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CORRESPONDENCE

BETWEEN

GREAT BRITAIN AND BRAZIL

RESPECTING THE

SLAVE TRADE.

*Presented to the House of Lords by Command of Her Majesty, in pursuance of
their Address dated July 21, 1856.*

LONDON:

PRINTED BY HARRISON AND SONS.

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RETURN to an Address of the House of Lords, dated July 21, 1856;

for—

“Copies of any Correspondence that has lately taken place between Her Majesty’s Government, or the British Envoy at Rio de Janeiro, and the Brazilian Government, on the subject of the Slave Trade.”

No. 1.

The Earl of Clarendon to Consul Cowper.

(Extract.)

Foreign Office, January 18, 1856.

I HAVE received your despatch of the 19th ultimo,* reporting further particulars respecting the importation of Africans at Serinhaem in October last.

Her Majesty’s Government have not as yet sufficient means of judging how far the statement of Colonel Drummond is correct; but assuming that you are convinced that it is so, I have to instruct you to convey to that gentleman the cordial thanks of Her Majesty’s Government for the part that he has taken in exposing this most criminal transaction, and in endeavouring to avert from Brazil the disgrace of reviving the Slave Trade.

No. 2.

Mr. Jerningham to the Earl of Clarendon.—(Received April 12.)

(Extract.)

Rio de Janeiro, March 14, 1856.

I BEG to acknowledge the receipt of two despatches† from your Lordship, dated January the 9th, which only reached me by the “Tay” on the 6th instant.

By one of those despatches I see that the conduct of Her Majesty’s Consul at Pernambuco in the Serinhaem Slave Trade affair, has been fully approved of by Her Majesty’s Government.

By the other I am instructed that, if I should find that the Imperial Government are inactive with regard to this business, and should not be disposed to discover or punish persons concerned in this or any other similar act of Slave Trade, I should inform the Brazilian Government that Her Majesty’s Government would be obliged again to put in force the provisions of the Act of Parliament of 1845.

I am sorry to say that nearly every post brings me letters and despatches from Pernambuco complaining of the manner in which the authorities there are proceeding in dealing with this Slave Trade transaction, and in the way they have been pursuing for the recovery of the stolen blacks.

The last communication I received from Her Majesty’s Consul was on the 1st of March, and he then tells me, “this Government is doing nothing, or as little as possible, to recover the stolen Africans, and if this state of things continues, I shall certainly address the President again.”

In your Lordship’s despatch of the 17th January,‡ you say that you had received a communication from Mr. Cowper, dated 19th of December, stating that the prosecution of the parties implicated in the Serinhaem Slave Trade matter “was by no means carried on with good faith or vigour,” and your Lordship instructs me to impress upon the Brazilian Minister for Foreign Affairs the very serious nature of this case, in which the local authorities seem to be gravely implicated, and to call upon the Brazilian Government to use every effort to prevent the revival of the Slave Trade.

By reference to my late despatches, your Lordship, no doubt, will give me credit for having continually brought this subject before the Imperial Government, and several long notes have passed between this Legation and Senhor Paranhos, blaming the local authorities and indicating the evident want of care when the circumstance occurred.

* See Slave Trade Papers presented 1856, Class B, No. 183. † Ibid., Nos. 123 and 124.

‡ Ibid., No. 133.

In the several Conferences which I have had with the Brazilian Minister for Foreign Affairs, his Excellency has invariably taken great care to defend the President and authorities of Pernambuco, and has given himself much trouble in trying to prove that what has been done there was satisfactory to his Government.

I have even shown to Senhor Paranhos Mr. Consul Cowper's private letter to me, in order that he might know fully what was the opinion of Her Majesty's Consul with regard to the President and authorities of Pernambuco; in fact nothing has been omitted, even reports have not been kept from his Excellency's knowledge which might aid the Imperial Government in getting a clue to a right and just view of the case.

All this has constantly been met with assurances that what I produced to his Excellency's consideration was erroneous and unfounded, and his Excellency has long ago declared to me that the Imperial Government were resolved to prosecute and punish any delinquent, however high his rank might be, that should transgress their laws in this respect.

I must say that I was inclined to believe that the Central Government would act in that firm and energetic manner of which they are certainly capable, if they choose, in ordering the civil and judicial authorities of Pernambuco to recover the stolen slaves and prosecute the real offenders in the whole transaction.

This is the reason why I told your Lordship that the Government had entered seriously into the investigation, and perhaps they may have done much, although the President of Pernambuco and others appear to have badly carried out the orders from head-quarters.

However, when I was furnished with your Lordship's instructions, contained in your despatch of the 9th of January, to be acted on under certain contingencies, and I still found that Mr. Cowper reported unfavourably of the Serinhaem affair, as I have above stated, and bearing also in mind the contents of your Lordship's despatch of January 17, I came to the conclusion that it was my duty to send in a note to the Imperial Government, warning them of the consequences which would inevitably follow if they did not compel their authorities at Pernambuco to do their duty.

