

I have, &amp;c.

(Signed)

W. S. MACLEAY.

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

&amp;c.

&amp;c.

&amp;c.

No. 51.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 9.)*

MY LORD,

*Havana, 24th February, 1832.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch, of the 8th November last, with its 3 Enclosures, by which we are informed of the urgent manner in which His Majesty's Government endeavours to induce that of His Catholic Majesty to despatch such orders to the Authorities in Cuba as shall secure the due fulfilment of the Slave-Trade Abolition Treaty between Great Britain and Spain, and to agree to the adoption of a stipulation, whereby ships, when found in certain latitudes equipped for the Slave Trade, shall be held liable to condemnation.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c.

&amp;c.

&amp;c.



No. 52.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 30.)*

MY LORD,

*Havana, 29th February, 1832.*

WE have the honour to report to your Lordship, that on the 22d instant the Portuguese brig "*Teresa*," commanded by Józé Maria da Cunha, came into this Port after having landed a cargo of slaves on the coast of this Island.

On the 25th instant also arrived in port the Spanish slave schooner "*Manuelita*," Pedro Badia, Master. We lost no time in denouncing this vessel to the Captain-General, but His Excellency has thought proper to return his customary form of answer to our Representation.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c.

&amp;c.

&amp;c.

No. 53.

*His Majesty's Commissioners to Viscount Palmerston.—(Received April 30.)*

MY LORD,

*Havana, 17th March, 1832.*

WE have the honour to acquaint your Lordship, that on the 4th instant the Spanish brig "*Volador*," Antonio Esteves, Master, sailed from this Port for the coast of Africa.

The Spanish brig "*Catalana*," Jozé Antonio de la Vega, Master, arrived in the Havana on the 11th instant, after having landed on the coast a cargo of slaves. We have made the usual Communication respecting her to the Captain-General. She appears to have cleared out for the African coast from Spain.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c.

&amp;c.

&amp;c.

No. 54.

*His Majesty's Commissioners to Viscount Palmerston.—(Received May 24.)*

MY LORD,

*Havana, 29th March, 1832.*

WE have had the honour to receive your Lordship's Despatch, dated 31st December, 1831, by which we are instructed to learn and to transmit to your Lordship such particulars respecting the present numbers and condition of the negroes who have been from time to time emancipated by this Mixed Commission, as can be obtained by us without appearing to interfere with the Local Authorities of the Havana, or exciting any jealousy on their part.

Since the commencement of the year 1825, when the conditions on which these negroes should be distributed were first established by the Captain-General, there has arisen an increasing dislike on the part of the Local Authorities to His Majesty's Commissioners interfering with them. His Majesty's Commissary Judge has repeatedly endeavoured, in the course of private conversation with the Captain-General, to ascertain the number of those now alive; but the question has been in general avoided by the vague answer, that after a lapse of so many years their numbers may be expected to have experienced considerable diminution. There can be no doubt, that, in addition to the natural deaths that may be expected to have taken place in the course of 7 years, many must have died in consequence of the pestilential diseases (as in the Case of the Midas) with which they were afflicted when they were delivered over by the Mixed Commission to the Captain-General. We fear, however,

that the principal diminution must be attributed to their being, for some months after their arrival, very subject, by reason of their ignorance, to be stolen, and thus consigned to hopeless slavery. Under such circumstances they are generally advertised publicly, as having run away from the persons with whom they were deposited; and we have the honour to send herewith a form of the Government Notice by which the last negroes who disappeared were so advertised. It is, however, our duty to state, that we know not what measures the Local Government takes to satisfy itself that the persons who were intrusted with the negroes are in every case to be considered free from blame.

It is understood by the Local Authorities, that by the Treaty between Great Britain and Spain for the abolition of the African Slave Trade, His Majesty's Commissioners have no authority whatever to interfere in the management of the captured negroes after they have received their Certificates of emancipation, so that even when His Majesty's Commissary Judge formally protested against the removal of the negroes of the Midas from Cuba without the consent of his Government, the only notice taken of his Protest was a declaration that this removal was from other causes merely deferred until proper means for its execution should offer themselves. This jealousy of His Majesty's Commissioners is not confined to the Authorities, but extends to almost every white in the Island; for while many persons are most anxious for the extinction of the traffic in slaves, all are agreed as to the imminent danger in which the peace and prosperity of the Island are placed by the increase of the emancipated negroes. When, therefore, His Majesty's Commissary Judge protested against the removal of these negroes from Cuba, a strong suspicion arose in many quarters that Great Britain was actuated by ill will towards the tranquillity of the Island.

On these accounts we humbly conceive that accurate information with respect to the present numbers of the emancipated negroes, can only be obtained by a Communication on the subject from Government to Government, or by His Majesty's Commissioners being authorized personally to inspect them. At present, however, when we look at the tenor of the Treaty, and at the Earl of Aberdeen's Despatch to His Majesty's Commissioners at Surinam, dated 28th June, 1830, and more particularly at the last Despatch of your Lordship, we consider ourselves precluded from all right of even addressing the Captain-General officially on the subject of these negroes.

Being thus unable to obtain direct official information, we are most anxious to avoid any grave charge against the Local Authorities founded on vague rumours. Indeed, it has been more than once objected by the Spanish Government against His Majesty's Commissioners, that they place too much confidence in the malicious reports that prevail in the private society of the Havana. We would fain hope, however, that it is now felt on all hands that His Majesty's Commissioners have been ever most cautious in laying officially before their Government any information, of the truth of which they were not absolutely convinced.

With respect to the actual condition of the negroes, it would be easy for us to communicate to your Lordship verbal assurances on the part of the Local Authorities, that it is perfectly satisfactory; but having no means of verifying such assertions, as to the great mass of the emancipated negroes, we prefer to state only such facts as may have come privately to our knowledge.

The emancipated negroes have been distributed to the hospitals, Botanic Garden, and other public establishments, but in general they have been assigned by lot as domestic servants to officers' widows, poor clerks of Government, and other persons whose fortunes would not admit of their purchasing slaves. On the arrival of a captured slave vessel, persons of moderate fortune put in motion much private influence with those around the Governor, in order to secure to themselves servants, and above all, to have the privilege of selecting negroes before the general distribution of them by ballot takes place.

We have no hesitation in stating, that, in our opinion, it is fortunate for the negroes that they thus fall generally to the share of persons not possessing slaves; for, singular as it may appear, the emancipated negroes are detested by the negro population, whether slave or free; and the name of *Emancipado*, or *Ingles*, is among the negroes of the Havana a term of opprobrium and derision.

We are far from wishing to be supposed to accuse the Captain-General, now that he is on the immediate eve of departure, of any cruelty towards these poor creatures. On the contrary, his Government has been particularly humane towards all the black population. If, therefore, the abuses, which have been rumoured to exist in the management of the emancipated negroes be true, we certainly should not attribute them to His Excellency, but rather to inferior officers. It is sufficient for us to state to your Lordship that such rumours exist, and that if the Officers of Government are inclined to be corrupt in the management of the emancipated negroes, they unfortunately have too much the power to indulge their inclinations.

The Spaniard is naturally humane, perhaps indeed too indulgent to his domestic servants. Several Spanish families having emancipated negroes for servants, are known to His Majesty's Commissary Judge, and in these he has been gratified to observe them invariably well treated. His Majesty's Commissioners themselves have never, from a sense of duty, asked the Governor for any of these emancipated negroes as servants; in the first place because they felt it desirable that it should not appear to the public that they had any personal interest in the condemnation of slave vessels; and in the second place because they felt that the taking such servants, and thereby subjecting themselves to the jurisdiction of the Local Authorities, would be incompatible with their public character. When, however, Mr. Jackson, some time after his arrival in the Havana as the Clerk of His Majesty's Commissioners, inquired whether there would be any impropriety in his applying for two of these servants from the Governor, the British Commissary Judge deeming Mr. Jackson's situation to be entirely different from that of a Commissioner, gladly agreed to his making the demand, as likely to produce a considerable alleviation of expense to his family. It is due to the Captain-General to state that His Excellency most readily granted Mr. Jackson's request.

There is no difference in the conditions upon which one of these negroes is now apprenticed from those mentioned at length by Mr. Kilbee in his Despatch of 29th December, 1824, except in 2 additional Articles. The first stipulates that in the event of a person having asked for one of the emancipated negroes, he must, under a penalty of 500 dollars, when the request is granted, take home with him, within the space of 24 hours, that one who, whether sick or not, may fall to his lot; and the second Article warns all persons taking emancipated negroes, that they are liable at any time to be called upon to give them up, whenever it may suit the Government to send them out of the Island. The first of these Articles was added very soon after the first condemnation, in consequence of the trouble which the Authorities experienced in getting persons to take off their hands those negroes who might be afflicted with any disease, such as Ophthalmia, which is particularly prevalent on board slave vessels; and the second Article was added more recently, at the time there was an intention to send them to Ceuta.

The persons intrusted with these negroes are regularly summoned, in accordance with the conditions, to produce them for inspection at the Government House, on the first Sundays of June and December. We have now the honour to enclose a Diario, shewing that they were so summoned to appear on the 4th December last. We understand, however, that at these examinations the Captain-General never appears in person, and that the whole affair has dwindled into a mere form, which is executed by the inferior Officers of Government in a careless manner.

According to the conditions the negroes are asked at these examinations whether they are well treated and satisfied; and if their answer is in the negative they may change their Masters. The following Case, however, which came under the observation of His Majesty's Commissary Judge, will show that this regulation, which is apparently so humane, gives rise to intrigues by no means calculated to induce persons to take much trouble in civilizing the negroes who may fall to their lot. A person holding a Government Office had 2 emancipated negroes granted him. They remained in his family for more than a year, until they became noted by his acquaintances as most valuable servants. They appeared to be most humanely treated and well fed; yet at one of the half-yearly presentations, on being asked whether they were satisfied with their

Master, they answered no, and were immediately given away to another person. There could be no doubt that they had been tampered with on account of their known value as servants, and thus a poor family lost the reward of all their trouble, and, as may be expected, have never applied for any more of the emancipated negroes.

Although by the 16th Article of the Conditions the Local Government has a right, if it shall think proper, to increase within certain limits the period of service or apprenticeship, it still appears extraordinary that no Case has come within the knowledge of His Majesty's Commissioners of any of these negroes having been deemed able to provide for themselves. It does not indeed follow that there has been no such complete emancipation.

With respect to the projected measure of removing these negroes to Europe, we humbly venture to suggest, that if it can be carried into effect with due regard to the grand object of the Treaty, and the security of life and freedom to the negroes, it would be conducive not only to the peace and welfare of Cuba, but also to the happiness of the African, since in a place where slavery exists, his final liberty, even with the best intentions on the part of the Local Government, must always be liable to danger for many months after his first arrival in the Havana, that is, until he has sufficient knowledge of the language and country to be able to protect himself.

Without being able to assert positively that there has been any gross mismanagement of these negroes, we cannot, my Lord, avoid expressing our regret that the right of inspection was never granted to the Mixed Commission as was proposed by Mr. Kilbee. This regret, however, merely proceeds from our want of means to satisfy His Majesty's Government that their humane intentions towards these unfortunate beings have been carried into complete effect; and we trust your Lordship will believe that we have no preposterous desire to interfere in the internal Government of the Island. Indeed, so far as our personal comfort is concerned, any additional authority conferred on the Mixed Commission can only render our position, in the eyes of the inhabitants of Cuba, invidious.

We have, &c.  
(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

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

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First Enclosure in No. 54.

*Extract from the "Diario de la Habana," Nov. 25, 1831.*

Translation.

Official Notice.

By order of His Excellency the President, Governor, and Captain-General, the public is informed that the emancipated negroes, named "Eufemio," No. 170, of the brigantine "*Orestes*," and "Juan," No. 372, of the "*Firme*," have run away from the keeping of Don Fermin Hernandez, and of Donna Teresa de Casas, in order that any person who hides them, or who knows their place of concealment, may bring them back, or make it known to His Excellency; with the understanding that whosoever does not do thus, will incur the penalty of 500 dollars, without prejudice to any further proceedings.

And that no one may plead ignorance, His Excellency commands that there be inserted in 6 consecutive numbers of the *Diario* and Notices of this City, this Notice, as well as the descriptions of the above-mentioned negroes, which are as follows:—the 1st is of the *Lucumielló* nation, in which he was called Emallelú, age 24 years, height 3 ft. 2 in., his face tattooed, thick-lipped, and a mole on his chin; the 2d is of the Apopó nation, in which he was called Coeú, aged 34 years, height 5 ft., a scar on each buttock and another on the side of the right leg.

(Signed)  
ANTONIO MARIA DE LA TORRE Y CARDENAS.

*Havana, Nov. 24, 1832.*

## Second Enclosure in No. 54.

Extract from the "Diario de la Habana," December 1, 1831.

Translation.

Official Notice.

By order of His Excellency the President, Governor, and Captain-General, the public is informed that Sunday, the 4th of next month, is the day appointed, by the conditions under which the emancipated negroes are apprenticed, for the second half-yearly inspection of this year; in order that persons who have taken charge of them may present them to His Excellency, at the hour of nine in the morning of the above-mentioned day, together with the children which they have borne, each, to prevent mistakes, with their respective Certificates of parentage, and the Certificates of baptism of those who may have been baptized since the former inspection in June last. And in order that no one may plead ignorance, His above-mentioned Excellency commands that this Notice be inserted in 3 consecutive numbers of the "Diario" of this city.

(Signed)

ANTONIO MARIA DE LA TORRE Y CARDENAS.

Havana, 28th November, 1831.

## No. 55.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 24.)

MY LORD,

Havana, 31st March, 1832.

WE have the honour to inform your Lordship that on the 23d instant the Spanish brig "Marinero," Ildefonso Garcia, Master, arrived in this port from Africa, after having landed on the coasts of this Island a cargo of slaves. We have made the usual Communication on this subject to the Captain-General.

On the 25th instant 2 Spanish schooners sailed for the coast of Africa, viz. the "Tres Manuelas," D. Andres Puig, Master, and the "Segunda Gallega," Fortunato Romero, Master.

We have, &c.

(Signed)

W. S. MACLEAY.  
CHARLES MACKENZIE.

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

&c. &c. &c.

## No. 56.

His Majesty's Commissioners to Viscount Palmerston.—(Received June 4.)

MY LORD,

Havana, 16th April, 1832.

ON the 28th ultimo, the Portuguese brig "Teresa," J. M. da Cunha, Master, cleared out from this port for Bahia de todos Santos. We have every reason, however, to believe that she has returned to the coast of Africa for another cargo of slaves.

On the 1st instant, the Spanish schooner "Joven Maria," Antonio Benaser, Master, and on the 8th instant the Spanish brig "Marinero," Ildefonso Garcia, Master, sailed from this port on slaving voyages to the African coast.

On the 13th instant also sailed for Lagos the Spanish brig "Llobregat," Juan Bautista Arrarte, Master, and on the 14th instant the brig "Catalana," José Antonio de la Vega, Master, departed for the same destination.

On the 6th instant also arrived the Spanish schooner "Veloz," Joaquin Blanco, Master, after having landed on the coast, her cargo of negroes. The Captain-General has returned his usual form of answer to a Communication made by us to His Excellency respecting this vessel.

We have, &c.

(Signed)

W. S. MACLEAY.  
CHARLES MACKENZIE.

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

&c. &c. &c.



## First Enclosure in No. 58.

*Declaration of the Captor.*

I, WILLIAM WARREN, Lieutenant, commanding His Britannic Majesty's schooner "Speedwell," hereby declare, that on this 6th day of April, 1832, in or about latitude 21° N. and longitude 82° W. I detained, after a running fight, the schooner named the "*Planeta*," sailing under Spanish colours, armed with one long gun, 9-pounder, commanded by Salvador Feliú, who declared her to be bound from the River Cameroons, opposite Fernando Po, to the Island of Cuba, with a crew consisting of 27 men and one supercargo, whose names, as declared by them respectively, are inserted in a List at foot hereof, and having on board 239 slaves, said to have been taken on board at the River Cameroons on the 16th day of February, 1832, and are enumerated as follows:—

	<i>Healthy.</i>	<i>Sickly.</i>
Men . . .	137	"
Women . . .	3	"
Boys . . .	48	"
Girls . . .	50	"

I do further declare the names of the crew to be as follows:—

<i>No.</i>	<i>Names.</i>	<i>Qualities.</i>
1.	Salvador Feliú, . . .	Master.
2.	Juan Pequeño, . . .	Pilot.
3.	Pedro Gibert, . . .	Supercargo.
4.	Francisco Alvarez, . . .	Mate.
5.	Jozé Carreras, . . .	Carpenter
6.	Jozé Risas, . . .	Boatswain,
7.	Pablo Moreno Libre.	
8.	Francisco Poll.	
9.	Manuel Rodriguez.	
10.	Juan Jozé.	
11.	Justo Castro.	
12.	Juan Maccimo.	
13.	Manuel Estevez.	
14.	Manuel Gomez.	
15.	Manuel Castro.	
16.	Francisco Barise.	
17.	Manuel Cayetano.	
18.	Francisco Juan.	
19.	Agustin Gregorio.	
20.	Jozé Hernandez.	
21.	Juan Machin.	
22.	Gregorio Gaston.	
23.	Antonio Jozé.	
24.	Jozé Maria.	
25.	Antonio Francisco.	
26.	Nicolas Antonio.	
27.	Francisco Pedro.	
28.	Manuel Agua.	

I do further declare, that the Paper-Writings and Documents hereunto annexed, endorsed by me, and marked from No. 1 to No. 7 inclusive, were delivered to me by the Master of the said schooner, and that the same are now given in to His Britannic Majesty's Commissary Judge, in the same plight or condition as when so received by me, without any fraud, addition, subduction, alteration, or embezzlement, whatever, save the numbering and marking thereof.

I do further declare, that the said schooner appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew on their destined voyage to Cuba.

I do further declare, that the said schooner was in a clean state, and the appearance of the negroes healthy.

I do further declare, that in the interval between the capture of the said schooner "*Planeta*," and her arrival in this harbour of Havana, one male negro died.

(Signed) WM. WARREN, *Lieut. Commanding.*

(Witnessed by) J. W. CAMPBELL, *Assistant Surgeon.*  
W. S. COOPER, *Mate.*

## Second Enclosure in No. 58.

*Abstract of the Evidence in the Case of the "Planeta."*

LIEUTENANT WILLIAM WARREN, commanding His Britannic Majesty's schooner "Speedwell," being sworn, and having shewn his Instructions, deposed, that the contents of the Declaration now produced and signed by the deponent, are exact and true as to the state of the captured vessel and the number of her slaves at the moment of detention, which number is now reduced by death to

238; that the Documents numbered 1 to 7, now produced, are those which the deponent found on board the captured schooner, namely:—

1. The Act of Sale of the "*Planeta*," to D. Juan Pequeño.
2. The Contract with the crew.
3. The Royal Passport.
4. The Contraseña.
5. The Muster-Roll.
- 6 and 7. Two Log-Books.]

*Robert Warren Campbell*, Assistant Surgeon on board the said schooner of war "*Speedwell*," being sworn, deposed, that the Declaration now produced is signed by the deponent as a witness.

*William S. Cooper*, Mate of the said schooner of war "*Speedwell*," being sworn, deposed, that the Declaration now produced is signed by the deponent as a witness.