I beg now to submit to your Lordship the inclosed copy of my note to Senhor Paranhos, embodying, word for word, the instructions contained in your Lordship's despatch of January 9.

The day before yesterday his Excellency sent to invite me to a conference, and I found him ready to receive me.

His Excellency told me that the note which I had addressed to them was violent, unjust, and harsh; that by the terms which I had employed in this and another, claiming justice for the mate of a British vessel, Charles Lucas, I had treated them as an uncivilised people; and that by threatening them with the Aberdeen Bill, I had considered them as if they were not an independent nation. His Excellency said he was the more surprised at it because the relations between the two Governments, especially in Slave Trade matters, had been of the most intimate kind; and he appealed to the efforts which the Brazilian Government had made, and were making, to put down the Traffic. Had they not captured the "*Mary E. Smith*," and taken all sorts of means to frustrate attempts of the slave-traders, &c.; and had he not made me acquainted with what the Imperial Government had done at Pernambuco, &c.? And yet, notwithstanding all this, although I had even applauded their proceedings in the case of the "*Mary E. Smith*," Her Majesty's Legation had, by the note which his Government had received, treated Brazil as the last of nations, and had suspended the "sword of Damocles" over their heads, to which his Excellency compared the provisions of the Bill of 1845.

I produced your Lordship's despatch of the 9th January, and also the despatch in which you had approved of Mr. Cowper's conduct. I told his Excellency that your Lordship's despatch of the 9th January ought to have arrived a month sooner, and likewise that respecting Her Majesty's Consul at Pernambuco; and in order that his Excellency might be clearly impressed with the view which Her Majesty's Government had taken with regard to the Serinhaem prosecution, I caused his Excellency to read your Lordship's despatch of the 17th January. I also cited my last communication from Mr. Cowper, upon the fruitless attempt at recovering the stolen blacks,

and I told his Excellency that I had heard that there were communications which had arrived from Pernambuco on these affairs, that the "Jornal do Commercio" had declined publishing; nor did I omit to draw his Excellency's attention to a passage which I pointed out in a letter from Mr. Drummond to a friend, stating that the reason why the Minister of Justice refused to dismiss the Chief of the Police was, that he did not wish to appear to yield to the exigencies of the British Legation.

After making his Excellency acquainted with these communications, I informed him, that as I had received the instructions contained in your Lordship's despatch of the 9th January, and was to act upon them if necessary, and that as the present manner of proceeding in the Serinhaem affair appeared to me to afford a sufficient ground for so doing, I had accordingly addressed to him the note of which he complained as being harsh, violent and unjust. That as for their wish to prevent Slave Trade, and for the way in which the Brazilian Government had acted elsewhere, I had given them due credit; and I assured his Excellency that my note had been written exclusively in consequence of the unsatisfactory state of things at Pernambuco, for the Brazilian Government had the power to make their subordinates do their duty if they chose to exercise it.

Senhor Paranhos said that I did not know what the Imperial Government had done, and how difficult it was for them to discover the culprits, one especially whom I had particularised, named "Chico Caçador," (Cavalcanti Wanderley,) who was concealed; and that they had even determined upon appointing a special Auditor of Marine for the Serinhaem business.

To this I replied, that I looked to the results, and that up to the present time there had been no one convicted, although some time had elapsed since this affair occurred; and I asked his Excellency if the Imperial Government were perfectly satisfied with President Bento de Figueredo.

Senhor Paranhos replied, that at first the President had shown a good deal of energy, and wanted to dismiss the Chief of Police at the commencement, but that the conduct of the latter had been explained, and the President had not done so; but his Excellency did not answer my question entirely, although satisfactorily, for he even went so far as to observe, when proclaiming the active and stringent measures of this Government, "Who knows but that the President may not be dismissed?"

Senhor Paranhos seemed inclined to place all the weight of his complaints upon my shoulders, in consequence of the note I had sent into him. I told his Excellency that I should not mind accepting it; however, I begged him to observe that I had done so in pursuance of conditional instructions. Then, said he, "C'est de Milord Clarendon que j'ai à me plaindre."

In winding up this conversation, Senhor Paranhos begged of me to report it to your Lordship, and to inform you that the Brazilian Government will prove by facts how unjust we have been towards them. This, I told his Excellency, I was very glad to hear.

Senhor Paranhos also remarked that he had not time to answer my note for transmission by this mail, but should do so later; however, not in the same hard terms in which I had addressed his Government.

Senhor Paranhos informed me that Avellar, the Portuguese who is said to have promoted the Serinhaem Slave Trade transaction, has been sent out of the Brazilian Empire.

His Excellency adduced, as a proof of the strictness and severity which his Government had enforced in Slave Trade matters, that the Portuguese Government had complained of the severe manner in which Portuguese subjects in Brazil, accused of Slave Trade, had been treated.

The great majority of slave-traders, and of those involved in those inhuman speculations, are nearly always Portuguese, and not many native Brazilians are given to these practices, the planters excepted, who, until of late, did not think that there was any great harm in purchasing Bozal negroes.

P.S.—*March 15.* Senhor Paranhos has just sent to inform me that the Delegate of Serinhaem had forwarded to the President of Pernambuco 10 of the stolen Africans, who were found concealed in the woods on the Taitinga sugar estate belonging to the Carmelite friars.

Inclosure in No. 2.

*Mr. Jerningham to Senhor Paranhos.**Rio de Janeiro, March 7, 1856.*

THE Undersigned, &c., has the honour to state to his Excellency Senhor José Maria da Silva Paranhos, &c., that he has learnt, with pain and disappointment, that the course taken by the Imperial Government and the Imperial authorities, in recovering the Africans who were stolen at Serinhaem, and in following up the prosecution of the real individuals implicated in the whole of that Slave Trade affair, is far from being satisfactory, and in consequence of instructions which the Undersigned has received from Her Britannic Majesty's Government, who have approved of the conduct and zeal which Her Majesty's Consul, Mr. Cowper, manifested upon the above attempt at slave-trading, the Undersigned begs to intimate to the Brazilian Government, that if they do not use their utmost efforts in discovering the real aggressors in this or any other similar acts of slave-trading, and in prosecuting them with all the vigour of the law, and in punishing all such as have been engaged in such Slave Trade transactions, the British Government will be obliged again to put in force the provisions of the Act of Parliament of the year 1845, and that while British cruisers will exercise on the coast, in the rivers, and in the harbours, of Brazil that watchfulness and activity which the agents and officers of the Brazilian Government neglect to use, British Courts of Justice will pronounce those sentences of condemnation from which Brazilian Courts may be found to shrink.

The Undersigned, after so many assurances on the part of the Imperial Government that they were using their utmost vigilance and energy to suppress Slave Trade and to punish offenders, regrets that the lax and unsatisfactory manner of the proceedings in the Province of Pernambuco should occasion him to be obliged to signify to the Imperial Government the line of conduct which Her Majesty's Government will infallibly adopt in crushing and extinguishing all Slave Trade transactions, if the Imperial Government do not command and force their own authorities to do their duty.

The Undersigned hopes, therefore, that the Imperial Government, out of a sense of their own dignity and position in this hemisphere, will not allow themselves to be deceived by a state of inaction or by the supine conduct of their subordinates, which, if persisted in, will inevitably betray this country into difficulties with a Power which considers it to be its imperious duty, in consequence of the obligations to which Brazil stands so deeply pledged for the total abolition of the Slave Trade by the Treaty of the 23rd of November, 1826, to call upon the Imperial Government to fulfil their engagements in the most honourable and complete manner, and if this be not the case, to have recourse to those means which Great Britain has a perfect right to adopt.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 3.

Consul Cowper to the Earl of Clarendon.—(Received April 12.)

(Extract.)

Pernambuco, March 19, 1856.

I HAVE the honour to acknowledge the receipt of your despatch of the 18th January last, authorising me to convey the cordial thanks of Her Majesty's Government to Colonel Vasconcellos Drummond, in the event of my being satisfied that his statement respecting the Serinhaem Slave Trade affair was correct.

I have no reason to doubt the correctness of Colonel Drummond's statement, but various considerations have induced me to delay the expression of your Lordship's approbation of his conduct.

In the first place, it is not to be denied that the Opposition have availed themselves of the misunderstanding which exists between the President and myself, to attack the Government, and to forward their political views. It was, therefore, my desire to avoid the appearance of aiding them, by any act tending

to embarrass the Government, however much I might disapprove of its course of action.

Secondly, the trial of Dr. Antonio Drummond is still pending; and, although I firmly believe in his innocence, I conceived that I should only be acting with prudence and judgment in delaying the transmission of the thanks of Her Majesty's Government to his father; for my despatch would, of course, have been published, and might have been construed into an attempt on my part to influence the course of justice as regarded the son.

Thirdly, a report was prevalent that the Government had grounds for suspecting Colonel Drummond himself.

And lastly, the President, through a mutual friend, expressed his desire that our relations should be placed upon a more amicable footing; and deeming this to be undoubtedly advantageous to the public service, I yesterday requested and obtained an interview with his Excellency at the palace, where he received me with much apparent cordiality.

I commenced our conversation by begging him to believe that my great desire was to carry on our public intercourse with harmony and goodwill; that I trusted he would consider my present interview as a proof of that desire, for I had received specific instructions from your Lordship upon the Serinhaem Slave Trade affair; that those orders desired me to address his Excellency again, should I consider that he was not executing the laws of the Empire, or carrying out the country's engagements with Great Britain; and to convey to Colonel Drummond the thanks of Her Majesty's Government for his conduct in that affair; but that, before acting upon these instructions, I had sought his Excellency, that I might obtain information upon one or two points. First, I took the liberty of demanding if the Government had any cause for suspecting Colonel Drummond to have been directly or indirectly culpable in that criminal affair; for I could not but express my surprise that the man who had captured the slaver, and had received the thanks of the Imperial Government for so doing, should have been dismissed from his honorary post of Delegate of the Police, and, to all appearance, should have fallen under the displeasure of his Excellency's Government.