Don Salvador Felú, 34 years of age, a native of Pueblo de Blanco, in the Province of Catalonia, unmarried and a Catholic, being sworn, deposed, that he is Master and First Mate of the Spanish merchant schooner "*Planeta*," that his vessel was detained on the 6th instant by an English schooner of war on the south side of this Island in, as nearly as the deponent can recollect, latitude 21°, and longitude 82° and some minutes; that the "*Planeta*" was brought direct by the said schooner of war to this port, which they entered on the 17th or 18th instant, having in the interval touched nowhere; that the cause of the "*Planeta*" being so conducted to the Havana was, as the English Commander informed this deponent, that she had bozal negroes on board; that this deponent had taken on board the schooner in the River Camaroons, on the coast of Africa, 241 slaves, of all ages and both sexes, of whom 2 died previous to capture, so that at the moment of detention 239 were alive on board; that the Prize-master, and some of the crew of the "*Planeta*" left on board, informed this deponent that another negro died after the capture, before they arrived in this Port; that this deponent embarked, as well as he recollects, on board the "*Planeta*" on the 8th October last, and sailed from the Havana in the quality of her Master and Mate, in charge of the ship's reckoning; that the cargo was composed of cotton goods, aguardiente, gunpowder, and fire-arms; that their destination was the coast of Africa, as they had intended to trade in ivory, palm-oil and dye-woods, but that as they could not meet with these articles, they were under the necessity of taking on board the above-mentioned 241 slaves in the River Camaroons, as some return for the voyage; that the owner of the "*Planeta*" is D. Juan Pequeño, and that there was no supercargo on board, but that those on board who undertook the purchase of the slaves were the deponent, Don Juan Pequeño, and Don Pedro Gibert, who was on board as Third Mate; that at the moment of capture there remained on board a small quantity of cotton goods, and 4 or 5 teeth of ivory, but nothing else except the provisions required for the voyage; that the Papers now produced, numbered 1 to 7 inclusive, are the ship's Papers of the "*Planeta*," which the English Commander took from this deponent at the time of the detention; that the difference which exists between the number of individuals on the Muster-Roll of the "*Planeta*" and the number of the crew found on board by the English Commander, the former stating 23 names, and the latter 28, is to be accounted for as follows,—that of the 23 on the Muster-Roll only 21 actually sailed from the Havana; that this deponent cannot name those who remained on shore, because he never knew them, owing to their having been engaged by the deponent's predecessor, whose place the deponent assumed only the day before the "*Planeta*" sailed from the Havana, as may be seen by a Note of the *Commandante de Matriculas*, annexed to the Muster-Roll; that when on the coast of Africa a man of colour named Juan José was taken on board the "*Planeta*," he appearing to have been abandoned or disembarked on that coast; that also on leaving the River of Camaroons this deponent took on board, as interpreter, Manuel Camaso or Acua; and also that after a few days' sail from the African coast the "*Planeta*" fell in with a boat with 5 negroes, who, having come out from Fernando Po, had lost themselves, and therefore begged the deponent to take them on board, a request that was complied with from motives of humanity, as will appear on referring to page 100 of the Log-Book of the return voyage now produced; that neither these 5 negroes, nor the mulatta, nor the interpreter, were any of the 7 on board the "*Planeta*" as objects of commerce; that these 7 men, with the 21 who sailed from the Havana, make up the 28 whose names are given in the Captor's List of the "*Planeta's*" crew; that this deponent did all he could to escape from the schooner of war; and that observing her to continue the chase and to fire on the "*Planeta*," this deponent certainly did answer the fire in self-defence with one long gun; that at length the "*Planeta*" surrendered, without having any one on board killed or wounded, or having suffered any damage.

Juan Pequeño, 23 years of age, a native of Vigo in Galicia, unmarried and a Catholic, being sworn, deposed, that he is Second Mate of the Spanish schooner "*Planeta*," that he embarked on board her in this Port of the Havana; that D. Antonio Esteves, the former Captain of the "*Planeta*," appointed this deponent Second Mate; that the cargo was composed of cotton goods and aguardiente; that they sailed for the River Camaroons, and that their object was to bring back ivory, palm-oil, and other produce of the African coast; that no ivory or palm-oil presenting itself, they were under the necessity of taking on board 241 slaves, with whom they sailed for this Island; that only 238 of these have entered this harbour, 2 having died previous to the 6th instant, and one previous to the entry into the Havana, which was on the 17th instant; that an English schooner of war detained the "*Planeta*" about 21 miles to the east of the Isle of Pines; that the deponent is the owner of the "*Planeta*," that there was no supercargo on board, the Deponent, Captain, and Third Mate, D. Pedro Gibert, carrying on the traffic; that, as before said, they took on board no other cargo, but that at the moment of detention there might be a small quantity remaining of the goods taken from this Port, but that this deponent cannot designate them; that the Papers numbered 1 to 7, now produced, are the true Papers of the vessel; that the "*Planeta*" came directly to the Havana from the coast of Africa, without having met with other accident than



the detention which was on the high sea; that the "*Planeta*" did every thing possible to escape; that they were under the necessity of answering the fire of the English schooner, and at last surrendered without having suffered any damage.

Pedro Gibert, aged 38 years, born in Altafulla in the principality of Catalonia, married and a Catholic, now resident in this city, being sworn, deposed, that he is supernumerary Mate of the Spanish merchant schooner "*Planeta*," which was descried on the 6th instant, by an English schooner of war, 21 miles to the east of the Isle of Pines; that the said schooner of war gave chase, firing on the "*Planeta*," so that they answered with their long gun, but at last surrendered, without any loss on either side, and arrived in this Port on the 17th instant; that the "*Planeta*" had taken on board 241 negroes in the River Camaroons, on the Calabar coast; that they sailed from that place on the 16th February; that previous to the day of detention, 2 of the negroes had died, and that one other died on the very day they came into this Port, so that now only 238 remain alive; that this deponent sailed on the present voyage from the Havana; that D. Antonio Esteves, predecessor of D. Salvador Feliú, appointed this deponent to be supernumerary Mate; that the cargo was composed of dry goods, tobacco, and a small quantity of aguardiente; that they made direct for the River Camaroons on the coast of Africa, with the object of bartering for ivory, palm-oil, &c., but, for want of these articles, embarked on board 241 negroes; that the deponent knows not who is the owner of the "*Planeta*;" that there was no supercargo on board; that at the time of detention, in addition to the slaves, there were on board besides 4 or 5 elephants' teeth and some dry goods, which remained of the cargo taken out from this; that the Papers numbered 1 to 7, now produced, are the "*Planeta's*" Papers, but with respect to 2, viz. the Act of Sale and the Contract of the crew, this deponent is acquainted with neither of them.

### Third Enclosure in No. 58.

#### *Sentence in the Case of the "Planeta."*

In the always most faithful City of the Havana, on the 26th day of April, 1832, the Most Excellent Señor Conde de Fernandina, Honorary Grandee of Spain of the First Class, Grand Cross of the Royal Order of *Isabel la Católica*, Knight of the Order of Charles III., Gentleman of the Bedchamber *con ejercicio*, Supernumerary Colonel of the Havana Regiment of Cavalry, and first Alcalde of this City, and also William Sharp Macleay, Esq. the Spanish and British Commissary Judges, being assembled together, and having taken into consideration the Proceedings consequent upon the capture which, after some firing on both sides, the British schooner of war "*Speedwell*," commanded by Lieutenant William Warren, made, in latitude 21° N. and longitude 81° W., of the Spanish merchant schooner "*Planeta*," Don Salvador Feliú, Master, having on board at the time of detention 239 negroes, of whom one died on the voyage to this harbour; and it being fully proved, as well by the declarations of the Spanish Captain and those of the other witnesses examined, as by the Documents found on board the said merchant schooner at the moment of her detention, that she sailed from this Port on the 9th day of October of 1831, with Papers and a cargo for the Island of St. Thomas, but made direct for the River Camaroons on the coast of Africa, where she took on board 241 slaves, of whom 239 were found alive at the period of detention, and another negro having died afterwards, previous to her arrival at this Port, the number was so reduced to 238. WHEREUPON the Commissioners resolve that they ought to declare, and do hereby declare, with all due consideration to the merits of the Case, and according to the brief and summary mode of proceeding adopted in all similar Cases on the truth being made known, that the capture of the above-mentioned schooner "*Planeta*," of the 238 negroes now remaining alive, of the 4 or 5 elephants' teeth taken on board in the River Camaroons, and of whatever part of the cargo may, according to the statement of the witnesses, have still remained on board, is good and legal, and that the said schooner "*Planeta*," with all her tackle and apparel, the elephants' teeth, and the above-mentioned remainder of cargo, are subject to confiscation, all except the above-mentioned 238 negroes now remaining alive, who remain free from all slavery and captivity. And the Commissioners order that the condemned vessel be valued by the principal Masters of the Royal Dock-Yard, and the other effects by D. Jozé Lerena, both parties being sworn to fidelity as experts, and that the whole be sold at Public Auction before the Secretary of the Royal Finance Department, Don Francisco Jozé Cower, in order that the Proceeds thereof be applied to the benefit of the two Governments; the said vessel and other above-mentioned effects being for the present placed in deposit with and under the charge of Don Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor according to formal Inventory. The Commissioners shall likewise proceed, without farther loss of time, to deliver, according to the customary form, by the hands of their Secretary, to the above-mentioned negroes, their Certificates of emancipation; and they shall likewise address a Letter with a certified Copy of this Sentence to His Excellency the Captain-General, in order that he may take the proper steps to give it effect, and because the crew of the said schooner "*Planeta*" remain in prison at his disposal. And by this their Sentence definitively judging, thus have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

EL CONDE DE FERNANDINA.  
WILLIAM SHARP MACLEAY.

(Signed)

JUAN FRANCISCO CASCALES, *Secretary*.

No. 59.

*His Majesty's Commissioners to Viscount Palmerston.—(Received June 25.)*

MY LORD,

*Havana, 1st May, 1832.*

IN addition to the 21 Spaniards who composed the crew, and the 239 slaves, there were found on board the Spanish schooner "*Planeta*," at the time of her detention, 1 Spanish Mulatto, 5 Kroomen of Fernando Po, and 1 black Pilot from Calabar.

The Spanish Mulatto, Juan Jozé, presented himself on the coast of Africa to the Master of the "*Planeta*" as a native of Cadiz, and was taken on board from motives of compassion, he having probably belonged to the crew of some other vessel. This man was delivered up by Lieutenant Warren to the Captain-General with the crew.

The 5 Kroomen, as appeared not only by the Master's Declaration, but by an entry in the Log-Book, dated the 22d February, 1832, having lost themselves off Fernando Po, were picked up in an open boat by the "*Planeta*," and brought to the Havana with a black Pilot of the River Camaroons, whom, although a Chief of the District, the King of that Country had allowed the Master of the "*Planeta*" to carry away with him to serve as Interpreter during the voyage between the crew and the slaves.

The last mentioned 6 men, who were working on deck at the moment of capture, loudly protested against being considered as slaves, and having been presented by the Master of the "*Planeta*" to Lieutenant Warren as free, this Officer accordingly, in his Declaration, dated the 17th instant, included their names in the List of the crew. By the advice, however, of His Majesty's Commissary Judge, Lieutenant Warren did not deliver them up to the Captain-General, either with the crew or with the slaves. Had these natives of Africa gone to the public prison with the crew, they would, from their ignorance of the Spanish language, and being without any legal protection, have infallibly lapsed, in the course of a few days, into irremediable slavery. On the other hand, had they been delivered up to the Governor with the slaves, they could not have fallen under the cognizance of the Mixed Commission, in consequence of their not having been, according to the words of the 7th Article of the Regulations annexed to the Treaty—" *Slaves on board as objects of commerce.*" If declared, therefore, by the Commissioners to be free passengers, and as such abandoned to their own discretion, they would, as in the formerly mentioned case, have become subject to being kidnapped, having no legal protection whatever. It is true that had they been considered by the Mixed Commission in the same light as the other negroes found on board, their eventual liberty might have been rendered more secure than by declaring them to be free passengers; but it seemed impossible, according to the provisions of the Treaty, and unjust, with reference to the peculiar circumstances of their case, to sentence these men to undergo the lot of ordinary emancipated negroes. For these reasons the Captor addressed a Letter to the Captain-General, in which he stated his having detained these 6 men on board, and offered either to make a special delivery of them to His Excellency, or to deliver them up to the British Admiral at the first convenient opportunity, which last measure, under the very peculiar circumstances of the case, was deemed by His Majesty's Commissary Judge, although it might possibly entail a trifling expense on His Majesty's Government, to be the most likely to secure their liberty. The Captain-General has consented to their being taken away from the Island in the "*Speedwell*," and to their being placed at the disposal of the British Admiral, as will appear from the Translation of His Excellency's Note to Lieutenant Warren, which we have the honour now to transmit, together with a Copy of this Officer's Note to His Excellency.

The Declaration of the Captor that he considered them as part of the crew, the Master of the "*Planeta*'s" Declaration to the Mixed Commission, that they were not on board as objects of commerce, the entry on the Log-Book of their being picked up at sea, their superior dress and degree of civilization, as reported by those who had seen them, all made it impossible for the Com-

missary Judges to view these men in the same light as the 238 slaves who were emancipated.

We have, &c.  
(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

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

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First Enclosure in No. 59.

*Lieutenant Warren to the Captain-General.*

*His Britannic Majesty's Schooner "Speedwell,"  
Havana, 18th April, 1832.*

MAY IT PLEASE YOUR EXCELLENCY,

I HAVE the honour to acquaint your Excellency, that owing to my being out of the vessel when the crew of the Spanish schooner "*Planeta*" were sent on board His Catholic Majesty's ship "*Hero*," 6 black men were left on board His Majesty's schooner under my command; 5 of them state that they were picked up at sea on the coast in an open boat, and did not compose any part of the cargo or even the crew; the remaining one states himself to be a Pilot for the Harbours on the coast of Africa, and who will appear by written Documents in his possession to have acted in that capacity.

I have to request your Excellency will be pleased to let me know if the men alluded to should be landed here, or whether I should take them from this harbour, and deliver them to my Commander-in-Chief, for the purpose of their being landed in their own country by the first favourable opportunity. With the fullest assurance of your Excellency's consideration of this subject,

I have, &c.

(Signed) WM. WARREN, *Lieutenant Commanding.*

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

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Second Enclosure in No. 59.

*The Captain-General to Lieutenant Warren.*

(Translation.)

SIR,

*Havana, 21st April, 1832.*

HAVING taken into consideration your Letter of the 18th instant, in which you request me to allow you to carry away from this Port, in order to deliver them up to your Commander-in-Chief, 6 negroes, who, for certain reason which you mention, have remained on board the vessel under your command, that is, because 5 of them were picked up in a boat on the ocean, off the coast of Africa, and did not compose part of the cargo or crew, and because the remaining one is a Pilot of one of the Ports of the said coast, according to certain Documents which are in your possession, I beg to say in answer, that I see no inconvenience whatever in your taking away the said negroes for the object which you have declared.

God preserve you many years,  
(Signed) F. D. VIVES.

*Lieut. W. Warren, Commanding His  
Britannic Majesty's Schooner "Speedwell."*

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No. 60.

*His Majesty's Commissioners to Viscount Palmerston.—(Received June 25.)*

MY LORD,

*Havana, May 2, 1832.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch of 31st January, 1832, and its Enclosure, by which we are informed that orders had been sent in 1830, to the Havana, by the Spanish Government, for the recognition of us in our respective offices of Commissary Judge and Commissioner of Arbitration.

We have, &c.  
(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

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

No. 61.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received June 25.)

MY LORD,

Havana, May 3, 1832.

WE have the honour to acknowledge the receipt of the Earl of Aberdeen's Despatch, dated 20th February, 1830, which accompanied the Commission, by which His late Majesty was graciously pleased to appoint us His Majesty's Commissary Judge and Commissioner of Arbitration in the Mixed Commission established at the Havana, under the Treaty between Great Britain and Spain for the prevention of the illegal traffic in slaves.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c. &amp;c. &amp;c.

No. 62.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received June 25.)

MY LORD,

Havana, May 4, 1832.

ON the 28th ult. the Spanish schooner "*Juanita*," Domingo Elorduy, Master, arrived in this Port from the coast of Africa, after having landed her cargo of slaves on the coasts of this Island. In answer to our Representation on the subject to the Captain-General, His Excellency has returned his usual form of answer.

On the 29th ult. the Spanish schooner "*Veloz*," Angel Ximenes, Master, sailed from this Port for the coast of Africa.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c. &amp;c. &amp;c.

No. 63.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received August 7.)

MY LORD,

Havana, May 23, 1832.

GENERAL DON Mariano Ricafort arrived here on the 15th instant, and immediately assumed the reins of Government.

We took an early opportunity of shewing him our Commission, and on the occasion of our briefly explaining, in conversation, the objects of the Treaty under which we have the honour to act, His Excellency was pleased to express his anxiety to be always on the best terms of intelligence with His Majesty's Commissioners.

General Vives sailed this morning for Spain in His Catholic Majesty's frigate "*Lealtad*."

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c. &amp;c. &amp;c.

No. 64.

*His Majesty's Commissioner to Viscount Palmerston.*—(Received Aug. 7.)

MY LORD,

Havana, June 4, 1832.

ON the 22d ult. the Spanish schooner "*Metemano*," Nicolas Gasal, Master, arrived in this Port, as did also the brig "*Churruca*," alias "*Almirante*,"

Jozé Francisco Gonzalez, Master, on the 29th ult. Both these vessels having landed slaves on the coast were duly reported by His Majesty's Commissioners to the Captain-General, and at the same time occasion was taken, as the "*Metemano*" happened to be the first slave vessel arrived in port since the assumption of Government by Don Mariano Ricafort, to give His Excellency a brief statement of the Spanish Laws on the subject, and to urge him to carry them into execution. I have the honour to enclose the Correspondence which passed with respect to the "*Metemano*," by which your Lordship will perceive that this case of Slave Trade was, as in General Vives' time, immediately handed over to the Assessor, who, instead of proceeding instantly against the vessel upon the evidence of her construction and Papers, demands information from His Majesty's Commissioners whereon to found the prosecution. As the "*Metemano*" happened not to be fitted out from the Havana, it is my duty to state to your Lordship that the Commissioners had little to urge against the vessel except the well-known fact of her having been reported at the Custom-House as arrived in ballast from the coast of Africa. Upon this, her construction, and instant advertisement for sale, after arrival, their report to the Captain-General was grounded.

On the subject of the "*Churruca*," we have as yet received no final answer.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

First Enclosure in No. 64.

*His Majesty's Commissioners to the Captain-General.*

*Havana, 24th May, 1832.*

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to state to His Excellency the Captain-General, that, in addition to those duties which are imposed on them of exercising, under oath, strict justice and impartiality in the execution of the Treaty between Great Britain and Spain for the abolition of the Slave Trade, they are also instructed to give the British Government notice of every public event that appears to infringe on this solemn compact, always taking care to make His Excellency the Captain-General previously acquainted with every such infraction, and with the intention of the Undersigned to give such notice to their Government. The Undersigned, in conformity with this latter part of their duty, deeply lament that they should now be obliged to inform His Excellency that they will have to acquaint their Government with the arrival in this Port, on the 22d instant, of the Spanish schooner "*Metemano*," D. Nicolas Gasal, Master, after having landed on the coast a cargo of slaves.

By the 1st Article of the Treaty His Catholic Majesty most humanely engaged that from the year 1820 the Slave Trade should be abolished for ever throughout the entire Dominions of Spain, and His Britannic Majesty at the same time engaged on his part to pay £400,000 sterling, as a full compensation for all the losses that, in consequence of the abolition of this traffic, might be sustained by the subjects of His Catholic Majesty employed in it. In order to give more complete effect to this Treaty, His Catholic Majesty was pleased to issue His Royal Cedula of December, 1817, by which all slave vessels were subjected to confiscation, the negroes on board were declared free, and the Purchaser, Captain, Master, and Pilot were irrevocably condemned to 10 years' transportation to the Phillippine Islands. The Royal Order, dated Madrid, 2d January, 1826, addressed to His Excellency the Captain-General of Cuba, still further maintains the Laws in force on the subject, and declares that, to His Excellency alone, with the advice of his Assessor, belongs the cognizance of all such cases of illicit Slave Trade, as may not fall under the Mixed Commission. Various other Royal Orders to the same purpose have been issued, all proving the humane and enlightened intentions of the Spanish Government; and the Undersigned now take the liberty of thus briefly alluding to the above Laws, not most certainly from any supposition that His Excellency the Captain-General can be unacquainted with them, but because they are anxious that the grounds on which His Majesty's Commissioners are instructed to give their Government notice of the arrival in the Havana of such vessels as the "*Metemano*" should not be misunderstood.

His Excellency the Captain-General assumes the reins of Government under the happiest auspices, and amidst the hopes and good wishes of every person interested in the peace and welfare of this most valuable portion of the Spanish Dominions; and the Undersigned, warmly participating in these sentiments, cannot let the present opportunity escape without venturing to anticipate on the part of His Excellency the adoption of those measures, which will not only secure the benevolent objects of the Treaty by its more effectual execution, but which, in the opinion of all those conversant with the true interests of this Island, will also be most conducive to its future prosperity, as promoting its morality and industry, and at the same time preventing the immoderate increase of its negro population.

The Undersigned have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

*His Excellency the Captain-General,*

&c.

&c.

&c.

## Second Enclosure in No. 64.

*The Captain-General to His Majesty's Commissioners.* (Translation.)

GENTLEMEN,

*Havana, 2d June, 1832.*

HAVING transmitted your Note of the 24th ultimo to the second Assessor-General of this Government, he has answered me as follows:—"Most Excellent Sir, The Spanish and British Governments having, by a diplomatic Treaty, agreed on the abolition of the Slave Trade, and established Mixed Commissions to take cognizance of the crime, and to declare whether the captures of vessels are legal, each of the High Contracting Parties (or those who respectively represent them) possesses a right to claim the full execution of this solemn contract; and this is what in the present case the British Commissioners do, when they state their intention to acquaint their Government with the arrival in this Port of the Spanish schooner '*Metemano*,' D. Nicolas Gasal, Master, who is said to have landed on the coast a cargo of slaves. In all Cases, such as the present, it belongs peculiarly to the authority of your Excellency to proceed to the investigation of the fact, and to the chastisement of the guilty, by the way, and according to the form, that are laid down by the Royal Decrees, particularly the Royal Order of 2d January, 1826; and in virtue of this last-mentioned Decree, it is now proper that your Excellency, with the advice of one of the Assessors-General, should immediately proceed to the due investigation of this affair, and to the adoption of such measures as may in the proceeding appear to be necessary, acquainting the said Commissioners with this, your Excellency's, intention, and asking them at the same time to declare, if it should have come within their knowledge, at what particular point of the coast the alleged disembarkation of negroes took place, in order that the investigation may proceed with the probability of ultimate success."

I now, Gentlemen, in conformity with the above opinion, transmit it to you, for the object therein mentioned, and in answer to your Note to me.

God preserve you many years,  
(Signed) MARIANO RICAFORT.

*The Commissioners of His Britannic Majesty,*  
&c. &c. &c.

## Third Enclosure in No. 64.

*His Majesty's Commissioner to the Captain-General.**Havana, 4th June, 1832.*

THE Undersigned, His Britannic Majesty's Commissary Judge, has the honour to acknowledge the receipt of His Excellency the Captain-General's Note, dated the 2d instant, in which His Excellency is pleased to transmit to His Majesty's Commissioners the opinion of his second Assessor on the subject of the Spanish schooner "*Metemano*;" and the Undersigned has to state in answer, that the object of His Majesty's Commissioners in acquainting His Excellency with their intention to communicate to their Government the arrival in the Havana of this vessel, was to enable themselves, as in justice bound, either to forward to England any circumstances which, after the proper investigation, happen to be known in her favour, together with the charge against her, or in the event of her being convicted of the crime of slave-trading, to relate that the Treaty had been carried into effect, and the legal punishment had been duly awarded to the criminals by that Spanish Tribunal which His Catholic Majesty has authorized to take cognizance of such Cases of illicit Slave Trade.

Having, however, had no access to the vessel so as to examine her construction, or to her Papers so as to legally ascertain the particulars of the voyage, His Majesty's Commissioners must now beg leave to pursue the same line of conduct which the British Commissary Judge adopted in the Case of the schooner "*Esperanza*," as stated in a Note which he had the honour to address to His Excellency General Vives on the 23d July, 1828, because that line of conduct met at the time with the approbation of His Majesty's Government.

The Undersigned has, &c.  
(Signed) W. S. MACLEAY.

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

## No. 65.

*His Majesty's Commissioner to Viscount Palmerston.—(Received August 7.)*

MY LORD,

*Havana, 16th June, 1832.*

I HAVE the honour to transmit herewith the Translation of a Note which His Majesty's Commissioners have just received from the Captain-General on the subject of the "*Metemano*." I need scarcely say to your Lordship that I anticipate no favourable result from the investigation proposed, because the more notorious slave vessel "*Churruca*," which arrived since the "*Metemano*," has been reported to His Majesty's Commissioners as having nothing on her Log-Book to render her suspected of having been concerned in the Slave Trade. The Honourable Captain Wellesley, of His Majesty's ship "*Sapphire*," how-

ever, visited this last vessel at sea just before she came into harbour, and found every mark of her just having landed a cargo of slaves.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

Enclosure in No. 65.

*The Captain-General to His Majesty's Commissioners.*

(Translation.)

Havana, 15th June, 1832.

GENTLEMEN,

IN his Letter of the 9th instant, the second Assessor-General of this Government has written me as follows:—"Most Excellent Sir, The Commissary Judge of His Britannic Majesty, in his last Note, dated the 4th instant, proposes to follow, in the present Proceedings which have arisen from the denunciation made against the Spanish schooner 'Metemano,' the same line of conduct which he observed in a similar Case against the 'Esperanza,' because that line of proceeding met at the time with the approbation of His Britannic Majesty's Government. Every determination emanating from a supreme Government ought to serve for rule in such cases; and in order that your Excellency may facilitate to the Commissary Judge the means and information which he requires, to enable him to draw up the Report which he proposes to give his Government on the subject of the 'Metemano,' and at the same time also in the execution of the strict duty of your Excellency, I think that your Excellency ought immediately to address a Letter to His Excellency the Commander-in-Chief of the Marine, in order that he may take the necessary measures to acquaint himself, from the scrupulous examination which ought to have been made of the Log-Book at the time of the arrival of the vessel, whether there be any motive to suspect this schooner of having brought hither and clandestinely landed bozal negroes, or whether this circumstance may be inferred from the *Rol del equipage*, or other Papers on board. And it will be also advisable to take the declaration of the Master, D. Nicolas Gasal, and such others of the crew as may appear necessary, for which object it is altogether indispensable that the Proceedings against this schooner be begun anew, the Scrivener of the week being duly authorized for that purpose. Your Excellency will no doubt be able to satisfy the British Commissary Judge with the result which may be produced by these new Proceedings, or any other steps which may be found requisite from the peculiar nature of the affair. In the mean time your Excellency will be able to give him a provisional answer, informing him of the measures which have been taken in strict conformity with the Instructions which His Majesty has given us on all similar affairs."

And now, Gentlemen, having adopted this advice of the Assessor, I transmit it to you by way of provisional answer.

God preserve you many years,

(Signed)

MARIANO RICAFORT.

*The Commissioners of His Britannic Majesty,*

&c.

&c.

&c.

No. 66.

*His Majesty's Commissioner to Viscount Palmerston.—(Received August 7.)*

Havana, 19th June, 1832.

MY LORD,

LIEUTENANT WARREN, of His Majesty's schooner "Speedwell," having, from certain circumstances attending the capture of the "Planeta," had reason to suppose that a favourite track of slave vessels at present is to make the south side of the Isle of Pines, returned to that part of the coast, and the result has been, that on the evening of the 7th instant he came back here with the Spanish brig "Aguila," D. Juan Ferrer y Roig, Master, of 300 tons English, armed with eight 32-pounder carronades and two long 12-pounder guns, with fire-arms and ammunition to correspond, and having on board a crew of 53 men, besides a cargo of 616 slaves. This vessel was detained on nearly the same part of the coast as the "Planeta" on the 3d instant, after a running fight of more than an hour, in which 2 of her crew were wounded, the "Speedwell" having received no damage whatever.

The intervention of the Whitsun-holidays prevented the Sentence from being signed before the 18th instant. This condemns the brig and cargo, and emancipates 604 slaves; and I have now the honour to enclose a Translation of it, a Copy of the Captor's Declaration and Certificates, and an Abstract of the evidence. From these Documents your Lordship will perceive that the "Aguila" took on board at Loango, in April last, 659 slaves, who, at the time of detention, were reduced by death to 616, and that owing to deaths subsequent to the detention only 604 were delivered up by the Captor to the Local Government.

The Owner of this vessel is generally understood in the Havana to be a Catalan Merchant named Roig ; and it will be seen that the witnesses, in order to conceal his name, perjured themselves. The sailing of this vessel on the 23d December last escaped my notice at the time, through a mistake which probably was owing as much to her having cleared out at the Custom-House for Bahia as to the time of her sailing. She is said to have been largely insured at Barcelona. Her crew, as well as that of the "*Planeta*," are entirely Europeans ; but I am truly happy to say that no British subject was found among them.

The capture of so large a vessel by His Majesty's schooner has annoyed the Slave Traders very much, as it affords them ocular proof, that although they may increase their size and force, Havana slave vessels are not on that account the better able to cope with the smallest class of British vessels of war. The whole affair indeed is highly creditable to Lieutenant Warren's nautical skill and gallantry.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

First Enclosure in 66.

Captor's Declaration in the Case of the "*Aguila*."

His Majesty's Schooner "*Speedwell*," June 7, 1832.

I, WILLIAM WARREN, Lieutenant, commanding His Britannic Majesty's schooner "*Speedwell*," hereby declare that, on the 3d day of June, 1832, in or about latitude 21° 30' N., and longitude 83° W., I detained, after a running fight, the brig named "*Aguila*," sailing under Spanish colours, armed with 10 guns, viz. 8 32-pounder carronades, and 2 long 12-pounder guns, commanded by D. Juan Ferrer, who declared her to be bound from Luango on the coast of Africa to the Island of Cuba, with a crew consisting of 53 men, (5 of whom are said to have embarked on the coast,) whose names, as declared by them respectively, are inserted in a List at foot hereof, and having on board 616 slaves said to have been taken on board at Luango on the 26th of April, 1832, and are enumerated as follows :—

	Healthy.	Sickly.
Men . . . . .	254	3
Women . . . . .	2	"
Boys . . . . .	215	9
Girls . . . . .	130	3

I do further declare the names of the crew as follows :—

No.	Names.	Quality.	No.	Names.	Quality.
1	D. Juan Ferrer . . . . .	Master	28	Severo Sayone . . . . .	Seaman
2	D. Salvador Mata . . . . .	Pilot	29	Domo. Sebastiano . . . . .	"
3	D. Jozé Rosello . . . . .	"	30	Salvador Juan . . . . .	"
4	D. Tomas Guillermo . . . . .	Physician	31	Juan Coll . . . . .	"
5	L. A. Lopez . . . . .	Boatswain	32	Francisco Joaquin . . . . .	"
6	Manuel Medrano . . . . .	"	33	Jozé Vanela . . . . .	"
7	Pablo Femidal . . . . .	"	34	Anto. Delmede . . . . .	"
8	Andres Deseal . . . . .	Gunner	35	Santo. Vestare . . . . .	"
9	Juan Fuste . . . . .	Cooper	36	Jozé Roscabello . . . . .	"
10	Jozé Reyes . . . . .	"	37	Nicolas Vardire . . . . .	"
11	Ildo. Martin . . . . .	"	38	Simon Gozalez . . . . .	"
12	Jozé Vilaseca . . . . .	Seaman	39	Pedro Garcia . . . . .	"
13	Joaquin Cardoca . . . . .	"	40	Juan Simon . . . . .	"
14	Melchoir los Reyes . . . . .	"	41	Miguel Bosch . . . . .	"
15	Juan Mera . . . . .	"	42	Sebastn. Alvarez . . . . .	"
16	Jozé Moiro . . . . .	"	43	Gabriel Monet . . . . .	"
17	Miguel Felis . . . . .	"	44	Jozé Josac . . . . .	"
18	C. M. Ferrers . . . . .	"	45	Franco. Lazo . . . . .	"
19	Pablo Miroire . . . . .	"	46	Cristoval Soliveros . . . . .	"
20	Anto. Lucaro . . . . .	"	47	Julian Hernandez . . . . .	"
21	Fermin Cirse . . . . .	"	48	Pépé Nicolas . . . . .	"
22	Jozé Contreras . . . . .	"	49	Franco. Calveras . . . . .	"
23	Jozé Velez . . . . .	"	50	Juan A. Portaña . . . . .	"
24	Manl. Grondal . . . . .	"	51	Geronimo Quesada . . . . .	"
25	Juan Cordero . . . . .	"	52	M. Maria . . . . .	"
26	Juan Torres . . . . .	"	53	Miguel de Vango . . . . .	"
27	Juan Pujol . . . . .	"			



I do further declare that the Paper-Writings and Documents hereunto annexed, endorsed by me, and marked from No. 1 to No. 5 inclusive, were delivered to me by the Muster of the said brig, and that the same are now given in to His Britannic Majesty's Commissary Judge in the same plight or condition as when so received by me, without any fraud, addition, subduction, alteration, or embezzlement, whatever, save the numbering and marking thereof.

I do further declare that the said brig appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew on their destined voyage to Cuba.

I do further declare that the said brig was in a clean state, and the appearance of the negroes healthy.

I do further declare that in the interval between the capture of the said brig and her arrival in the Harbour of Havana, 6 negroes have died, viz. 5 boys and 1 girl.

(Signed) WM. WARREN, *Lieutenant Commanding.*

(Witnessed by) R. W. CAMPBELL, *Assistant Surgeon.*  
[W. S. COOPER, *Mate.*

I do further declare that one of the crew escaped from the "*Aguila*" by throwing himself overboard, while entering the Harbour.

(Signed) WM. WARREN.

Havana, 8th June, 1832.

*His Majesty's Schooner "Speedwell," Havana, June 10, 1832.*

I do further declare that since my arrival in the Havana, and delivery over of the negroes to the authorized person to receive them, 6 negroes died, viz. 3 boys and 3 girls.

(Signed) WM. WARREN.

(Witness) R. W. CAMPBELL, *Assistant Surgeon.*

## Second Enclosure in No. 66.

### *Abstract of the Evidence in the Case of the Spanish Brig "Aguila."*

LIEUTENANT WILLIAM WARREN, commanding His Britannic Majesty's schooner "*Speedwell*," being sworn, and having shewn his Instructions, deposed that the contents of the Declaration now produced, and signed by the deponent, are accurate and true as to the state of the captured brig "*Aguila*," and the number of her slaves at the moment of detention, which number is now reduced by death to 604, as appears by a second Certificate now produced and dated 10th June, 1832; that the Documents, Nos. 1 to 5 inclusive, now presented to the Court, are those which this deponent collected on board the "*Aguila*" at the moment of detention, namely,

1. A Log-Book.
2. The Royal Passport.
3. The Muster-Roll.
4. The Contrasefia.
5. The Custom-House Register.

*Mr. Robert Warren Campbell*, Assistant Surgeon on board the said schooner of war "*Speedwell*," being sworn, deposed that the Declaration of the Captor now produced, is signed by the deponent as witness to the truth of its contents, as well as the additional Certificate, stating that 6 negroes have died in the interval between the "*Speedwell*'s" arrival in the Havana, and the delivery of the whole cargo of negroes up to the Governor.

*Mr. William Salmon Cooper*, Mate of the said schooner of war, being sworn, deposed that the Declaration of the Captor now produced is signed by this deponent as a witness to the truth of its contents.

*D. Juan Ferrer y Roig*, 36 years of age, a native of Villanueva, in the Principality of Catalonia, unmarried and a Catholic, being sworn, deposed that he is Master and Mate of the Spanish merchant brig "*Aguila*;" that a schooner of war having fallen in with his vessel on the 3rd instant, off the Isle of Pines, gave chase, and finally brought him into this port, because negro slaves were found on board; that these negroes were taken on board in the port of Luango, on the coast of Africa, to the number of 659, but that at the moment of detention only 616 remained alive, the others having died a natural death on the passage; that 6 or 7 more negroes died after the detention, before the "*Aguila*" arrived in this harbour; but that this deponent cannot state how many have died in this harbour before the general delivery of the negroes to the Governor took place, because this deponent was taken out of the vessel and conducted to prison on the 8th June, immediately on his arrival; that this deponent sailed on the 23d of last December from this port of the Havana as for Bahia-longa; that his object, however, was to bring back ivory and palm-oil, but as, previously to his arrival at Bahia, he fell in with some vessels, the names of which this deponent does not recollect, which informed him that the above articles were very scarce, he immediately made for Luango, where, finding no other merchandize, he was under the necessity of taking on board the above-mentioned negroes; that the cargo taken from this port consisted of cotton goods, aguardiente, gunpowder, &c.; that after having bartered for the above-mentioned 659 negroes, there remained about a third of the handkerchiefs, with about 200 pieces of cotton; that after clothing certain of the negroes, there may now remain on board 50 or 60 pieces of cotton, 14 or 15 barrels of salt provisions, a pañol and a half of Cassada flour, with some rice and peas, of which this deponent cannot fix the quantity; that the owner of this brig is Don Salvador Matá; that there was no supercargo on board, the principal officers of the vessel taking

upon themselves the charge of trafficking for negroes; that the Papers now produced, Nos. 1 to 4 inclusive, are the ship's Papers of the "*Aguila*," which the English Commander found on board at the time of detention; that this deponent also believes the paper No. 5 to have belonged to the "*Aguila*," because he delivered to the Captor the Custom-House Register under a sealed cover, how produced, and which he recognizes, although he never saw its contents; that with respect to his not surrendering immediately to the English schooner, this deponent believed, when the "*Aguila*" was fired upon without any just cause, that the schooner might be a pirate or insurgent vessel; that on this account he thought it a duty to defend himself, but that on a nearer approach, and when he was convinced that she was truly a vessel of war of His Britannic Majesty's Navy, this deponent immediately surrendered; that there were only 2 persons on board the "*Aguila*" wounded; that of 54 men who, including the Captain, sailed from this Port, 6 died, three on the coast of Africa, and three on the voyage back; that out of charity this deponent took on board 5 seamen who had been left on the African coast, so that there were 53 persons on board as crew at the time of detention.