The President thanked me for my confidence, and stated that, when he received Colonel Drummond's despatch announcing the capture of the slaver, he was so enthusiastic in his favour that he not only reported his conduct to Rio de Janeiro in such a way as to ensure him the thanks of the Government, but he wrote privately to the Minister, suggesting the propriety of making him Baron of Serinhaem. Subsequent events, however, had modified, if not altered, his opinion. He did not accuse him of the filth ["porcaria"] of robbing slaves, but, as circumstances came to light, his proceedings became more and more unaccountable. First it was discovered that he had not seized the slaver until the third day after her arrival, during the whole of which period the captain was at his house, from whence he escaped. What was the object of this delay? He did not, as he asserted, send round to the agents of the police; had he done so he would have found two, although he regretted to admit that all the others were absent.

The article in the "Diario" announcing this fact was written by Dr. Antonio Drummond, an ingrate who had been his pupil, but, because he refused him the post of Juiz de Direito, revenged himself by writing this falsehood. He believed that he would obtain proofs, before his trial, that he had actually received 10 of the finest of the stolen blacks. Colonel Drummond had refused to aid the police, or to afford them any information, and, although he could accuse him of no specific offence, his conduct had been suspicious and mysterious.

He assured me that it was impossible for me to conceive the trouble, vexation, and anxiety which this affair had caused him.

I replied, that Colonel Drummond had not concealed from me the fact of his feeling a certain amount of hesitation about capturing the slaver in the first instance. He foresaw the enemies he should create, and this caused considerable delay; but I thought it harsh on the part of the Government to condemn a man who had undoubtedly performed a valuable service, and one hitherto unheard of in Brazil, and whose example should be encouraged, because he had not done so as promptly as he might; I had known Colonel Drummond's sentiments upon the subject of African Slave Trade for so many years, that I could not believe in his aiding it, even in the most indirect way.

I then inquired into the cause of the lengthened imprisonment and delay in the trial of Dr. Antonio Drummond.

The President replied, that the Government was still seeking for evidence.

Finally, I requested some explanation respecting the continued non-apprehension of the stolen Africans.

His Excellency replied, that he had sent a very active military delegate to the district, but that he had only succeeded in capturing 10, making 19 in all, and he could not discover where the others were concealed.

I said that I thought I could inform him.

The President laughed, and said that he wished I would do so; a desire with which I have promised to comply, if I obtain the permission of my confidential informant.

I have therefore deemed it advisable, my Lord, not to transmit the expression of your approbation to Colonel Drummond for the present. I shall, in all probability, await the result of his son's trial, if it be not too long or improperly delayed, that I may better judge who are innocent and who guilty.

I am greatly dissatisfied with the proceedings of the Government in this matter; the delays in the State trials; the *inertia* of the police in the recovery of the stolen Africans. On the other hand, I am satisfied, not only of the innocence, but of the meritorious services of the Drummonds; but I think that, for the reasons I have stated, I shall lose nothing in the effect of my next act by awaiting, a short time, the course of events, and by thus tempering its energy with a little moderation; and I trust that your Lordship will consider that I have determined judiciously.

No. 4.

The Earl of Clarendon to Mr. Jerningham.

Sir,

Foreign Office, April 28, 1856.

I HAVE received your despatch of the 14th ultimo, inclosing a copy of the note which you addressed to Senhor Paranhos in conformity with the instructions contained in my despatch of the 9th of January. And I have to inform you that Her Majesty's Government entirely approve your proceedings in executing those instructions.

You will state to Senhor Paranhos that nothing can be further from the intention of Her Majesty's Government than to be either harsh or unjust. They have, on the contrary, taken every occasion, both in Parliament and in official despatches, to render justice to the honourable and humane conduct of the Brazilian Government; and it was, therefore, with sincere regret that they perceived some evidence of a change in the course of opposition to the Slave Trade which has been pursued in Brazil for nearly three years previous to October 1855, and that unmistakeable symptoms of the revival of slave-trading had become apparent.

The want of vigour on the part of the President of Pernambuco, in the affair of the slaves landed at Serinhaem in October last, and the indifference with which that conduct has been viewed by the Imperial Government, indicate a change of policy that must serve as an encouragement to slave-traders; and it was upon this ground that Her Majesty's Government desired to address a timely warning to the Imperial Government.

However grateful Her Majesty's Government may feel to the Brazilian Government for its successful endeavours to extinguish the Slave Trade, however anxious they may be to cultivate the most friendly relations with Brazil, they have yet a duty paramount to all others to perform; and they are determined to spare no exertion, and to use all the means at their command, to prevent the revival of this inhuman Traffic.

Her Majesty's Government will with pain and reluctance resort to measures which they know must be repugnant to Brazil; and they earnestly hope that they may be relieved from the necessity of adopting such a course, by the proceedings of the Imperial Government, which possesses now the same power that it has so well exercised for the last few years, to suppress the Slave Trade, and to punish those who engage in it.

I am, &c.

(Signed)

CLARENDON.

No. 5.

The Earl of Clarendon to Consul Cowper.