*D. Thomas Guilhem*, aged 53 years, a native of Toulouse, in France, but domiciliated in this Island, unmarried and a Catholic, being sworn, deposed, that he is by profession Surgeon of the Spanish brig "*Aguila*," which was detained by an English schooner of war, and brought into this Port, as this deponent presumes, on account of having bozal negroes on board; that in fact 659 negroes were embarked on board the brig at Luango, on the coast of Africa; that the English vessel detained the brig "*Aguila*" to the south of the Isle of Pines, at a time when there remained alive of the slaves 616, the others having died on the passage; that after the detention, before the arrival in harbour, this deponent thinks that 7 died, but he cannot say whether any more died in the interval between the arrival in the Havana, and the delivery of the negroes up to the person commissioned by the Governor to receive them, because this deponent landed with the rest of the crew before this delivery took place, and was immediately conducted to the public prison; but that it is very possible that some more negroes may have died, because there was a good deal of scurvy on board; that the place of Surgeon of the "*Aguila*" was given to this deponent by *D. Juan Ferrer*; that this deponent sailed from this Port on the 26th December last, but that he cannot specify the nature of the cargo; that the owner of the vessel is *Don Salvador Mata*, who was likewise supercargo, and conducted the traffic of the negroes; that the deponent does not know if the Papers now produced are those which the English Commander found on board the "*Aguila*;" that the only one of them which this deponent recognizes is the Log-Book; that he has never before seen the others.

*Don José Rosello*, aged 24 years, a native of Palma, in the Island of Majorca, unmarried and a Catholic, being sworn, deposed, that he is Third Mate of the Spanish merchant brig "*Aguila*;" that this situation was given him by *D. Juan Ferrer*; that he sailed from this Port on board the said brig on the 23rd last December for Bahia-longa, but that, running along the coast of Africa, they entered Luango, having a cargo on board of cotton goods and aguardiente; that they entered Luango with the idea of getting a return cargo of ivory, palm-oil, and other produce of the country, but that not finding any, they were under the necessity of taking on board, in the said place called Luango, 659 negroes, and that this deponent does not think that any of the outward cargo remains; that the said 659 negroes were taken on board with the intention of selling them in this Island, which they were nearing when they were detained by an English schooner of war on the 3rd of this month, a little to the south of the Isle of Pines; that 616 negroes then remained on board, the rest having died; that this deponent has heard that more died afterwards, but he cannot say how many, because, although he was allowed to remain on board the brig, he was all the time sick of fever, and because, immediately on entering the Havana, and before the delivery of the negroes to the Governor, he was transferred to the public prison; that the owner of the "*Aguila*" is *Don Salvador Mata*, who is Second Mate of the "*Aguila*," but now dangerously ill of fever in the hospital; that the Papers now produced, Nos. 1 to 4 inclusive, are those of the detained vessel, but that this deponent does not recognize the Custom-House Register, numbered 5.

*Don Salvador Mata*, (examined in the hospital of San Juan de Dios,) aged 36 years, a native of Barcelona, a widower and a Catholic, being sworn, deposed, that he is Second Mate of the Spanish merchant brig "*Aguila*;" that the deponent does not remember who gave him the situation of Second Mate; that he does not remember when the "*Aguila*" sailed from this Port, but that he knows she sailed for the coast of Africa with a cargo of cotton goods and spirituous liquors; that the brig sailed with the intention of taking on board bozal negroes, but that this deponent does not recollect the number actually taken on board; that the "*Aguila*" was detained by an English vessel on the south side of this Island, and brought to this harbour; that this deponent does not know how many negroes were alive on board the "*Aguila*" at the time of her detention, nor how many died after, although he knows that some died; that this deponent knows not who is the owner or supercargo of the "*Aguila*;" that the Papers now produced, Nos. 1 to 5, are the true Papers of the vessel.

### Third Enclosure in No. 66.

(Translation)

#### *Sentence in the Case of the "Aguila."*

In the always most faithful City of the Havana, on the eighteenth day of June, 1832, the Most Excellent Señor Conde de Fernandina, Honorary Grandee of Spain of the first Class, Grand Cross of the Royal Order of Isabel la Católica, Knight of the Order of Charles III., *Gentilhombre de Camara con ejercicio*, Supernumerary Colonel of the Havana Regiment of Cavalry, and first Alcalde of this City, and also William Sharp Macleay, Esq., the Spanish and British Commissary Judges, being assembled together and having taken into their consideration the proceedings consequent upon the detention which, after a running fight on the

3d instant, the English schooner of war "Speedwell," commanded by Lieutenant William Warren, made in latitude 21° 30' N., and longitude 83° W., of the Spanish merchant brig "Aguila," Don Juan Ferrer y Roig, Master, mounting eight 32-pounders, and two 12-pounders, and having on board at the time of detention 616 bozal negroes, of whom 12 died before the entry into this Port and their delivery up to the Spanish authorities; and it being fully proved, as well by the declarations of the Spanish Captain, and those of the other witnesses examined, as by the Documents found on board the said merchant brig at the moment of her detention, that she sailed from this Port on the 23d day of December last, with Papers and a cargo for Bahialonga, but made direct for Luango on the coast of Africa, where she took on board 659 slaves, which number was by the deaths during the passage reduced to 616 at the time of detention, and by deaths up to the time of the delivery to the Spanish Authorities, was reduced afterwards to 604, which is the number of negroes now remaining alive. WHEREUPON the Commissioners resolve that they ought to declare, and do hereby declare, with all due consideration to the merits of the Case, and according to the brief and summary mode of proceeding adopted in all similar Cases on the truth being made known, that the capture of the aforesaid brig "Aguila," and of the 604 negroes now remaining alive, is good and legal, and that the aforesaid brig "Aguila," with all her tackle and apparel, and whatever else may remain on board, according to the Captain's Inventory, are subject to confiscation, all except the above-mentioned 604 negroes now alive, who remain free from all slavery and captivity. And the Commissioners order that the condemned brig be valued by the principal Masters of the Royal Dock-Yard, they being previously sworn to perform their duty faithfully, and that the whole be sold at public auction before the *Escribano* of the Royal Finance Department, Don Francisco José Cower, in order that the proceeds be applied to the benefit of the two Governments; the said vessel being for the present placed in deposit with, and under the charge of Don Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor according to formal Inventory. The Commissioners shall likewise proceed without farther loss of time to deliver, according to the customary form, by the hands of their Secretary, to the above-mentioned negroes, their Certificates of Emancipation, and they shall likewise address a letter, with a certified Copy of this Sentence, to His Excellency the Captain-General, in order that he may take the proper steps to give it effect, and because the crew of the said brig "Aguila" remain in prison at His Excellency's disposal. And by this their Sentence, definitively judging thus, have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed) EL CONDE DE FERNANDINA.

WILLIAM SHARP MACLEAY.

(Signed) JUAN FRANCISCO CASCALES, *Secretary*.

No. 67.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 7.)*

MY LORD,

Havana, 25th June, 1832.

It is truly distressing that, at the same time that I recount to your Lordship the well-grounded alarm experienced by the Authorities here at the sudden influx of so many emancipated negroes, it should be my duty also to report the sailing for the coast of Africa of 3 large Spanish brigs, viz. the "Abencerrage," Don Pedro Badia, Master, on the 11th instant, the "Negrito," Don Francisco Antonio Sarria, Master, on the 17th instant, and the "Agatocles," Don Antonio Alonso, Master, on the 24th instant. The crew of the first-mentioned vessel, on sailing out of harbour, past His Majesty's schooner "Speedwell," had the audacity to assail Lieutenant Warren with menaces. The Local Government has repeatedly said, that it is not authorized to prevent vessels from sailing for the coast of Africa, and thus it is that the root of the whole evil lies in Europe, and that the Slave Trade must continue to flourish in Cuba, while the slave traders are convinced that no sincere intention to extinguish it exists at the Court of Madrid.

On the 11th ult. also the schooner "Juanita," Domingo Elorduy, Master, mentioned in the Despatch of His Majesty's Commissioners, dated 4th May last, sailed again for the coast of Africa.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c.

&c.

&c.

No. 68.

*His Majesty's Commissioner to Viscount Palmerston.—(Received August 7.)*

MY LORD,

Havana, 26th June, 1832.

I HAVE the honour to inform your Lordship that I have learned that the negroes of the schooner "Planeta" were not assigned to any public work, but

have been distributed out to private individuals. The Local Government, however, has raised a contribution of 5 dollars per negro on persons taking charge of them, and has applied the money thus raised to the benefit of a charitable public establishment, called the *Real Casa de Beneficencia*.

I have, &c.

(Signed)

W. S. MACLEAY.

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

&c. &c. &c.

No. 69.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 11, 1832.

I HEREWITH transmit to you, for your information, 5 Copies of Papers marked A and B, relating to the Slave Trade, which have this day been presented by His Majesty's command to both Houses of Parliament.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners,

&c. &c. &c.

No. 70.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 31.)

MY LORD,

Havana, 1st July, 1832.

IN pursuance of the 75th Clause of the Act of Parliament, 5 George IV. entitled, "An Act to amend and consolidate the Laws relating to the abolition of the Slave Trade," we have the honour to enclose a Return of the Cases adjudicated in this Court of Mixed Commission during the last 6 months.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&c. &c. &c.

Enclosure in No. 70.

Return of Spanish Slave Vessels brought before the Mixed Commission at the Havana for adjudication, from 1st January, 1832, to 1st July, 1832.

Name of Vessel.	Date of Seizure.	Property seized.	Seizor.	Date of Sentence.	Decretal part of Sentence, whether forfeiture or restitution.	Whether Property condemned has been sold, or remains unsold; and in whose hands the Proceeds remain.
Planeta	1832. 6th April	Schooner, having on board 239 slaves . . .	Lieutenant W. Warren, His Majesty's schooner "Speedwell" .	26th April	Forfeiture	This vessel, tackle, &c. remain for sale by public auction, and at present remain in deposit with D. Jayme Andreu.
Aguila	3d June	Brig having on board 616 slaves	Lieutenant W. Warren, His Majesty's schooner "Speedwell" .	18th June	Forfeiture	This vessel, tackle, &c. remain for sale by public auction, and at present remain in deposit with D. Jayme Andreu.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 31.)*

MY LORD,

Havana, 11th July, 1832.

LIEUTENANT WARREN, commanding His Majesty's schooner "Speedwell," left this Port for Jamaica immediately after the condemnation of the "Aguila," and went round to the Isle of Pines, in order that, after taking his departure from that Island, he might have an opportunity of meeting with any slaver pursuing what he, with reason, conceives to be at present the favourite track of such vessels.

On the 25th ult., when close off the Isle of Pines, he accordingly fell in with the notorious slave schooner "Indagadora," commanded by D. Bartolomé Alemañy, as Mate, the Master, D. Ramon Casal, having died on the voyage home, of a disease contracted on the coast of Africa. The "Indagadora" had on board, at the time of her detention, 22 men as crew, and 134 negroes as cargo. The "Speedwell" arrived here with her prize on the evening of the 30th ult. The Court of Mixed Commission met on the 3rd inst., and the Sentence of condemnation was signed on the 9th.

We have the honour to transmit herewith a Copy of the Captor's Declaration, an Abstract of the Evidence, and a Translation of the Sentence, which condemns the vessel and cargo, and emancipates the 134 negroes whom the Captor delivered over to the Captain-General, and who were all remaining of 138 taken on board at Rio Lagos, which place the "Indagadora" left on the 14th May last.

We have also the honour to enclose the Copy of a Letter addressed to His Majesty's Commissary Judge by Lieutenant Warren, and which details the particulars of an attempt made to rescue the Master and Steward of the slave schooner. Lieutenant Warren not only defeated this attempt, but with his usual energy, handed over the persons who made it, as prisoners, to Admiral Laborde, who has promised to punish them.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&c. &c. &c.

First Enclosure in No. 71.

*Captor's Declaration.*

I, WILLIAM WARREN, Lieutenant commanding His Britannic Majesty's schooner "Speedwell," hereby declare, that on this 25th day of June, 1832, in or about latitude 21° 30' north, and longitude 83° west, I detained the schooner named the "Indagadora," sailing under Spanish colours, and commanded by Don Bartolomé Alemañy, second Pilot, who declared her to be bound from the River Lagos, on the coast of Africa, to the Island of Cuba, with a crew consisting of 22 men, whose names, as declared by them respectively, are inserted in a List at foot hereof, and having on board 134 slaves, said to have been taken on board at the River Lagos, on the 14th May, 1832, and are enumerated as follows:—

	<i>Healthy.</i>	<i>Sickly.</i>
Men .....	103	"
Women .....	12	"
Boys .....	19	"

I do further declare the names of the crew to be as follows:—

<i>No.</i>	<i>Names.</i>	<i>No.</i>	<i>Names.</i>
1.	D. Bartolomé Alemañy.	12.	Jozé Arjibay.
2.	Francisco Guardiola.	13.	Jozé Ferrer.
3.	Jozé Orsin.	14.	Jozé Garcia.
4.	Franc. Esteban.	15.	Ant. Vareli.
5.	Alex. Rodriguez.	16.	Franc. Maserni.
6.	Franc. Entraldo.	17.	Juan Estaden.
7.	Juan Furnaby.	18.	Manuel Rodriguez.
8.	Jozé Ramon.	19.	Salvador Ferrugat.
9.	Lorenzo Bareli.	20.	Juan Sanchez.
10.	Pedro Jozé Nuñez.	21.	Manuel Valina.
11.	Pedro Redac.	22.	Miguel Ponce.

I do further declare, that the Paper-Writings and Documents hereunto annexed, endorsed by me, and marked from No. 1 to No. 5 inclusive, were delivered to me by the Master of the said schooner, and that the same are now given into His Britannic Majesty's Commissary Judge, in the same plight or condition as when so received by me, without any fraud, subduction, addition, alteration, or embezzlement whatever, save the numbering and marking thereof.

I do further declare, that the said schooner appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew, on their destined voyage to Cuba.

I do further declare, that the said schooner was in a clean state, and the appearance of the negroes healthy.

(Signed) WM. WARREN, *Lieutenant Commanding.*

(Witnessed by) R. W. CAMPBELL, *Assistant Surgeon.*  
W. S. COOPER, *Senior Mate.*

## Second Enclosure in No. 71.

### *Abstract of the Evidence in the Case of the Schooner "Indagadora."*

LIEUTENANT WILLIAM WARREN, Commander of the English schooner of war "Speedwell," being sworn, and having shewn his Instructions, deposed, that the time and place of the detention of the Spanish schooner "Indagadora," the state of the detained vessel, and all other particulars, required by the Treaty for the abolition of the traffic in slaves, are truly set forth in the Declaration, in the English language, now given in and signed by this deponent, and finally that the Papers also now given into Court, numbered 1 to 5 inclusive, and endorsed by the deponent, are the true Papers found on board the vessel, without addition, alteration, or subtraction, viz. :—

1. The Royal Passport.
2. The Contraseña.
3. The Muster-Roll.
4. The Custom-House Register.
5. The Log-Book.

*Mr. Robert Warren Campbell*, Assistant Surgeon of the "Speedwell," and

*Mr. William Salmon Cooper*, Mate of the "Speedwell," being sworn, both identified their respective signatures, as witnesses to the truth of the matters set forth in the Captor's Declaration above-mentioned.

*Bartolomeo Alemañy*, native of the city of Palma, in the Island of Majorca, 36 years of age, a Catholic and unmarried, being sworn, deposed, that he is Second Mate of the Spanish schooner "Indagadora," which has just entered the harbour, and that at present he exercises the functions of Captain, owing to the death of Don Ramon Casal, who was Captain and First Mate; that the said Casal, owing to a fever that he caught on the coast of Africa, died on board the schooner 9 days after she had sailed from the Rio Lagos, and while she was off the *Cabo de tres puntas*; that he died on the 22nd May last, and that from that time this deponent had the command of the schooner, it being his duty to take the charge as being second mate. That the "Indagadora" had sailed from the Havana on the 25th December last, with papers and destination for the Island of San Tomas, but that the Captain steered for Lagos, on the coast of Africa; that the cargo with which the "Indagadora" sailed from the Havana was composed of gunpowder, aguardiente, and cotton goods, and that all was disposed of on the coast of Africa; that the place of Second Mate, to go to San Tomas, was given this deponent in the Havana by D. Ramon Casal; that when the schooner arrived at Lagos, the said Casal landed, leaving the command of the vessel to the deponent; that according to written orders from the Captain on shore, this deponent delivered up the cargo; that this deponent has not in his possession any of these written orders, as he did not think it necessary to keep them; that at the end of two months, more or less, the Captain returned on board with 138 negroes, whom he said he had acquired in exchange for the above-mentioned cargo; that on the 14th of May last they sailed from Lagos, with the intention of carrying the 138 slaves to the Island of Cuba, but this deponent knows not to what particular point of the Island, as Casal never communicated it to him; that the "Indagadora" came direct from Africa, without touching at any place; that on the 25th June last, she was chased by an English schooner of war, when close off the Isle of Pines; that she was detained by this same schooner, and brought into this harbour, on account of having negroes on board; that at the time of the detention only 134 negroes were found on board, as 4 of the 138 embarked on the coast of Africa died previous to the detention; that none of the negroes died in the interval between the detention and the arrival in this harbour; that the Captor took immediate possession of the Papers of the vessel, giving this deponent a receipt for them; that those Papers now produced, and numbered 1 to 5, are the true Papers of the "Indagadora" which the Captor took possession of; that this deponent never knew other owner or supercargo of the "Indagadora" than the above-mentioned Captain Casal.

*Alexandro Rodriguez*, native of the Havana, aged 18 years, unmarried and a Catholic, being sworn, deposed, that he is Assistant Mate of the Spanish schooner "Indagadora;" that the "Indagadora" has been brought into the Havana by the English schooner of war "Speedwell," from the vicinity of the Isle of Pines, where she was detained on account of having bozal negroes on board; that these negroes had been embarked on the coast of Africa, at a place called Onis; that this deponent does not recollect the exact number of negroes so embarked, but thinks it was between 135 and 140; that they sailed from the coast of Africa on the 14th May last; that this deponent knows not how many negroes were on board at the time of the detention, but recollects that 4 negroes had previously died on the voyage; that after the detention, this deponent knows nothing of the negroes, as he was removed to the schooner of war; that the deponent's inaccuracy and uncertainty in answering the simple questions put to him are owing to the illness under which he has laboured, and from which he is not yet quite recovered; that this deponent embarked on

board the "*Indagadora*" in this Port of Havana; that D. Ramon Casal, the Master, gave him the place of *Agregado*; that they sailed from the Havana on the 25th December last; that this deponent does not recollect the nature of the cargo; that they sailed with Papers for San Tomas, but the Captain made for the coast of Africa, with the intention of getting bozal negroes, and in fact took them on board, although this deponent believes the true destination of the "*Indagadora*" was the Island of San Tomas; that the Captain, who was also First Mate, died 9 days after the "*Indagadora*" had left the coast of Africa; that D. Bartolomeo Alemañy, as Second Mate, then took the command; that this deponent knows no other supercargo of the "*Indagadora*," nor owner, except D. Ramon Casal; that this deponent does not know whether the Papers now produced are the true Papers of the "*Indagadora*," or not; that he has never before seen them.