Sir,

Foreign Office, April 28, 1856.

I HAVE received your despatch of the 19th ultimo, stating the reasons for which you have thought it advisable to delay the execution of the instructions contained in my despatch of the 18th of January, directing you to convey to Colonel Vasconcellos Drummond the thanks of Her Majesty's Government for his conduct in the Serinhaem Slave Trade affair; and I have in reply to inform you that I entirely approve the course which you intend to pursue with regard to Colonel Drummond.

I have also to express to you my approval of the language held by you to the President of Pernambuco, in the interview which you had with his Excellency on the 18th ultimo.

I am, &c.

(Signed) CLARENDON.

No. 6.

Mr. Jerningham to the Earl of Clarendon.—(Received May 16.)

(Extract.)

Rio de Janeiro, April 12, 1856.

WITH reference to my despatch of the 14th of March, in which I inclosed to your Lordship copy of a note which I thought myself authorized, according to the instructions conveyed in your Lordship's despatch of the 9th of January, to address to the Brazilian Government, respecting slave-trading and slave-traders, I beg to have the honour to forward to your Lordship copy of Senhor Paranhos' answer, which I beg to submit to your Lordship's consideration.

I believe the Brazilian Government have taken it very much to heart that I have given them the warning of again carrying into effect the Act of Parliament of 1845, if Slave Trade repression in Brazil does not proceed in a satisfactory way; but this time is that of a crisis. Slave Trade is doing what it can to resume its former evil ways; and as the Pernambuco proceedings, according to Her Majesty's Consul, were not advancing in a proper and decisive manner, I was convinced I could no longer refrain from acting upon your Lordship's instructions.

I do not say but that there may be a desire on the part of the Government to put down Slave Trade, but I doubt the efficiency of their means of doing so unaided and alone.

The want of hands is severely felt in many parts, owing to the recent devastation and ravages committed by the cholera. The "fazendeiros" are disinclined towards Chinamen, and few European colonists come here excepting Portuguese and "Ilheos," certainly not sufficient to fill up the void in agricultural districts.

These latter generally hang about towns, become venda-keepers, "feitores," domestic servants, and gardeners; but few condescend to work upon an equal footing with the Blacks in "fazendas" and "engenhos": besides, the railway and public roads take up a good many of these people, who engage themselves to Portuguese contractors and others to work together. Consequently the coffee farmers reap little benefit, except in a few individual cases, from the few white colonists who arrive; and there is no doubt but that they are eager, if not determined, to obtain, by deep-laid schemes, wealth, and influence, Bozal Blacks for manual labour.

In an interview yesterday with Senhor Paranhos, I read him a despatch which I had received from Her Majesty's Consul at Bahia, Mr. Morgan, respecting the slave-trading movement that was thought to be commencing amongst a certain set of small shopkeepers there. I also alluded to his Excellency's note, which is inclosed in my despatch of 11th of February; but his Excellency entered into no very long discussion, but assured me of the firm intention of the Brazilian Government to do all they could against the Slave Trade; and his Excellency also told me that the Minister of Justice had taken some steps with regard to a vessel which had been denounced to the Brazilian Government, as well as relative to several persons thought to be connected with the Slave Trade movement, he believed, at Bahia.

With respect to persons of the Portuguese nation who might offend against the law in slave matters, his Excellency said that his Government were resolved to act against them, although sending them out of the country might displease the Government of His Most Faithful Majesty.

Senhor Paranhos considered the revival of Slave Trade here not likely to take place, as the people of Brazil were against it, and that the Government authorities would prosecute all offenders.

I wish every one in this country had as good sentiments in this respect as his Excellency, whom I believe to be an adversary to the African Slave Traffic.

Inclosure in No. 6.

Senhor Paranhos to Mr. Jerningham.

(Translation.)

Rio de Janeiro, April 6, 1856.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which Mr. W. S. Jerningham, &c., addressed to him on the 7th of last month, relative to the repression of the Slave Trade in Brazil.

Mr. Jerningham, in his said note, says that he had learnt with regret, and when he least expected it, that the proceedings of the Imperial Government, and of the Brazilian authorities, for the apprehension of the Africans stolen in Serinhaem, and the prosecution of those individuals who have committed themselves in the criminal speculation, are far from being satisfactory.

That in consequence of instructions from the Government of Her Britannic Majesty, he begged leave to signify to the Brazilian Government, that if the latter did not make greater exertions in order to discover and punish, with the full rigour of the laws, those delinquents in this and in any other Slave Trade negotiation, the British Government will be again forced to carry into effect the Act of Parliament of the year 1845.

That if such should come to pass, whilst the British cruisers would be exercising upon the coasts and in the rivers and ports of Brazil that vigilance and activity which might be neglected by the agents and officers of the Imperial Government, the British tribunals would pronounce sentences of condemnation which the Brazilian tribunals would not deliver.

The Undersigned has already had the honour to manifest to Mr. Jerningham, at the conference of the 12th of last month, the great surprise and profound regret caused to the Government of His Majesty the Emperor by the said note of the Legation of Her Britannic Majesty, a note which is in manifest and inexplicable contradiction with the repeated proofs of solicitude evinced by the Imperial Government in the repression of the Slave Trade, and even with the just appreciation of these acts testified by the Government of Her Britannic Majesty, not only by notes, but also by solemn documents, and as respectable as those of the speeches of the Crown.

The surprise, the injustice, and the manner of the intimation which Her Britannic Majesty's Legation thought itself authorized to address to the Imperial Government, attach so special a character to Mr. Jerningham's note, that it is not possible to comprehend that it has the sole object and cause expressed therein by Mr. Jerningham.

It is the belief of the Imperial Government that Her Britannic Majesty's Government, under the impression caused by the first and incorrect communications which they doubtless received respecting the seizure effected by the Brazilian authorities at Serinhaem, gave entire credit to the conjectures of the British Consul in Pernambuco; conjectures grounded upon incomplete and suspicious information, as those propagated in Pernambuco, before the fact in question was there well known.

They also believe that, under these impressions, the Government of Her Britannic Majesty endeavoured to acquire better information through Mr. Jerningham, and that they have beforehand sent instructions to him to request the Imperial Government to take such measures as the case required, if they had not been previously adopted.

It is not, however, possible that the Imperial Government should conjecture what reasons should induce the Government of Her Britannic Majesty, or their Representative at this Court, without any other object than that of the observance

of the Convention of the 23rd November, 1826, and the repression of the crime committed in Serinhaem, to address, under present circumstances, an intimation conceived in such terms.

The impressions which might have been caused by the first accounts of the occurrence at Serinhaem on the minds of the Government of Her Britannic Majesty ought to have been at once dissipated by the information and assurances which the Undersigned, at different times, verbally, and in his notes of the 9th of November and 4th of December of last year, had the honour to bring to the knowledge and consideration of Mr. Jerningham.

The Imperial Government were persuaded that Mr. Jerningham's unjust prejudices had vanished, in consequence of the public and notorious efforts of the Imperial Government for the discovery of the 47 Africans stolen in Serinhaem, and the imprisonment and trial of all the criminals.

The Legation of Her Britannic Majesty was not ignorant, when addressing the above-mentioned note of the 7th of March, of the information communicated to it by the Undersigned.

From the said communications, it became apparent that the most energetic and severe orders were immediately sent to the President of the Province of Pernambuco.

That as well by virtue of those measures of the Imperial Government, as by those which were immediately taken by that Delegate of His Majesty the Emperor, the whole thread of the crime was discovered; that various individuals were indicted as authors and accomplices, amongst them some of great importance in the province, and 9 of the stolen Africans were recovered.

That the Imperial Government were not satisfied with this result, although important, of the first searches made, and gave orders that the Delegate of Police of the District of Serinhaem should be made responsible, there being strong presumptions of his culpability, and that all means which might be conducive towards the discovery of other guilty persons, if there existed any, and of the 38 remaining Africans should be adopted.

The result of the last orders of the Government is unknown, but they have not for one moment lost sight of this affair. It is, however, known that the authorities were endeavouring to comply with their duty, and that 10 more Africans have been captured; this fact has been mentioned in the newspapers, and must have immediately been noticed by Mr. Jerningham.

The epidemic which has lately invaded that province, and has committed great ravages there, would necessarily create great delays and embarrass the proceedings of the police authorities. Independent of this cause, which it would appear the Legation of Her Britannic Majesty does not place to the credit of the Brazilian authorities, it is no matter of wonder that in a country of such vast extent as Brazil, covered with forests, and destitute of good and easy communication in the interior, the whole of the guilty persons should not have been immediately discovered and arrested.

The space of time which the criminals had for escaping and carrying off the Africans they had stolen, was of itself a more than sufficient motive for explaining the embarrassments with which the authorities have contended. If, as is certain, the interior of the province offers sure refuges to any malefactor, much more will it do so to individuals who, besides being acquainted with all the localities, have there wealth, friends and relations.

The attributing to the slackness of the Imperial Government, or of their agents, the fact of the non-imprisonment of all the persons indicted, and the non-seizure of the 28 Africans still missing out of the 47 stolen, is so notable an injustice that it would give a right to the belief that the Government or Legation of Her Britannic Majesty judge it proper that the repression of the Slave Trade in Brazil may always appear, not as a spontaneous act of the Imperial Government, but as a consequence of those censures prodigally cast upon the Brazilian authorities.

The Imperial Government, however, find pleasure in the belief that neither the Government of Her Britannic Majesty nor her Legation at this Court, nourish any such thoughts; that their remonstrances only arise from incorrect accounts which the British Consular Agents easily give credit to, and the unjust judgment which they express thereon, from the persuasion that they thus afford proofs of zeal which recommend them to the esteem of their Government.

The fact of Serinhaem, duly appreciated in its origin and circumstances even without the discovery of all the stolen Africans, and without the imprisonment being effected of all the persons indicted, would speak in favour, and not to the discredit, of the repression of the Slave Trade in the Empire. The Undersigned has already said so once to Mr. Jerningham, and he still repeats the same now with the most intimate conviction.