*Francisco Guardiola*, native of Palma, in the Island of Majorca, aged 36 years, a married man and a Catholic, being sworn, deposed, that he is Boatswain of the schooner "*Indagadora*," that he first embarked on board the said schooner in this Port of the Havana; that D. Ramon Casal gave him the place of Boatswain; that the "*Indagadora*" sailed from the Havana, on the 25th December last, with a cargo of aguardiente, cotton goods, and gunpowder, and with Papers and destination as for St. Tomas, but that she made direct for Rio Lagos on the coast of Africa; that after the Captain had landed, the cargo was delivered up according to his orders, and that when he returned on board he brought with him 138 negroes; that the "*Indagadora*" left the coast of Africa on the 14th, but what month the deponent does not recollect, with destination for the Island of Cuba; that they entered into no harbour on their voyage home; that they were detained on the 25th June last, when near the Isle of Pines, and brought into this Port by an English schooner of war, on account of having 134 negroes alive on board; that 4 negroes had previously died, and that none died after the detention; that the Captain of the "*Indagadora*," D. Ramon Casal, died 9 days after she left the coast of Africa, of a sickness contracted in that country; that the Second Mate, D. Bartolomeo Alemañy, succeeded him in the command; that this deponent always considered Casal as owner and supercargo of the "*Indagadora*," that this deponent does not recognize any of the Papers now produced as the Papers of the vessel; in the first place, because the deponent's duty had no relation to the vessel's Papers; and secondly, because deponent cannot either read or write.

### Third Enclosure in No. 71.

(Translation)

#### *Sentence in the Case of the Spanish Schooner "Indagadora."*

IN the always most faithful City of the Havana, on the ninth day of July, one thousand eight hundred and thirty-two, the Most Excellent Señor Don Jozé Maria de Herrera y Herrera, Conde de Fernandina, Honorary Grandee of Spain of the first Class, Grand Cross of the Royal Order of *Isabel la Catolica*, Knight of the Order of Charles III., *Gentilhombre de Camara con exercicio*, Supernumerary Colonel of the Havana Regiment of Cavalry, and first Alcalde of this City, and Don William Sharp Macleay, the Spanish and British Commissary Judges of the Mixed Commission, having met together, and taken into consideration the proceedings consequent upon the detention, which the English schooner of war "*Speedwell*," commanded by Lieutenant William Warren, made on the 25th day of last June, in latitude 21° 30' north, and longitude 83° west, of the Spanish merchant schooner "*Indagadora*," Don Bartoloméo Alemañy being Master, owing to the death of Don Ramon Casal, which schooner had a cargo of 134 bozal negroes on board at the time of detention; and it being fully proved, as well by the Declarations of the said Alemañy and of all the other witnesses examined, as by the Documents found on board at the time of detention, that the said merchant schooner sailed from this Port on the 25th December last, with Papers and a cargo for the Island of St. Thomas, but made direct for the Rio Lagos, on the coast of Africa, where she took on board 138 slaves, of whom 4 died, so that 134 remained alive as above-mentioned. WHEREUPON the Commissioners resolve that they ought to declare, and hereby do declare, with all due consideration to the merits of the case, and according to the brief and summary mode of proceeding adopted in all similar cases on the truth being made manifest, that the capture of the said schooner "*Indagadora*," of the various effects found on board, as expressed in the preceding Inventory, delivered into Court by the Captor, and of the 134 negroes found on board, is good and legal, and that the said schooner "*Indagadora*," with all her tackle and apparel, and above-mentioned effects, are subject to confiscation; all except the aforesaid negroes, who remain free from all slavery and captivity. And the Commissioners order that the condemned vessel, and all that belongs to her, be valued by the principal Masters of the Royal Arsenal, and that the above-mentioned effects be valued by D. Juan Antonio Cordero, both these parties being sworn to fidelity in the duty respectively intrusted to them; and that the whole be sold by public auction before the *Escribano* of the Royal Finance Department, D. Francisco Jozé de Cower, in order that the proceeds be applied to the benefit of the two Governments, the said vessel being for the present placed in deposit with D. Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor according to the formal Inventory. The Commissioners shall likewise proceed, without further delay, to deliver according to the customary form, by the hands of their Secretary to the above-mentioned negroes now remaining alive their certificates of emancipation; and they shall also address a Letter to His Excellency, the Captain-General, with a certified Copy of this Sentence, in order that he may adopt the proper measures to give it effect; and because the crew of the schooner "*Indagadora*" remain in prison at His Excellency's disposal. And by this their sentence, definitively judging thus, have the Commissioners provided, ordered, and signed in the presence of their Secretary, who certifies.

(Signed)

EL CONDE DE FERNANDINA.  
WILLIAM SHARP MACLEAY.

(Signed) JUAN FRANCISCO CASCALES,  
*Secretary.*

## Fourth Enclosure in No. 71.

*Lieutenant Warren to Mr. Macleay.*

SIR,

*His Majesty's Schooner "Speedwell," at Havana, July 4th, 1832.*

I HAVE the honour to call your attention to a daring attempt, made on the 1st instant, to rescue the Master, Boatswain, and Steward, of the slave schooner "*Indagadora*," while lying in this harbour, and under my charge.

A shore-boat with 2 coloured men having obtained permission to come alongside, for the purpose of giving some cigars to the three prisoners, after remaining a short time, took advantage of the Officer in charge being occupied on the opposite side of the deck, (the men being also employed furling the main awning,) by jumping into the boat and making sail; but from the prompt manner in which the Officer in charge succeeded in jumping into the boat, and by the assistance of the boats of His Majesty's schooner under my command, they were prevented from effecting their escape; and the following morning I delivered them over to the Spanish Admiral for the purpose of undergoing a proper punishment for their offence.

I have, &amp;c.

(Signed) WM. WARREN, *Lieutenant Commanding.**W. S. Macleay, Esq.**His Britannic Majesty's Commissary Judge.*

## No. 72.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 31.)*

MY LORD,

*Havana, 18th July, 1832.*

WE have the honour to enclose herewith the *Diario* of yesterday, which contains two official notices from the Local Government. The first is an advertisement for a person who will undertake, from motives of humanity, gratuitously to inspect the state and treatment of emancipated negroes during the time that they may remain in the Government *barracon*, previously to being apprenticed out. The second notice informs the public that 200 of the negroes of the "*Aguila*" have been assigned to public corporations, and that the remainder have been distributed among private individuals.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c.

&amp;c.

&amp;c.

## Enclosure in No. 72.

*Translation.—Extract from the "Diario dela Hubana" of Tuesday, the 17th of July, 1832.*

HIS Excellency the President, Governor, and Captain-General, wishing to name a charitable person, who will undertake the inspection of the allowances, cleanliness, lodging and food, which the emancipated negroes receive in the barracks, in the interval of their being landed, and distributed to the public under the conditions established by the Government; the public is informed by order of His Excellency, that should there be any generous person who will undertake this very meritorious employment for the sake of humanity, and the circumstances to which the health of the public calls most particularly for attention, he may present himself to His Excellency.

(Signed)

ANTONIO MARIA DELA TORRE Y CARDENAS.

*Havana, July 14, 1832.*

By order of His Excellency the President, Governor, and Captain-General, the public is informed, that the distribution of the emancipated negroes, imported in the Spanish brigantine "*Aguila*," has just taken place. The Corporations have received more than 200 for works of public utility; and the rest have been distributed among the inhabitants and private persons of this Island, in the expectation that, being instructed in the dogmas of our holy religion, and in some art or business, they may hereafter become useful to society. This Government in distributing them has consulted only the just consideration of strong recommendations, and the necessity, together with the utility, as well of the persons favoured, as of the emancipated people themselves; and it only regrets that the exact proportion so desirable, and usually attended to in all its operations, could not be observed in the distribution, inasmuch as in the numerous memorials sent, the want of dates, and the little accuracy in some, and no explanation in others, that object was impossible to be attained.



*His Majesty's Commissioners to Viscount Palmerston.—(Received August 31.)*

MY LORD,

Havana, 20th July, 1832.

WE have the honour to inform your Lordship that the following Spanish vessels have sailed for the coast of Africa: the schooner "*Francisca*," Juan Trenuel, Master, on the 1st instant, and the schooner "*Pantica*," alias "*Paulita*," Juan Bautista Manine, Master, on the 14th instant.

On the 30th ultimo the Spanish schooner "*Ligera*," Benito Pardo, Master, arrived from the coast of Africa, and we lost no time in informing the Captain-General that we should feel it our duty to report her arrival to His Majesty's Government. We are sorry, however, to state, that we have since received the usual form of answer, which founds her innocence on nothing having appeared in her Log-Book to implicate her in the prohibited traffic. Another schooner, the "*Segunda Tentativa*," D. Jozé Garay, Master, has also come into Port to-day, after having landed a cargo of slaves on the Isle of Pines.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&c.

&c.

&c.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 31.)*

MY LORD,

Havana, 22d July, 1832.

WE have the honour to inform your Lordship that Lieutenant John Potbury, commanding His Majesty's schooner "*Nimble*," arrived here on the 20th inst. with a large brig named the "*Hebe*," which he detained near the Isle of Pines, while sailing under Portuguese colours, with 401 slaves on board at the time of capture. We have the honour to enclose Copies of Lieutenant Potbury's Letter to His Majesty's Commissioners, and of our answer, in which we have recommended him to pursue the line of conduct adopted last year by the late Lieutenant Taplin, with respect to the Portuguese schooner "*Roza*." We also beg leave to transmit Copies of the Captor's Declaration, of the brig's Passport, and of a Certificate of the Portuguese Consul at Bahia, shewing that this vessel was in Brazil on the 14th January last. From Bahia she appears to have proceeded to the coast of Africa, and according to the Log-Book to have sailed from Loanda, on the Angola coast, for this Island on the 1st June, with a cargo of 432 negroes.

Lieutenant Potbury has not been able to sail for Nassau before this evening, owing to the want of water, and of some necessary repairs on board the detained slave vessel.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&c. &c. &c.

First Enclosure in No. 74.

*Lieutenant Potbury to His Majesty's Commissioners.*

GENTLEMEN,

*His Majesty's Schooner "Nimble,"  
Havana, 20th July, 1832.*

I BEG to acquaint you that I arrived here to-day in this schooner, with the Portuguese brig the "*Hebe*," which I captured on the 13th inst. with slaves on board off the Isle of Pines, in latitude 21 15 N., longitude 83° 5' W., after a chase of four hours, armed with eight guns, 9 and 6-pounders, and having a crew consisting of 20 men, 7 boys, and 1 supercargo, commanded by

Domingo Jozé de Almeida, who declared her to be bound from "Angola" to the Isle of Pines, and having 401 slaves on board at the time of capture.

In case the power you are invested with does not extend to the condemning of Portuguese vessels engaged in the slave traffic, I have to request your advice and directions relative to the disposal of the "Hebe."

I have, &c.  
(Signed) J. M. POTBURY, Lieutenant Commanding.

The Commissioners for suppressing the Slave Trade,  
&c. &c. &c.

Second Enclosure in No. 74.

His Majesty's Commissioners to Lieutenant Potbury.

Havana, July 21, 1832.

SIR,

WE have the honour to acknowledge the receipt of your Letter dated yesterday, announcing that His Majesty's schooner "Nimble," under your command, has detained on this coast the brig "Hebe," under Portuguese colours, with 401 slaves on board, and enclosing 7 various Papers and a Log-Book, as being those belonging to the vessel. After a careful inspection of these Documents we have now to inform you that there is no reason to believe that the "Hebe" is other than a Portuguese vessel, and consequently the Members of the Mixed Commission could not take cognizance of the case, were this vessel to be brought before them.

With respect to the line of conduct now to be adopted with regard to this slave vessel, we could recommend to your attention that pursued last year by Lieutenant Taplin, of His Majesty's schooner "Pickle," in the similar case of the Portuguese schooner "Roza," since, so far as we are aware, the proceedings in that case met with the approbation of His Majesty's Government.

We have, &c.  
(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

Lieutenant Potbury, commanding His Majesty's Schooner "Nimble."

Third Enclosure in No. 74.

Captor's Declaration in the Case of the Portuguese Brig "Hebe."

I, Lieutenant John M. Potbury, Commander of His Britannic Majesty's schooner "Nimble," hereby declare, that on this 13th day of July, 1832, being in or about latitude 21° 15' north, longitude 83° 5' west, I detained the brig named the "Hebe," sailing under Portuguese colours, armed with 8 guns, 2 nine-pounders, 6 six and four-pounders, commanded by Domingos Jozé de Almeida, who declared her to be bound from Angola to the Isle of Pines, off the Island of Cuba with a crew consisting of 20 men, 7 boys, and 1 supercargo, being 28 in number, whose names, as declared by them respectively, are inserted in a list at foot hereof, and having on board 401 slaves, said to be taken on board at Angola, on the 30th day of May, 1832, and enumerated as follows:—

	Healthy.	Sick.
Men . . . . .	205	"
Women . . . . .	78	1
Boys . . . . .	108	9

I do further declare that the said brig appeared to be sea-worthy, and was supplied with a sufficient stock of water and provisions for the support of said negroes and crew on their destined voyage to Cuba.

(Signed) H. SHAWE, Mate.  
JAMES LOWRY, Assistant Surgeon.

(Signed) J. M. POTBURY.

List of the Crew of the Slave Brig "Hebe."

No.	Names.	Qualities.	No.	Names.	Qualities.
1	Domingo Jozé de Almeida	Master	15	Jozé Franco. dos Santos	Seaman
2	Francisco de Borges Barboza	1st Pilot	16	Antonio Viana Vianna . .	"
3	Sebastian Ribeiro . . . .	2d ditto	17	Marcelino Bora. de Castro	"
4	Patricio Marques . . . . .	Steward	18	Joaquim Antonio . . . . .	"
5	Jozé Rufino Pereira Borges	Boatswain	19	Anto. de Rocha . . . . .	"
6	Joaquim Anto. de Lima . .	Seaman	20	Manuel Pereira . . . . .	"
7	Jozé de Silva . . . . .	"	21	Jozé Francisco . . . . .	Boy
8	João Rodriguez Pereira . .	"	22	Jozé Baptista . . . . .	"
9	Antonio Joaquim . . . . .	"	23	Jozé Anto. Barboza . . . .	"
10	Antonio Cosme . . . . .	"	24	Anto. Jozé Lourenço . . . .	"
11	Francisco Joaquim . . . . .	"	25	Ignatio de Laiola Lobo . . .	"
12	Manuel Antonio . . . . .	"	26	Luis Guilherme de Sa . . . .	"
13	Francisco Antonio . . . . .	"	27	Jozé J. Pinto . . . . .	"
14	Manl. Cosme de Silva . . .	"	28	Jozé Roizo de Souza . . . .	Seaman

## Fourth Enclosure in No. 74.

(Translation)

*Certificate of the Portuguese Consul at Bahia.*

JOAO PEREIRA LEITE, Consul of His Most Faithful Majesty in the Province of Bahia, &amp;c.

Appeared before me, in person, in this Consular Office of Portugal, in the City of Bahia, the 14th January, 1832, Joaquim José de Pereira, as Consignee of the Portuguese brig "Hebe," lying at anchor in this Port, and in virtue of the powers which he presented to me from João Antonio de Moraes Fazio, resident at Angola, a subject of His Most Faithful Majesty, and Owner of the said brig, he said that, pursuant to the same powers, he had changed the Master José de Conto Fagas, because it was for the Proprietor's interest so to do; on which account he applied to this Consulate in order to obtain the approval of such nomination, which appearing to me conformable with the Maritime Laws and Regulations of the Portuguese nation, I approved the above nomination. And Domingos José de Almeida, a subject of His Most Faithful Majesty, being in that Document appointed Master of the brig "Hebe," he said that he accepted the appointment and submitted in every thing to the Maritime Regulations and Laws now in force. And to the end that it may be known where it is fitting, I ordered the present Minute or Certificate to be made out, which both signed along with me. In faith of which I furnished the present with the Royal Seal of this Consulate.

(L. S.)

(Signed)

JOAO PEREIRA LEITE, *Consul.*JOAQUIM JOZE PEREIRA, *Consignee, 1832.*DOMINGOS JOZE DE ALMEIDA, *Master.*

## Fifth Enclosure in No. 74.

(Translation)

*Passport of the Portuguese Brig "Hebe."*

I, THE Duke of Cadaval, of the Council of State, Assistant Minister in the Department of the Cabinet, Grand Cross of the Orders of Christ, and of the Tower and Sword, and charged extraordinarily with the Secretary of State's Office, for the affairs of the Marine and those beyond sea, &c. make known to those who shall see this Passport, that the brig called "Hebe," José de Conto Fagas, Master, owned by João Antonio de Moraes Saiao, is about to sail from the Port of the City of Lisbon for Angola and the Ports of Brazil, whence she is to return to the same Port of Lisbon, as was avouched in this Secretary of State's Office by the oath of the said Proprietor, and the Documents exhibited by him, all the above being Portuguese and subjects of these Kingdoms, and no foreigner having any share in the said brig. And because in going or returning she may be met with, either at sea or in port, by the Captains and Officers of ships and vessels of the same Kingdoms; therefore, His Majesty, the King, our Lord, directs them not to throw any impediment in her way. And he recommends to those of the fleets, squadrons, and merchantmen of the Kings, Princes, Republics, Potentates, the friends and allies of the Crown of these Kingdoms, not to obstruct the prosecution of her voyage, but rather to afford her the assistance and favour which she may want; under the certain persuasion, that those recommended by their Princes shall experience the same and equal treatment. In faith of which His Majesty ordered the present Passport to be given to her, signed by me, and sealed with the Great Seal of the Royal Arms. Given at Lisbon the 16th April, in the year from the birth of Our Lord Jesus Christ, 1831.

(L. S.)

(Signed)

THE DUKE OF CADAVAL.

By order of His Excellency,

(L. S.)

(Signed)

JOAQUIM PEDRO DA COSTA.

Pay 1480 Reis for the Seal, &amp;c. as above.

No. 75, 60 Reis.

Registered at f. 232 of Book 28 of the Passports for Ships, Secretary of State's Office for the Affairs of the Sea, and those beyond Sea, the 18th April, 1831.

(Signed)

JOAQUIM PEDRO DA COSTA.

Seen in this Intendancy General of the Marine and at the Custom-House of Loanda, the 12th July, 1831.

(Signed) JOCHO A. J. A. CASTRO.

Seen and approved, to enable her to prosecute her voyage to Angola, taking for her Master, Domingos José de Almeida, in the place of José de Conto Fagas.

Consulate of Portugal at Bahia, 13th January, 1832.

(L. S.)

(Signed)

JOAO PEREIRA LEITE, *Consul.*

## No. 75.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Sept. 22.)*

MY LORD,

Havana, 6th August, 1832.

WE have the honour to transmit herewith to your Lordship the Translation of another Note which we have received from the Captain-General, on the subject of the "Metemano," and a Copy of our Answer to it.

It is very possible that, from want of sufficient evidence, the legal conviction of this slave vessel may be attended with difficulty; but we humbly conceive that all such difficulties might be obviated, by making the illegality of the voyage

depend on the particular construction of the vessel, and on her arrival from the coast of Africa, with which the Havana can have no legitimate trade.

We have, &c.

(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

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

First Enclosure in No. 75.

*The Captain-General to His Majesty's Commissioners.*

(Translation)

GENTLEMEN,

*Havana, 30th July, 1832.*

FOR the proceedings adopted to ascertain whether the Spanish schooner "*Metemano*," in her last voyage introduced bozal negroes, it is absolutely necessary that you should declare the motives which induced you, in your Despatch of the 24th May last, to inform me that the said schooner had brought and disembarked in this Island slaves from Africa, and also that you should state the place, if known, where they were landed, as well as all other matters relating to this vessel of which you have any knowledge.

God preserve you many years,

(Signed) MARIANO RICAFORT.

*The Commissioners of His Britannic Majesty,*  
&c. &c. &c.

Second Enclosure in No. 75.

*His Majesty's Commissioners to the Captain-General.*

*Havana, August 4, 1832.*

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to acknowledge the receipt of a Letter from His Excellency the Captain-General, requesting them, as an indispensable act, to state their reasons for having informed His Excellency on the 24th May last, that the Spanish schooner "*Metemano*" had brought and disembarked in this Island slaves from Africa, and likewise all other matters relating to this vessel, of which they may have any knowledge.

The Undersigned beg respectfully to state, in reply to this requisition, as has been done on a former occasion, that although they have every disposition to meet the wishes of His Excellency the Captain-General, for the purpose of securing the ends of justice, they cannot, in conformity with their duty, enter into such details as might involve their judicial character with that of public prosecutors. They may, however, remark that the nature of the traffic in which every vessel coming from the coast of Africa is engaged, is so very notorious as to leave little doubt that the Tribunal, before which the Case of the "*Metemano*" is now pending, may procure such evidence as would be legally conclusive, especially as her Papers and crew may be fully examined.

The Undersigned have the honour, &c.

(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

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

No. 76.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Sept. 22.)*

MY LORD,

*Havana, August 17, 1832.*

WE have the honour to inform your Lordship that the following Spanish vessels have sailed from this Port for the African coast, viz. on the 22d ult. the schooner "*Amistad Habanera*," — Garcia, Master; on the 6th inst. the schooner "*Vencedora*," — Nosedal, Master; on the 12th inst. the schooner "*Manuelita*," — Villar, Master; and yesterday the schooner "*Mosca*," — Manegat, Master.

We have also learned that the schooner "*Pronta*," — Capo, Master, sailed on the 25th ult. for the same destination, from the Port of Matanzas.

On the 29th ult. the schooner "*Frasquita*," — Recoma, Master, arrived from the coast of Africa in this Port, having landed previously on the coast her cargo of slaves. We have received the usual form of answer from the Captain-General to the Communication which we made to His Excellency respecting this vessel.

We have, &c.

(Signed) W. S. MACLEAY.  
CHARLES MACKENZIE.

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

No. 77.

*(His Majesty's Commissioners to Viscount Palmerston.—(Received Nov. 2.)*

MY LORD,

*Havana, September 21, 1832.*

ON the 21st ult. the Spanish schooner "*Panda*," Pedro Gibert, Master, sailed for the African coast.

On the same day the brig "*Urraca*," Jozé Maria Moreno, Master, entered the Port, after having, according to general belief, landed a cargo of slaves, as did the brig "*Rozzegat*," Juan Bautista Arrarte, Master, on the 27th ult., and the brig "*Catalana*," Jozé Antonio de la Vega, Master, on the 3d inst. We have since received the usual form of answer from the Captain-General on the subject of these respective vessels.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c.

&amp;c.

&amp;c.

No. 78.

*His Majesty's Commissioners to Viscount Palmerston.—(Received Dec. 17.)*

MY LORD,

*Havana, October 31, 1832.*

WE have the honour to inform your Lordship that on the 23d ult. the Spanish brig "*Urraca*," Santiago Delix, Master, and on the 1st inst. the 2 schooners, viz. "*Llobregat*," Jozé Antonio de la Vega, Master, and "*Desengaño*," Francisco Loureiro, Master, all sailed for the coast of Africa.

On the 8th inst. the schooner "*Veloz*," Angel Ximenes, Master, arrived in this Port, as did the schooner "*Segunda Gallega*," Fortunato Romero, Master, on the 12th inst., and the schooner "*Tres Manuelas*," Andres Puig, Master, on the 23d. All these vessels are notorious slavers, and were duly denounced by us to the Captain-General, with the exception of the "*Tres Manuelas*," which is reported to have come last from the West-Indian Island of St. Thomas, although there is good reason to believe that she also landed a cargo of slaves.

We have, &amp;c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

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

&amp;c.

&amp;c.

&amp;c.

No. 79.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, December 27, 1832.*

ACCOUNTS having reached His Majesty's Government of the re-employment in Slave Trade of vessels which had already been condemned, and sold, on account of having been engaged in that illegal traffic; Viscount Palmerston has, by an Instruction, of which I herewith send to you a Copy, addressed to His Majesty's Representatives with the several Foreign Powers, whose interests may be affected by an alteration of the existing arrangement on this head, called upon those Governments to acquiesce in the entire destruction of vessels, condemned for having been engaged in the Slave Trade, and the sale of their materials broken up.

I am, &amp;c.

(Signed)

PALMERSTON.

*His Majesty's Commissioners,*

&amp;c.

&amp;c.

&amp;c.

## RIO DE JANEIRO.

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No. 80.

*His Majesty's Commissioners to Viscount Palmerston.—(Received February 27, 1832.)*

MY LORD,

*Rio de Janeiro, 7th December, 1831.*

WE beg leave to enclose, first, a Translation of a Law passed by the General Assembly and the Regency, in the name of the Emperor Don Pedro II., on the 7th ult., in order to repress, in future, the importation of slaves into this Country; secondly, A Translation of the Editorial Remarks in the "Aurora Fluminense," which contains a reprint of the said law.

It may, we trust, be justly inferred from the law above-mentioned, that the Brazilian Legislature and Executive sincerely wish to prevent the further importation of slaves into this country; and we refer with great satisfaction to the opinions of the Editor of the "Aurora Fluminense," as he is distinguished for his talent as a Member of the Legislature, and has always been a consistent advocate for the abolition of the Slave Trade.

We have, &c.  
(Signed) ALEX. CUNNINGHAM.  
FRED. GRIGG.

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

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### First Enclosure in No. 80.

*Extract from the "Jornal do Commercio," of 25th November, 1831.*

(Translation.)

Enactment.

THE Regency, in the name of Emperor D. Pedro II., makes known to all the subjects of the Empire, that the General Assembly decreed, and the Regency sanctioned, the following Law:—

ARTICLE I. All the slaves who shall enter the Territory or the Ports of Brazil come from without, are free, are excepted:—

1st. The slaves matriculated in the service of ships belonging to a country where slavery is allowed, while employed in the service of the same ships.

2ndly. Those who shall have escaped from such foreign territory, or foreign ship, who shall be delivered to the Masters, who shall claim them, and shall be re-exported out of Brazil.

In the cases of exception No. 1, on the visit of the entrance, an account shall be taken of the number of the slaves, with the Declarations necessary to verify the identity of the same; and to ascertain fiscally, on the visit of departure, whether the ship takes those (slaves) with whom it entered. The slaves who may be found after the departure of the ship, shall be apprehended, and retained until they shall be re-exported.

ARTICLE II. The Importers of slaves into Brazil will incur the corporal penalty of the 179th Article of the Criminal Code, touching those who reduce free persons to slavery; as also the fine of 200 milreis per head, for each slave imported, besides paying the expenses of their re-exportation to whatsoever part of Africa; a re-exportation which the Government will carry into effect with the greatest possible despatch, contracting with the African Authorities to give an asylum to the slaves. The transgressors will answer each for himself and for all.

ARTICLE III. Are Importers;—

1st. The Commander, Master, and Mate.

2ndly. He who knowingly gave or received, or obtained by any other title, the vessel intended for the Slave Trade.

3rdly. All those interested in the business, and all those who furnished funds knowingly, or by any motive gave assistance, or favoured, or assisted, the disembarkation, or consented to it, on their estates.

4thly. Those who shall buy knowingly as slaves those who are declared free in Article I. These, however, are liable only for the expenses of re-exportation, but are subject to the other penalties.

ARTICLE IV. If any ship engaged in the Slave Trade shall be taken beyond the Ports of Brazil by the National Forces, proceedings shall be had according to the enactment in Articles II. and III., as if the capture were made within the Empire.

ARTICLE V. Every individual who shall give information, and furnish the means of apprehending any number of persons imported as slaves, or who shall make any capture of this kind, previous to a denouncement or judicial order, or who shall give information before the Justice of Peace, or any local authority, of the landing of free persons as slaves, so that they be apprehended, shall receive from the Public Treasury the sum of 30 milreis for each person apprehended.

ARTICLE VI. The Commander, Officers, and Sailors of the vessel which may make the capture, mentioned in Article IV., have a right to the amount of the fine, to be divided according to the maritime regulation for the division of prizes.

ARTICLE VII. It will not be allowed to any free man, not being a Brazilian, to land in the Ports of Brazil, under any motive whatever. Whoever may disembark shall be immediately re-exported.

ARTICLE VIII. The Commander, Master, and Mate, who shall bring the persons mentioned in the preceding Article, will incur a fine of 100 milreis for each person, and will bear the expenses of their re-exportation. The Informer shall receive from the Public Treasury the sum of 30 milreis for each person.

ARTICLE IX. The amount of the fines levied by virtue of this law, after deduction of the rewards granted by Articles V. and VIII., and of the other expenses which may be incurred by the Public Treasury, shall be applied to the Foundling Hospitals of the Province concerned; and if there should be no such establishments, to the Hospitals.

The Regency, therefore, orders all Authorities to whom the knowledge and execution of the Law in question shall belong, to fulfil it, and cause it to be fulfilled and observed entirely, as is therein set forth. The Secretary of State for the Affairs of Justice will cause the Law to be printed, published, and distributed.

Given at the Palace of Rio de Janeiro, 7th November, 1831, 10th year of Independence and of the Empire.

(Signed)

FRANCISCO DE LIMA E SILVA.

JOZÉ DA COSTA CARVALHO.

JUAN JOÃO BRAULIO MONIZ.

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### Second Enclosure in No. 80.

*Extract from the "Aurora Fluminense."*

(Translation.)

*Rio de Janeiro, 30th November, 1831.*

AMONG the benefits which emanated in the last Session from the Legislative Body, we consider as one of the principal the Law which subjects to rigorous penalties those who carry on the traffic of African Slavery, still most scandalously continued in our country, even since its total prohibition: upon this subject policy and humanity join hands; both require the termination of an abuse which has brought upon Brazil so many evils, which has perpetuated among us the habits of sloth, and all the vices of absolute rule, in the very bosom of our families, which, in fine, degrades us in the eyes of civilized nations, characterizing us as inhuman and barbarous, while it compromises the internal security of the State itself. We have always lamented the blindness of avarice, at the sight of the eagerness and rage accompanying these importations from Africa, and heaping gun-powder on the mine dreaded by all, under futile pretences, we have continued in the vicious circle of labouring on the one hand to civilize the nation, and on the other to barbarize it by the incessantly repeated traffic in these men, born and brought up in brutishness, and then transferred into the very recesses of our dwellings, and placed in immediate contact with our children from their tenderest age. May Heaven grant that the views of the Legislature may be counteracted; that the good which it has aimed at may not in practice remain only a desideratum; that Legislative prevention may not be defeated by the subterfuges, always suggested by the private interests of speculators, by the corruption of many of our public men, and by habits of impunity. It has been said that the penalties of the Law are rigorous and excessive, but we do not think them so. We deem them only proportionate to the heinousness of the crime itself, and to the injuries resulting from it; for it would not be by light correctional punishments that we should prevent the continuance of an abuse which has become to many almost a necessary course, offering to the adventurer prompt and sure advantages, at the instant of his reaching the coast of Brazil. If he should risk but little in case of being discovered, if the Law should subject him only to a slight responsibility, who would not tempt fortune? "Who would not hope for a prize in this immoral lottery, this game in living packages of flesh and blood?" It remains with Government, with all the authorities, to be most vigilant on this subject, that it may not happen, as it has hitherto happened, that the new slaves, landed by hundreds at Ilha Grande, at Cape Frio, &c. be sold at the public auctions, or led through the city at noon-day, habited in the manufactures expressly prepared for the so called commerce of the coast, without the consequence of any judicial process, or the least inconvenience to the traffickers in human beings. Let the Law of which we have spoken be "*bonâ fide*" operative, and it will do honour to Brazil wherever it be known.

No. 81.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received Feb. 27, 1832.)

MY LORD,

*Rio de Janeiro, 18th December, 1831.*

WE have the honour to acknowledge the receipt of your Lordship's Despatch, dated the 22nd September last, accompanied by 5 Copies of Papers, marked A and B, relating to the Slave Trade, which had been presented to both Houses of Parliament by His Majesty's command.

We have, &amp;c.

(Signed)

ALEX. CUNNINGHAM.

FRED. GRIGG.

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

&amp;c.

&amp;c.

&amp;c.

No. 82.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received March 20.)

MY LORD,

*Rio de Janeiro, 5th January, 1832.*

WE have the honour to inform your Lordship, that no slave vessel has been brought into this Port for adjudication, before the Mixed Commission established in this City, since our last half-yearly Report of July 27, 1831.

We have, &amp;c.

(Signed)

ALEX. CUNNINGHAM.

FRED. GRIGG.

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

&amp;c.

&amp;c.

&amp;c.

No. 83.

*His Majesty's Commissioners to Viscount Palmerston.*—(Received May 7.)

MY LORD,

*Rio de Janeiro, 31st January, 1832.*

WE have the honour to enclose Translations of 2 Papers, viz. :—

1st. Of a Despatch, addressed, on the 19th ultimo, by the Brazilian Secretary of State for the Affairs of Justice, to the Juiz D'Alfandega, referring to the Mixed Commission the Cases of certain slaves, detained by the Custom-House of Rio de Janeiro, on board of the Portuguese vessels, "*Camilla*" and "*Leão*."

2nd, A Summary of the Proceedings of the Mixed Commission, inclusive of its sentence on the 24th instant, in the Case of the slaves by the "*Camilla*."

The other Case, namely, that of the slaves by the above-mentioned ship "*Leão*," did not come before the Mixed Commission, inasmuch as it was ascertained that the slaves on board formed part of the crew, and were included in the Muster-Roll, so that there being no ground for detaining them, they were liberated by the Custom-House, and returned to their ship.

We have, &amp;c.

(Signed)

ALEX. CUNNINGHAM.

FRED. GRIGG.

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

&amp;c.

&amp;c.

&amp;c.

(Translation.)

First Enclosure in No. 83.

*Despatch from the Minister and Secretary of State for the Affairs of Justice, which is annexed to the Acts of the Apprehension of the Africans arrived from the Ilha do Principe in the schooner "Camilla."*

THE Regency, to whom has been submitted your Despatch of the 16th instant, accompanied by the communication made to you by the Guarda Mor of the Custom-House, of there having come in the schooner "*Camilla*," and in the ship "*Leão*," both Portuguese, certain new young blacks, orders, in the name of the Emperor, that you, causing them to be put in safe deposit, and ordering an account to be taken of them, send the whole to the Mixed Commission, in order that it proceed in conformity with the existing Treaty.

God preserve you,

(Signed)

DIOGO ANTONIO FEJO.

*Palace, 19th December, 1831.**Senhor Lucia Soares Teizera de Gouvea.*

(A true Copy)

(Signed)

BRAZ MARTINS COSTA PASSOS, *Secretary.*



## Second Enclosure in No. 83.

*Proceedings of the Mixed Commission in the Case of the Slaves of the "Camilla."*

(Translation.)

*Session of the 24th January, 1832.*

THE Act of the preceding Session having been read and approved, the Commissary Judges took cognizance of the Acts of the Apprehension of the Africans, brought by the Portuguese schooner "*Camilla*," and agreeing in opinion, gave the following sentence.

Having seen these Acts, and that of the Apprehension, in Folio 3, of the Africans found on board of the Portuguese schooner "*Camilla*," on occasion of her arrival in this Port, they adjudge them to be comprehended as follows:—

In the first exception to the first Article of the Law of the 7th November of last year, the slaves—

Ventura Baptista	Ventura Jozé
Domingos Jozé	Liberio Narciso
Domingos Miguel	Roque Silvestre
Jozé João	Francisco d'O, and
Manoel Jozé	Dionicio Antonio—

being all registered in the service of the said schooner, and proved by the Deposition of the Master, Mate, and passengers to belong to the owner of the schooner, Manoel Correa, a Portuguese subject, residing in the Ilha do Principe, where slavery is permitted, in order that they may be released from the deposit in which they are at present, and that they be delivered to the Master of the schooner, Joaquim Marianno da Silva, observing the Acts, specified in the said Law, in the Cases of the above-mentioned first exception,

Are comprehended in the second exception to the first Article of the Law referred to, the slaves, Antonio, Rofino, and Pedro, belonging to the passenger João Jacinthe de Freitas, to be also released from the deposit in which they are at present, and to be delivered to their owner, assigning a term to re-export them out of the Empire, as by him required.

The passengers, Faustino Jozé, slave of Antonio Gabriel Iria, slave of Father Jozé Gomes d'Andrade de Silva; Manoel Antonio, described in the Act of Apprehension by the name of Venerando, slave of Philippe Ignacio Fagundes de Soaca; Januario Antonio, slave of Joaquim de Sousa Braga; and Antonio Paulete, slave of the same Braga, all Portuguese subjects, residing in the aforesaid Island, are comprised in the first Article of the same Law, and according to its tenor are adjudged to be free and emancipated, and to be re-exported at the charge of the Master of the schooner, who brought them, relieving him from the corporal penalty of Article 179 of the Criminal Code, and from the fine of 200 Mil Reis per head imposed by the Second Article of the recited Law of the 7th November, inasmuch as, considering the recent publication of that Law, of which the said Master of the schooner could have no cognizance in the act of embarking the slaves in question, he is exempted from these penalties, in conformity with the 3d Article of the Criminal Code.

The black, Macario Jozé Francisco, who, according to the second Deposition of the Master of the schooner, and to the deposition of the passengers, is proved to be free, and the black, João Baptista, to whom attaches a doubt that he is also free, are comprehended under the 7th Article of the already recited Law, in order to be in like manner re-exported, at the charge of the Master of the schooner, he being relieved from the fine of said 200 Mil Reis, according to the purport of the 3d Article of the Code.

Those adjudged to be free are to be furnished with their respective letters of liberty, in order that they may claim the maintenance of the same, wherever they may be conducted.

And, finally, the black, Antonio Manoel de Paula, and the mulatto, Izidoro Jozé Baptista, are adjudged to be at liberty to follow the destination which they may choose, according to their condition of men born free, as appears by the second Deposition of the Master of the schooner.

(Signed) ALEXANDER CUNNINGHAM.  
JOAO CARNEIRO DE CAMPOS.

*Rio de Janeiro, 24th January, 1832.*

Further, the Commission ordered that the Master should be cited to appear on the 31st instant, with the 5 blacks declared free, in order that they may receive their respective letters of liberation.

The Session was then closed.

(Signed) BRAZ MARTINS COSTA PASSOS.

No. 84.