Subsequent to that fact, respecting which such minute and satisfactory explanations have been furnished to the Legation of Her Britannic Majesty, the capture took place of the American schooner "*Mary E. Smith*," on the bar of St. Matthew's (Province of Espírito Santo), a capture which evidently demonstrates the vigilance of the Imperial Government and of their agents.

Information had long before been lodged against that vessel, but it was not known upon what point of the extensive coast of Brazil she would attempt to effect her criminal speculation. A sailing Brazilian cruizer succeeded in capturing her in that place, and there can be no doubt that her attempt would have been frustrated wherever she might have tried to introduce herself in Brazil.

Her Britannic Majesty's Legation appreciated this fact in very just and amicable terms; as expressed by Mr. Jerningham in his note of the 4th of February last.

The note to which the Undersigned now replies are the first congratulations transmitted by Mr. Jerningham to the Imperial Government in the name of the Government of Her Britannic Majesty, after that capture which he had so justly appreciated.

Meanwhile it is certain that subsequently to this fact, other very friendly and confidential communications have been received by the Legation of Her Britannic Majesty, which ought, if not to increase its benevolence, at least to cause it to be less unjust and acrimonious towards the Imperial Government.

The Undersigned refers to his confidential note of the 22nd of February, by which Mr. Jerningham was informed of the confessions of the captain of the "*Mary E. Smith*," and of the measures which, in consequence of those new elucidations, the Imperial Government had taken.

The scrupulous watchfulness of the Imperial Government, in order to prevent the reproduction of the African Slave Trade in Brazil, is such, and so notorious, that it is well known to every one both in and out of the country, and some persons censure them as being excessively severe.

The Undersigned begs leave to tell Mr. Jerningham that the Legation of Her Britannic Majesty greatly contributes towards this unjust judgment, from the manner in which he views the relations between the two Governments, touching this common object, in wishing to carry his cooperation as far as to divest the acts of the Imperial Government of all their virtue, and to give them the appearance of having been urged upon them by the British Government.

The Imperial Government do not pretend to allege that previous to the year 1850 they had succeeded in completely and efficaciously repressing the Slave Trade, the extinction whereof had been stipulated with the British Government by the Convention of the 23rd of November, 1826.

The revolutionary crises which the Empire underwent during that period, and the insufficiency of the Law of the 7th of November, 1831, promulgated for the purpose of carrying out the stipulations of the said Convention, embarrassed and weakened the action of the Imperial Government in so very difficult and momentous a subject. The repression was certainly, until that year, by no means efficacious, notwithstanding the regular assistance rendered to the Imperial Government by the numerous British cruizers on the coasts of Brazil and of Africa, and in spite of the violences authorised by the Act of the British Parliament of 1845, and which were exercised by their executors even on the seaboard, and in the rivers and ports of Brazil.

The consolidation of peace and constitutional order in the Empire, and the Law of the 4th of September, 1850, which amplified and gave fresh force to that of the 7th November, 1831, impressed such a degree of efficiency on the repression of the Slave Trade, that both in and out of the country its continuance was deemed an impossibility. The results obtained until the year 1855 were immense, although some acts and attempts, which might encourage insidious undertakings on the part of the slave-traders, under certain circumstances, should have escaped the foresight of the law.

The Imperial Government, desirous of obtaining full security against the

renewal of that illicit trade, proposed, in 1853, to the General Legislative Assembly, some additional provisions to the Law of the 4th of September, 1850, and obtained their definitive adoption in 1854.

Armed with those new means, and not being sparing of expenses, perhaps ruinous to their finances, the Imperial Government was enabled to defeat many attempts, so that since that time only two slave-vessels have reached the shores of Brazil; that pilot-boat which was seized in Serinhaem with almost the whole of her cargo, except those who died on the voyage, and the 47 Africans who were there stolen, and the schooner "*Mary E. Smith*," captured on the coast of the Province of Espirito Santo, with the whole of her cargo and crew. And it is proper to observe, that both these vessels were fitted out far from Brazil, and their negotiations planned and carried into execution by foreigners not residing in Brazil.

The British Government appearing to confide in the vigilance and good will with which the Government of His Majesty the Emperor attended to the repression of the Slave Trade, and doubtless likewise in the efficacy of the measures put into action, considerably diminished, and with economy to the British Treasury, the number of their cruizers, both in the African and Brazilian seas. Now, however, that the peace of Europe appears to be possible, Mr. Jerningham considers it convenient to dispute the efforts of the Imperial Government, to accuse them of laxity, and to threaten them, in the name of the Government of Her Britannic Majesty, with the enforcement of the Bill of August 1845!

The menace so unjustly and acrimoniously emitted against the Imperial Government may serve to arouse the recollection that Great Britain is a stronger nation than Brazil, and to signify that she will not shrink from making use, without legitimate cause, of her great material power; but she will not be able to cloak the unreasonableness of such a proceeding, nor shake the tranquillity with which the Imperial Government is inspired by the consciousness of their dignity and of the integrity of their acts.