*His Majesty's Commissioners to Viscount Palmerston.—(Received May 7.)*

MY LORD,

*February 22, 1832.*

WE have the honour to transmit to your Lordship Translations of the following Papers:—

1st. A Despatch dated 18th November, 1831, from the Brazilian Secretary of State for Foreign Affairs to our Colleague the Brazilian Commissary Judge.

2d. Of a Statement which we delivered to our Colleague on the 3d of December, 1831.

3rd. Of his Reply received on the 31st ultimo.

In consequence of the Paper, No. 1, we were verbally requested by our Colleague to apprise him of our opinion, with reference to the inquiry addressed to him by his Government.

Being aware of the contents of the Note, which your Lordship addressed on the 16th August, 1831, to the Chevalier de Mattos, we had the less difficulty in endeavouring to meet the application of our Colleague; and it will afford us much satisfaction if our statement should merit your Lordship's approbation.

It appeared to us, that in the present state of the discussion respecting the execution of the Stipulations between Great Britain and Brazil for the abolition of the Slave Trade, it was incumbent on us to confine ourselves to the suggesting of such alterations in detail, as might tend, in our opinion, to repress the existing abuses, and to devise means of following the negroes adjudged to be emancipated, from the place and the hour of the Sentence of the Court, to the place and the hour of their ultimate and *bonâ fide* manumission.

With this view we presented to our Colleague the Statement, No. 2, to which we beg leave to refer, as well as to the Rejoinder, No. 3.

By the latter your Lordship will perceive, 1st. That the Brazilian Commissary Judge is willing to refer to his Government the proposition, that the Sentences of the Court be issued in future in the name of the Emperor of Brazil. 2d. That the Commissary Judge is willing that the Mixed Commission be authorized by the Brazilian Government to apply to the Ouvidor da Comarca, for such information as may be requisite to repress the abuses, of which the Commissary Judge candidly admits the existence. 3rd. That he acquiesces absolutely, and without reference to the Government, in the proposed inadmissibility of extrinsic evidence on oath, as also in the suggestion, that it be competent to a Judge Arbitrator to take cognizance of any incidental questions, that may arise after his nomination by lot, and to decide upon the whole case.

These concessions will, we trust, give greater weight and efficacy to the sentences of the Court, as well as fix at least a degree of responsibility on the Brazilian Magistracy in the interior, as to the *bonâ fide* execution of those sentences.

In some other suggestions on our part the Commissary Judge does not acquiesce, alleging, and not without foundation, that new regulations cannot reach the old abuses; and that, prospectively, the suggestions would require legislative changes, which it might be difficult to prevail upon the Chambers to pass.

We have now to enter upon a part of the Rejoinder of our Colleague, which requires that we should beg leave to refer to an Act of the Brazilian Legislature and Regency, passed on the 7th November, 1831, of which we had the honour, on the 7th December, 1831, to transmit to your Lordship a Copy and Translation.

By that Law it is provided, that, with two incidental exceptions, all negro slaves that may be brought to this Country, be deemed free, and be immediately re-exported to Africa, which enactment the Brazilian Commissary Judge considers as abrogating the regulation for employing any such negroes in Brazil, at the end of which they were to receive the amount of their wages and their liberty.

No exception being made in respect to negroes that may be captured by any of His Majesty's ships at sea, on board of vessels engaged in the Slave Trade, and brought into this Port for adjudication, we inquired of our Colleague whether it be the intention of the Government, that such negroes be subject to the same regulation as negroes taken by the Brazilian Authorities, in the act of contraband arrival and disembarkation.

The answer was express and distinct, that according to the Law of the 7th November, 1831, all negroes whatever are to be denied admittance into this Country, and that all such as may arrive clandestinely, or be brought in as prize, are to be taken into the exclusive charge of the Brazilian Government, and to be re-exported, as soon as possible afterwards, to Africa.

Such being the case, it remains to be seen whether the Law in question, or its application, be in conformity to the spirit and meaning of the Stipulations between Great Britain and Brazil in respect to the Slave Trade, and whether

the execution of the measure may or may not counteract the humane intentions of His Majesty's Government and people, in respect to the Africans themselves; in fact, while the measure deprives the negroes of a subsistence, during a term of years, and of a fund and their liberty afterwards, it requires that they be again exposed to a sea voyage, to be thrown upon a part of the coast of Africa, where perhaps they would be strangers, and in all probability without resource, and where they might again be captured, purchased by other adventurers, and re-exported to Brazil or some other quarter.

It is true that, according to the Second Article of the Law of the 7th of November, 1831, the Brazilian Government proposes to contract with the African Authorities, to grant an asylum to the negroes who may be sent back to Africa; but it deserves consideration whether, in the present state of that part of the world, any such arrangement could be concluded, with a reasonable hope of its being fulfilled.

We are inclined to believe, that the Brazilian Government is actuated by a very natural and prudent wish to prevent the increase of the black population in this country; and we should also hope that the re-exportation of the negroes might be attended to and protected, as far as the means and the habits of the Government and its dependants would permit.

But it is to be observed that, as the matter stands, there is neither arrangement, nor security, nor intervention of any person on behalf of the British Government, or of the Africans.

We have felt it to be our duty to apprise His Majesty's Charge d'Affaires of these proceedings, and we beg leave to request that your Lordship will have the goodness to furnish us with Instructions on the subject.

We have, &c.

(Signed) ALEX. CUNNINGHAM.  
FRED. GRIGG.

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

&c. &c. &c.

First Enclosure in No. 84.

(Translation.)

OUR Charge d'Affaires in London having informed us, of the English Minister's being unwilling to agree to the immediate extinction of the Mixed Commissions, which, he says, ought to continue for 15 years more, reckoning from the 13th March, 1830, but that he is ready to make modifications or alterations in the said Commissions;

The Regency, in the name of the Emperor, ordains that you, keeping in view the instructions given to the above-mentioned Commissions, and which form part of the Treaty of Convention of the 23d November, 1826, will give your opinion as to what may be the changes and modifications, which experience may have shewn to be suitable to be made in this respect, in order that the Government may afterwards resolve on what may be most appropriate in this business.

God preserve you,

*Palace of Rio de Janeiro,  
18th Nov. 1831.*

(Signed)

FRANCISCO CARNEIRO DE CAMPOS.

*Senhor João Carneiro de Campos.*

Second Enclosure in No. 84.

*The British Commissioners to the Brazilian Commissioner.*

*December 3d, 1831.*

THE Undersigned, British Commissioners, having duly considered the subject of the foregoing Portaria, beg leave to submit to the Brazilian Commissary Judge, as follows:—

1. The Undersigned have had the honour to receive from His Majesty's Principal Secretary of State for Foreign Affairs, printed Copies of Papers respecting the Slave Trade, presented to Parliament by His Majesty's Command, and also Copies of a Correspondence on the same subject, between the Foreign Department and the Brazilian Charge d'Affaires in London, to the 16th August last.

2. By that Correspondence, it appears that His Majesty's Government is ready to enter, at any time, into negotiations for such alterations in detail, in the existing Stipulations between the two Countries in respect to the Slave Trade, as may be required by any change of circumstances.

3. In consequence, the Undersigned beg leave to make the following propositions, subject to the approbation of His Majesty's Government.

4. That the sentences of the Mixed Commission be passed in the name of His Majesty the Emperor of Brazil; a similar procedure being used by the tribunals at Sierra Leone.

5. That the Mixed Commission collectively, and acting as a Court, be authorized to carry its sentences into effect.

The expediency of such a measure is suggested by the delay and difficulty, which unexpectedly occurred in December 1830, in the case of the schooner "*Destimida*," in consequence of its being requisite to refer the sentence to the "*Chancellor Mor*" for execution. And the Undersigned need not remind their Colleague that the occurrence in question led to complaints, and a Protest, on the part of the Master of the "*Destimida*," and to a correspondence between the Commissioners and the British Admiral, and between His Majesty's Chargé d'Affaires and the Brazilian Minister for Foreign Affairs.

It is suggested, that the Mixed Commission should furnish the Brazilian Government with an Official Copy of each Sentence, immediately after its promulgation, and should also apprise the Government, circumstantially, of the result in each case.

6. That when the Court shall not deem the expenses of adjudication to be chargeable to the captured vessel, or her Master, the amount shall be chargeable to the Government of the Country receiving the benefit of the labour of the emancipated negroes.

7. That the Court be entitled to the communication of such official information, as may be received from time to time by the Brazilian Government, as to the hiring, location, existence, employment, and ultimate manumission of the emancipated negroes.

It is presumed that this essential object might be easily and decorously accomplished, by the publication in the official paper, "*O'Diario do Imperio*," of such reports on the subject as may be received by the Government.

In this way the British Commissioners would be enabled to certify to His Majesty's Government, that the humane intentions of the two Powers had been duly fulfilled, while the Brazilian Government would have additional means of enforcing the regulations, and checking the abuses, which are the subject of the very commendable Portaria of March 25th, 1831, addressed to the Ouvidor da Comarca at Rio de Janeiro, and to other Functionaries.

8. That the term for hiring the negroes adjudged to be ultimately emancipated, be reduced from 14 years, to 7 years in the whole.

9. That the wages of such negroes be paid from time to time to the Registrar of the Mixed Commission; that the Registrar be required to give security for the due discharge of his office, and to apprise the Brazilian Government, from time to time, of the ultimate distribution of the negroes in question, or at least, that the Registrar be entitled to hold one of the three keys of the Deposit Chest.

10. That according to the Alvará of 26th January, 1818, a Curator be appointed by the Court, subject to the approval of the Brazilian Government.

11. That such vessels as may be condemned by the Court, be sold by a Brazilian subject, to be appointed by the Court, with the approbation of the Brazilian Government.

12. That the Court be authorized to apply once or twice in each year to all such individuals, not holding office under the Brazilian Government, who may have hired negroes, under a sentence of the Court, for a full and true account of the number of such negroes then in existence, of the amount and payment of their wages, and of the deaths that may have occurred.

In this way the negroes would be, in some measure, under the protection of the Mixed Commission, and their ultimate fate would be known.

13. That the 4th Article of the Alvará of 26th January, 1818, stating that "*Information and all Proceedings, inclusive of the final Sentence, shall be brought before the Judges*," be declared and understood, to admit henceforward, of the reception by the Court of the testimony of the crew, and of collateral evidence upon oath, as also of all the Papers, *bonâ fide* or simulated, which may be found on board of a libelled vessel at the time of her capture, or which, being then concealed and afterwards discovered, may be adjudged by the Court to be legitimately brought forward, previously to Sentence.

The proceedings of the Court will then be assimilated to those of the Mixed Commissions at Sierra Leone, and to the practice of all European Prize Courts.

14. It is in like manner submitted, that if any circumstance should arise during the proceedings, to throw doubt or suspicion on the original transaction, or on the evidence, it will conduce to the ends of justice to admit extrinsic evidence, subject, of course, to the opinion of the Court as to its validity and weight.

15. When a Commissioner of Arbitration, English or Brazilian, shall have been chosen for the decision of a given Case, and when new questions, bearing upon the same Case, shall arise, after the nomination of such Arbitrator, and previously to his sentence, it is submitted that all such incidental questions shall be referred to the same individual, for his examination and decision upon the whole Case.

16. The points submitted in paragraphs 13, 14, and 15, are sanctioned by the high authority of His Britannic Majesty's Advocate; and it will be felt that, considering the nature of the Slave Trade, and the direct interest of the parties in concealing their victims and masking their operations, it is requisite for the *bonâ fide* ends of justice, and the fulfilment of the spirit of the Treaties, that every ray of light, every particle of legitimate evidence, not contrary to the letter of the Treaties, should be received.

17. The Undersigned have had the greatest satisfaction in transmitting to His Majesty's Government a Copy of the Law of November 7, 1831, for the more effectual repression of the Slave Trade; and they have no doubt that the Law will be received, as an additional proof of the sincere and enlightened wishes of the Brazilian Legislature and Government, on that important object.

18. Having complied thus far with the request of the Brazilian Commissary Judge, the Undersigned beg leave to assure him of their readiness to communicate with him upon the subject of the proposed alterations, and to give their earliest and best consideration, to whatever his experience and judgment may suggest.

(Signed)

ALEXANDER CUNNINGHAM.  
FREDERICK GRIGG.

THEOPHILO DE MELLO, *Interpreter.*

*The Brazilian Commissioner,*  
&c. &c. &c.

### Third Enclosure in No. 84.

*The Brazilian Commissary Judge to His Majesty's Commissioners.*

(Translation.)

January 31, 1832.

THE Brazilian Commissary Judge, having examined the propositions offered by the British Commissioners, in respect to the modifications or alterations in the Mixed Commissions, required by the communication of November 18, 1831, from the Department for Foreign Affairs, has the honour to submit to the British Commissioners:

In respect to the 2d Article, which, bearing upon the altering of the existing Treaty, or in truth upon the fixing of the period when the Mixed Commission should terminate, especially after the publication of the last Law, which eradicates any possible pretence for the introducing of black Africans into Brazil, it appears to him (*the Brazilian Commissary Judge*) that the Commission might offer its opinion on this subject, or perhaps be silent; leaving such object to the discretion of the two Governments.

The 4th Article, bearing upon the form in which the Sentences of the Commission are to be passed to the Judge for execution, although the Commission adopted already, in its last sentences, the proposition of passing them in the name of the Emperor, altering what had been practised in the Case of the "*Emilia*," and that the Judges executed these Sentences, without making the least observation, yet, in order not to raise any doubt for the future, the Brazilian Commissioner agrees that this point be brought under the consideration of the Government.

In regard to the 5th Article, the Brazilian Commissioner cannot consent to the proposed faculty, that the Commission itself should execute its Sentences, because such a course would be contrary to the existing Legislative Enactment, by which the Commission is governed, and would depend besides upon new Legislative Acts, that would never be admitted, seeing that in the Chambers great stress is laid upon the total extinction of the Commission; in addition to which, the reason alleged as the cause of such a measure is without foundation, inasmuch as the recurrence of the delay which took place in respect to the Sentence of the schooner "*Destimida*," is obviated by the abolition of the office of *Chancellor Mor*, while the same delay might occur, if the Commission had to execute its own Sentences, because they would always have to pass to other parties, and nothing would be gained by the measure.

In respect to the 6th Article, as the Brazilian Commissioner has already informed his Government, by his Official Letter of October 17th last, of his opinion, with reference to certain inquiries on the part of the British Government, it appears to him to be also unnecessary to revert to this subject.

Upon the 7th Article, as, according to the last Law, all the Africans who may be brought to Brazil, are to be immediately declared free, and re-exported to the coast of Africa, at the expense of the Importer of the same, there can, in consequence, be no public Auction of their services, such as formerly obtained in virtue of the Alvará of January 26, 1818, whence the Brazilian Commissioner infers, that the Commission would have very little of which to take an account, inasmuch as it would only relate to the slaves of the schooner "*Emilia*," whose term is about to expire, to the brig "*Africano Oriental*," and to the "*Destimida*." And as neither the Treaty nor the Instructions annexed to it, convey any obligation to the Commission on that head, while, on the contrary, it is wished to limit the attributes of the Commission as much as possible, it appears to the Brazilian Commissioner, that it would perhaps be better, in like manner, not to touch upon this subject.

The 8th Article becomes absolutely unnecessary, inasmuch as, according to the latest Law, the services of the Africans cannot be put up at Auction, but the Africans themselves must be re-exported; so that it is unnecessary to speak of reducing "the term" of their servitude, and the more especially as this point is attended to in the Alvará.

Neither can the Brazilian Commissioner acquiesce in the doctrine of the 9th Article, that the wages arising from the services of the slaves be received by the Secretary to the Commission, because, in addition to this object being already anticipated by the last Orders of the Government, this measure would in no respect go to remedy the dilapidation that has occurred, in respect to the sums previously received, wherefore, it appears to the Brazilian Commissioner, that the Commission should confine itself, in this respect also, to solicit the Government to cause such abuse to be remedied, and to require the full and plenary observance of the disposition of Paragraph 5 of the Alvará already referred to, which establishes as much as is suitable, in advantage of the blacks liberated by the Commission.

Neither can a Curator be nominated by the Commission, as proposed by the 10th Article, because, besides the necessity of a Legislative Act to alter the Law in that respect, the nomination itself becomes henceforward unnecessary, by the deposition, already referred to, of the last law, which does not admit, on any principle, of the entry of Africans, and requires them to be immediately re-exported.

The same difficulty attends the object of Article 11, because, while it is declared by the Alvará of January 26, 1818, that the Judge of contraband shall execute the Sentences of the Commission,

to take away from him the authority of effecting the sale of the vessels, condemned by a judicial Act, as hitherto practised, would be to alter the Legislation, and to depend upon an Act of the General Assembly which, as it has already been said, could never be obtained.

In respect to the 12th Article, the Brazilian Commissary Judge, deeming its principles and objects very philanthropic, acquiesces that it be submitted to the Government, that, whereas the Commission is aware, that every description of excesses (abuse) has been practised in respect to the Africans let out on hire, the same Government should order the Ouvidor of the Comarca, as the Judge Conservator of those Africans, to furnish such information, as may be required by the Commission in that respect, in order that the Commission may bring under the cognizance of the same Government, the abuses which may take place, by which means the Commission will become the protector of the future welfare and real liberty of the Africans in question, without which they would certainly incur great risk.

In respect to Article 13, as it refers to the disposition of Article 4 of the Alvará of January 26, 1818; as the Mixed Commission was in fact created to take cognizance, according to the spirit of the Treaties, of ships captured on the High Seas, engaged in the traffic of slaves, and as the Alvará referred to specifies the authority before which informations are to be lodged, in respect to slaves that may arrive and be landed without the capture of the ships, and as, under such circumstances, Judicial Acts are to be performed, which are not proper to the Commission, in regard to the apprehension of the slaves in question, inasmuch as this procedure is incumbent on the Judge superintendent of Contrabands, and as the Alvará provides, that the parties interested may afterwards claim a reference of the process to the Mixed Commission, to be judged by it, the Brazilian Commissary Judge deems it to be inexpedient to make any alteration, because it would lead to the same difficulties already submitted, of depending upon Legislative Acts, without which the Government can make no alteration in the established Laws; it being further to be observed, that the Government remains in the firm intention of causing any matter, which may occur in this respect, to be decided by the Commission, in order to obviate the delays and dilatoriness which it (the business) would suffer in the ordinary process (*Foro*).

The suggestion in Article 14 appears, in like manner, to the Brazilian Commissary Judge, not to require to be submitted to the Government, inasmuch as he acquiesces in the suggestion, and is ready to put it in execution, as often as facts may occur of the nature therein expressed, as also what is suggested in Article 15. Wherefore the Commissioner concludes, that the answer to the Government may be reduced to this—that the proceedings, in respect to the traffic in slaves, are actually reduced within the smallest possible compass, since the total abolition of that traffic, inasmuch as the penalties to which the transgressors of the Treaties are subject, depend simply on the existence and finding of the slaves; and, for the perfect execution of the last Law of November 7, 1831, and the verification of the exceptions therein expressed, there is nothing to be established in that respect, and nothing to be altered, beyond what is referred to in Article 4, in respect to the form of passing the Sentences of the Commission; which is expressed at the end of Article 9, and in Article 12, as also any other new circumstance which may occur to his colleagues, Messrs. the British Commissioners, with whom he will always have the greatest satisfaction in agreeing.

(Signed) JOAO CARNEIRO DE CAMPOS.

No. 85.

*His Majesty's Commissioners to Viscount Palmerston.—(Received June 4.)*

MY LORD,

*Rio de Janeiro, 10th April, 1832.*

WE beg leave to inform your Lordship that, on the 26th March and 2nd instant, Feliz Jozè dos Santos, and Custodio de Souza, owners of 16 slaves by the Portuguese brig "*Africano Oriental*," applied to the Mixed Commission to revise that part of its sentence which relates to those slaves.

The sentence in question was pronounced on the 12th and 17th November, 1830, and transmitted to His Majesty's Principal Secretary of State for Foreign Affairs at the time, by the Despatch of Nov. 6 of that year.

The sentence having emanated from His Majesty's Consul General, in the absence of the British Commissary Judge, and from the Brazilian Commissary Judge, the above-mentioned application was referred to the same Gentlemen, who have dismissed it, on the ground of its being entirely contrary to the 12th Article of the Regulation annexed to the Convention of the 28th July, 1817.

Among the documents registered in the Case at the time, is one from the late Applicant, which they appear to have forgotten, or to suppose might have been lost sight of; and it is remarkable that, while they were duly and fully heard, previously to the sentence, their late application contains no new proof, or even plausible assertion, on which to ground a revision of the sentence, or to impugn its justice.

The same parties have also thought fit to make a similar application to the Brazilian Government, who have referred it to the Mixed Commission; and the Brazilian Commissary Judge is about to report to the Government, that the application is entirely groundless and inadmissible.

We lament to inform your Lordship that Alexander Cunningham, Esq., His Majesty's Commissary Judge, is dangerously ill.

We have, &c.

(Signed)

WM. PENNELL, *Acting Commissary Judge.*  
FRED. GRIGG.

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

&c. &c. &c.

No 86.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, July 19, 1832.*

I HEREWITH forward to you the Commission, bearing date this day, by which His Majesty was graciously pleased to appoint Mr. George Jackson, in the room of Mr. Alexander Cunningham, to be His Majesty's Commissary Judge, together with Mr. Frederick Grigg, as His Majesty's Commissioner of Arbitration to the Mixed British and Brazilian Commission, established at Rio de Janeiro, under the Convention concluded at Rio de Janeiro on the 23d of November, 1826, between Great Britain and Brazil, for the Abolition of the African Slave Trade of Brazil, and pursuant to the Acts of Parliament, which have been passed for carrying that Convention into effect.

Mr. Jackson will, at an early opportunity after the receipt of this Despatch, take the oath prescribed to him by the enclosed Instrument, prior to his entering upon his duties in the character assigned to him in His Majesty's Commission of appointment.

You will announce this appointment to the Foreign Members of the Mixed Commission, destined to act with you under the Convention above-mentioned.

You will strictly follow the line of conduct pointed out in the Instructions, which have heretofore been given by His Majesty's Secretary of State to His Majesty's Commissioners at Rio de Janeiro.

Further Instructions will be transmitted to you, according as they shall appear to be necessary for your guidance.

I am, &c.

(Signed) PALMERSTON.

*His Majesty's Commissioners,*

&c. &c. &c.

No. 87.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 10.)*

MY LORD,

*Rio de Janeiro, May 16, 1832.*

I BEG leave to transmit to your Lordship the following Papers, viz. 1st. The Translation of an Extract from "*O Diario do Governo*" of April 30, 1832, containing a Decree of the Regency, dated the 12th of that month, and purporting to regulate the execution of the Law of the 7th Nov., 1831, for the re-exportation to Africa of such negroes, as may in future be brought to this country.

2d. A Translation of 3 passages, extracted from a Report of the Minister of Justice to the Legislature presented at the late opening of the Session.

3d. A Translation of an Article in "*O Jornal do Commercio*" of the 24th of April, apparently official, stating that 11 slaves, by a Portuguese vessel, called "*Resoluçao*," from Angola, had been apprehended by the police, and ordered to be deposited.

I presume that your Lordship will have received 2 Despatches which His Majesty's Commissioners had the honour of addressing to you, on the 7th of December and the 22d February last.

The former accompanied a Translation of the above-mentioned Law of the

7th of Nov. 1831, while the object of the latter, was that of bringing under your Lordship's consideration a comprehensive view of the operation of that Law, with reference to its proposed application to the capture of negroes by His Majesty's ships at sea, and also to the negotiation, which followed your Lordship's Note of the 16th of August, 1831, to the Chevalier de Mattos.

Whether or not the Decree of Regulation, 12th April, 1832, accord with the Law itself, may perhaps be a question of Brazilian Constitutionality, upon which it is not for me to enter.

But your Lordship will observe, that the Regulation gives extraordinary power to the police to examine every vessel, on her arrival and on her departure; and "if any blacks be found in circumstances to which the Law applies, whether they shall be slaves or free, they shall be immediately put in deposit, and the Importers obliged to deposit the sum which shall be thought necessary for the re-exportation of the same; and if they shall refuse, their goods shall be embargoed and themselves criminally prosecuted."

I trust that no vessel under the English flag will be in this predicament; but it cannot, I presume, be irrelevant to submit to your Lordship the effect of the Regulation eventually.

It may bear upon this part of the subject to point out, that on occasion of the contraband landing of some negroes in the vicinity of this city, on the 25th ultimo, several were apprehended by the military, and a person named Alpheus Flower, or Flowers, claiming English protection, who had a black on or near his premises, supposed to be one of the contraband party, was apprehended and sent to the Fort at Praya Vermelha, whence he was subsequently liberated by the obliging interference of His Majesty's Charge d'Affaires; Mr. Flowers having shewed that the black had been lent to him by a neighbour, and the black himself being retained by the Brazilian authorities.

Under these circumstances the Instructions from your Lordship upon the general subject which, I should hope, may follow the solicitation of His Majesty's Commissioners on the 22d of February, will be of great importance; and if it be determined that negroes captured at sea by His Majesty's ships, and brought into this Port for adjudication by the Mixed Commission, shall, after sentence, be employed in this country as heretofore, instead of being re-exported to Africa, as projected by the Brazilian Government; the admissions of the Minister of Justice, in respect to the abuses which have hitherto obtained after sentence of emancipation, will fully justify the wish of His Majesty's Commissioners that some arrangement be made, which will enable the Commissioners to follow the negroes from the place and the hour of the sentence of the Court, to the place and the hour of their ultimate and *bonâ fide* manumission.

I have, &c.

(Signed) FREDERICK GRIGG.

### First Enclosure in No. 87.

*Extract from the "Diario do Governo."*

(Translation.)

*Rio de Janeiro, April 30, 1832.*

#### DECREE.

THE Regency, in the name of the Emperor Don Pedro II., in virtue of the Article 102, paragraph 12, of the Constitution, wishing to regulate the execution of the Law of November 7, of last year, decrees:—

ARTICLE 1. No vessel shall be exempt from being visited by the Police, immediately on her arrival, and immediately before her departure. The Authority making the visit shall inscribe on the Passport the formula "Visited," the day, year, and signature; without which the vessel shall not be despatched.

ARTICLE 2. In the Ports where there is no visit of the Police, a Justice of the Peace or his Deputy, accompanied by the Clerk, shall go in the boat of the visit of the Custom-House, and if there should be no such boat, in any other, to effect the visit. When there is more than one Justice of the Peace, the Government of the Province shall determine which shall be charged with this business.

ARTICLE 3. In this visit information shall be taken, according to the Documents which are required to be exhibited, from what Port the vessel comes; of the reason of her going there; of her cargo and destination; who is the Owner or Master of the vessel; the days of her voyage. There shall also be an examination into the burthen of the vessel, her stock of water, and any other circumstance from which it may be conjectured that she has brought African blacks. The whole shall be stated in the Minute of the visit, which shall be signed by the Judge or his Deputy and Clerk, and also by 2 witnesses, if there be any.



ARTICLE 4. If in the visit any blacks shall be found, the authority shall proceed according to the 2d Article of the Law referred to, declaring in the Minute the names, birthplaces, physiognomy, and every characteristic distinction of each, by which their persons may be recognized in the visit of departure.

ARTICLE 5. If any blacks be found or apprehended in circumstances to which the Law applies, whether they be slaves or free, they shall be immediately put in deposit, and the Importers obliged to deposit the sum which shall be thought necessary for the re-exportation of the same; and if they shall refuse their goods shall be embargoed. They shall besides be considered as taken in the fact, (*in flagrante*) and prosecuted unto judgement by a Justice of the Peace or the Intendant General of Police, and afterwards delivered over to the competent criminal Judge, and, where there shall be more than one, to the Ouvidor de Comarca, who, the process being finished, shall report to the Government of the Province, that it may take measures for the prompt re-exportation of such blacks.

ARTICLE 6. The Intendant General of Police, or Justice of the Peace, who shall make the visit, and find indications that the vessel has brought blacks, shall institute the inquiries which may be thought necessary, to ascertain the fact, and shall proceed according to the Law referred to.

ARTICLE 7. In the same visit the authority shall endeavour to ascertain the number and description of the black crew, or of the passengers of that colour, and if he shall remark that some, or all, are not civilized, or exceed the number necessary for the navigation of the ship, if free, they shall not disembark, and if slaves, they shall be deposited, and the ulterior proceedings shall be according to Law.

ARTICLE 8. Holders in deposit, and Masters of vessels, shall not be allowed to plead the death of blacks, except on inspection of the body, by the authority who may have taken the descriptions, or on production of the Minute of examination made on arrival.

ARTICLE 9. If the Intendant General of Police or Justice of the Peace, or of Crime, shall ascertain that any one has purchased or sold a new black, he shall summon such black to his presence, and examine whether he understand the Brazilian language, whether he came to Brazil before the termination of the Slave Trade, and he shall endeavour, by an interpreter, to ascertain, when the black came from Africa, by what vessel, where he landed, through what places he passed, in the possession of how many persons he has been, &c.; and if it shall be ascertained that he came after the termination of the traffic, the authority shall cause the black to be deposited, and shall proceed according to law: and in every case the parties shall be heard summarily, and without superfluous delay.

ARTICLE 10. Whenever a black may state to any Justice of the Peace, or of Crime, that he came to Brazil after the abolition of the traffic, the Judge shall interrogate him upon all the circumstances which may elucidate the fact, and proceed officially by every necessary inquiry to ascertain the fact, obliging the Master to clear up the doubts which may arise on the subject. If there be strong presumptions that the black be free, the Judge shall order him to be deposited, and shall proceed according to law.

ARTICLE 11. The Authorities charged with the execution of the present Decree, shall inform the Governments of the Provinces, of whatever may occur in this respect, and those Governments shall communicate it to the General Government.

Diego Antonio Feijo, Minister and Secretary of State for the Affairs of Justice, will take cognizance hereof, and cause it to be executed.

*Palace of Rio de Janeiro, April 12th, 1832.*

*The 11th year of the Independence and of the Empire.*

(Signed)

FRANCISCO DE LIMA E SILVA.  
JOZE DA COSTA CARVALHO.  
JOAO BRAULIO MONIZ.

DIAGO A. FEIJO.

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### Second Enclosure in No. 87.

*Extract from a Report of the Minister of Justice to the Legislature, at the opening of the Session.*

(Translation.)

May, 1832.

ORPHANS and distressed persons, whom the Law sought to protect by the appointment of special Magistrates, are every where abandoned.

The blending of matter of dispute with simple Administration, the committing of causes to Judges unprofessional or negligent, or who have lived but a short time on the spot, offer no guarantee to those unhappy people. As much, and even more, happens to the unfortunate Africans brought by contraband to our Ports: having no relations or friends interested in their fate, they pass on to perpetual slavery: it is unknown even in whose possession they be, and there are no means of remedying such a deficiency.

The shameful and infamous traffic in blacks continues on all sides. The most energetic recommendations have hitherto been fruitless. When the Authorities themselves are interested in the crime, it will inevitably be committed. Nevertheless the Government has just promulgated a Regulation for the execution of the Law of the 7th November of last year. Perhaps from it will result the good, which was contemplated by the Law in question.

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The "*Calabouço*" remains a prison, tyrannical and intolerable. If the prisoners should not be transferred to the ancient prison, which would be suitable to the service for which they are intended, the "*Calabouço*" should be ventilated as soon as possible: the expence will be small, and humanity will give much.

The shameful abuse of Masters sending thither their slaves, to be buried for months and years, and to be inhumanly flogged by order of the very authority which should most protect those wretches, is abolished. They can neither be kept there at the will of their Masters more than a month, nor can a punishment be inflicted by their order exceeding fifty lashes. The Government considered that the authority of the Masters is restricted to the correction of faults, and ought not to extend to the punishment of crimes, reserved for the cognizance of Justice. The slaves are men, and the Laws include them.

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Third Enclosure in No. 87.

Extract from the "Jornal do Commercio."

(Translation.)

Rio de Janeiro, April 24, 1832.

Declaration.

THE Portuguese vessel called the "*Resolucao*" having arrived on the 10th inst. from Angola, in which, according to a communication made to me by the visiting Officer of Police, there were 11 new slaves, belonging to Antonio Dias da Silva, Master of the said vessel, who said that he intended to take them to Portugal, which is not credible, being a commodity which is not sent to that market, I gave orders to proceed to the apprehension and deposit of the same slaves, as appears by the enclosed Message and Act, which I send to you, in order that you may proceed according to Law, against the person or persons guilty of such an importation.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.  
 Senhor Agostinho M. Guerra,  
 &c. &c. &c.

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No. 88.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 24.)

MY LORD,

Rio de Janeiro, 16th June, 1832.

WE have the honour to inform your Lordship that, in consequence of the death of Alexander Cunningham, Esq., His Majesty's Commissary Judge, and in pursuance of the 14th Article of the Convention, 28th July, 1817, for preventing illicit traffic in slaves, Richard Croker Pennell, Esq., His Majesty's Vice-Consul at this Port, qualified himself to supply, *ad interim*, the vacancy so occasioned in the Board of Mixed Commission, by taking, on the 14th instant, the prescribed Oath before the Brazilian Minister of Justice, and Mr. Pennell has accordingly taken his Seat at the Board.

We have, &c.  
 (Signed) R. C. PENNELL.  
 FRED. GRIGG.

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

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No. 89.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 3.)

MY LORD,

Rio de Janeiro, 18th June, 1832.

WE have the honour to inform your Lordship, that the Brazilian brig "*Achilles*" arrived here from Monte Video, having on board 8 negro slaves, who were seized by the Judge of the Custom-House, in conformity with the late Instructions issued by the Brazilian Government.

The Owner of the slaves, Mr. João Manoel da Silva Campião, petitioned that the Case might be brought before the Mixed Commission Court; in consequence, Mr. Carneiro, the Brazilian Commissary Judge, and Mr. Pennell, met on the 15th instant, in order to examine the slaves, when, it being ascertained that they were taken in the same ship to Monte Video, and were not new negroes, Mr. Pennell declined being a party to a Sentence, which Mr. Carneiro founded on the 4th Article of the Alvará of the 26th January, 1818, and by which Sentence he wished that the slaves should be returned to the owner, Mr. Pennell being of opinion that the Treaty did not contemplate the

interference of the Mixed Commission in the case of old negroes, shipped from the different Ports in Brazil, in national vessels.

Mr. Carneiro suggested that the Commissioners should defer their final decision till the 22d instant, to enable them to reconsider the question, which was agreed to.

We have, &c.  
(Signed) R. C. PENNELL.  
FRED. GRIGG.

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

No. 90.

*His Majesty's Commissioners to Viscount Palmerston.—(Received September 3.)*

MY LORD,

*Rio de Janeiro, 22nd June, 1832.*

WITH reference to our Despatch of the 18th instant, we have the honour to inform your Lordship, that, agreeably to the suggestion of Mr. Carneiro, the Commission again assembled on this day, when he (Mr. Carneiro) declared himself of the same opinion, as expressed by Mr. Pennell at the Commission Court on the 15th instant.

The 8 slaves who arrived by the Brazilian brig "*Achilles*," together with the "*Autos*," of the Commission, were returned to the Judge of the Custom-House, to be decided by the competent Tribunals of this Country.

We have, &c.  
(Signed) R. C. PENNELL.  
FRED. GRIGG.

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

No. 91.

*His Majesty's Commissioners to Viscount Palmerston.—(Received September 3.)*

MY LORD,

*Rio de Janeiro, 2nd July, 1832.*

WE beg leave to inform your Lordship, that, since the half-yearly Report which His Majesty's Commissioners had the honour to make to you on the 5th January, 1832, no vessel, with slaves, has been brought into this Port for adjudication.

We have, &c.  
(Signed) R. C. PENNELL.  
FRED. GRIGG.

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

No. 92.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, December 27, 1832.*

ACCOUNTS having reached His Majesty's Government, of the re-employment in Slave Trade of vessels which had already been condemned, and sold, on account of having been engaged in that illegal traffic; Viscount Palmerston has, by an Instruction, of which I herewith send to you a Copy, addressed to His Majesty's Representatives with the several Foreign Powers, whose interests may be affected by an alteration of the existing arrangement on this head, called upon those Governments to acquiesce in the entire destruction of vessels, condemned for having been engaged in the Slave Trade, and the sale of their materials broken up.

I am, &c.  
(Signed) PALMERSTON.

*His Majesty's Commissioners,*  
&c. &c. &c.

## SURINAM.

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No. 93.

*His Majesty's Commissioner to Viscount Palmerston.—(Received April 24.)*

MY LORD,

*Surinam, 15th February, 1832.*

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 22d September, 1831, together with 5 Copies of Papers, marked A and B, relating to the Slave Trade, which had been presented by His Majesty's command to both Houses of Parliament.

I have, &c.

(Signed)

J. H. LANCE.

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

&c.

&c.

&c.

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No. 94.

*His Majesty's Commissioners to Viscount Palmerston.—(Received August 13.)*

MY LORD,

*Surinam, 18th June, 1832.*

IN reference to the Despatch from this Commission, of the 15th September, 1831, regarding the condition and treatment of the negroes emancipated by Sentence of the Mixed Court established here, we consider it our duty to inform your Lordship, that we have lately ascertained from an authority, upon which we can place implicit reliance, that the whole of the males emancipated by the Mixed Court have been united to a Black Corps, forming part of the regular troops of this Colony; and also, that one of the last orders of the late Governor-General, Rear-Admiral Cantzlaar, was, that all the other negroes under the charge of this Colonial Government, including the females freed by the Mixed Court, should be treated in every respect exactly the same as the slaves of the Colony. As we have not heard that this order has been annulled, or in any way altered, by His Excellency the present Governor-General, we conclude that it is still in force.

We have, &c.

(Signed)

J. H. LANCE.

CAMPBELL J. DALRYMPLE.

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

&c.

&c.

&c.

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No. 95.

*Viscount Palmerston to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, December 27, 1832.*

ACCOUNTS having reached His Majesty's Government of the re-employment in Slave Trade, of vessels which had already been condemned, and sold, on

account of having been engaged in that illegal traffic; Viscount Palmerston has, by an Instruction, of which I herewith send to you a Copy, addressed to His Majesty's Representatives with the several Foreign Powers, whose interests may be affected by an alteration of the existing arrangement on this head, called upon those Governments to acquiesce in the entire destruction of vessels, condemned for having been engaged in the Slave Trade, and the sale of their materials broken up.

I am, &c.  
(Signed) PALMERSTON.

*His Majesty's Commissioners,*  
&c. &c. &c.