The Government of His Majesty the Emperor also place great confidence in the spirit of justice of the British nation, and do not apprehend that, instead of the disappearance for ever of that anomalous Act from British Legislation, it will once more be carried into execution, to hostilely a nation with which Great Britain holds amicable relations, founded upon mutual and important interests.

In spite of unjust prejudices and ill-understood and transitory convictions, which may obscure the truth of facts, this will finally penetrate public opinion in England, and not only for ever efface the violent Act of 1845, but also show the inutility and impropriety of the intervention of British Agents in order to effect the complete and efficacious repression of Slave Trade in Brazil, which is in conformity with the wishes and interests of the Brazilian Government.

It is not impossible, until that opinion shall have penetrated into the Councils of the Government of Her Britannic Majesty, and they become better informed, and shall treat with greater justice the Government of His Majesty the Emperor, it is not impossible that the Act of 1845, which offends the independence and sovereignty of Brazil, may be again revived, and once more be carried into execution. If, however, that should come to pass, it would be to fall to the ground immediately and entirely demoralised, and to be for ever condemned.

The Bill of 1845, which is now brought to the memory of the Imperial Government, would be most efficacious in destroying the legal trade of the Empire, would excite and provoke odious collisions, but would be completely useless towards ensuring the extinction of the Slave Trade.

The slave-traders, whose speculations are premeditated and commenced in the territory of the United States, would not fear the British cruisers. In the same manner that these, when cruising off the small number of ports on the coast of Africa, whence cargoes of negroes were dispatched to Brazil, could not suppress the Traffic, they would not be able to suppress it in cruising off the vast extent of the coast of Brazil.

That which disheartens and terrifies the slave-traders, the British Government may feel convinced, is the persecution of them on shore, which deprives them of the probability of profit. Without that internal repression, long continued, active and vigorous as it has been until this day, the audacious and insidious slave-traders would laugh at all the British cruisers.

The threat which in such offensive terms is addressed to the Imperial Government in the name of the Government of Her Britannic Majesty, cannot, therefore, produce the effect which it is said is in view; it would only serve to discourage the Imperial Government from the prosecution of their generous desire of repressing the Traffic, if that repression were not for them not only the performance of an international duty, but also one of the political interests of the Empire, a question of public order and of its future.

The Government of His Majesty the Emperor acknowledge the obligation contracted by the Convention of the 23rd of November, 1826, and exert themselves to carry it loyally and efficaciously into execution. If they cannot always reckon, in order to prove the loyalty and efficacy of their exertions, upon the testimony of the Government of Her Britannic Majesty, and of her Legation at this Court, from the prepossessions which they evince, and from the incorrect and unjust information which they have received, they reckon upon the testimony of their own consciences, upon that of the numerous English merchants residing in this country, and they believe that they might also reckon upon that of the whole civilised world, if such were necessary.

Some one or other individual implicated in the Slave Trade may escape the action of the laws, without that circumstance proving laxity on the part of the Imperial Government. Nations more advanced than Brazil cannot pride themselves upon their laws overtaking all the crimes committed, and their tribunals punishing all the delinquents.

The Brazilian Government, however, acknowledging, as they do, that the repression of the Slave Trade is not only in the interests of the Empire, but likewise an engagement contracted with the British Government, cannot admit that this engagement should be converted into an instrument offensive to their dignity and full sovereignty, while the agents of Her Britannic Majesty derive, from the Convention of the 23rd November, 1826, the right of watching over the execution of the Municipal Laws of Brazil, and of distributing, at their free will, praises or vituperations against the acts of the Imperial Government and of their subordinates.

The Imperial Government expect from the justice, wisdom, and prudence of the Government of Her Britannic Majesty, that they will recognise the full reason and right which they have for addressing to them these observations.

Enlightened as the Government of Her Britannic Majesty are, they will agree with that of His Majesty the Emperor that reciprocal confidence is the first condition towards the concurrence of both countries in the common task of repressing the Slave Trade, and that animosity and menace destroy that worthy and necessary confidence, and oppose the sincere and strenuous proceedings of the Imperial Government towards indirectly, and by means of the national sense of honour, contemning that infamous Traffic, which the Imperial Government have succeeded in rendering contemptible, and in repressing.

The Undersigned, &c.

(Signed)

JOSE MARIA DA SILVA PARANHOS.

No. 7.

Consul Cowper to the Earl of Clarendon.—(Received May 16.)

(Extract.)

Pernambuco, April 21, 1856.

SINCE the date of my despatch of the 19th ultimo, a very important event has occurred in relation to the Serinhaem Slave Trade affair.

Upon the 2nd instant I accompanied an English gentleman, recently arrived to the Palace, that I might present him to the President, when, upon rising to depart, his Excellency took my arm, and leading me to a distant corner of the room, asked me if I would do him a great favour. I replied, that if it were possible, I should be too happy. He asked me if I would go to Serinhaem, and upon my inquiring for what purpose, he replied, to aid the Government in obtaining evidence against the actual criminals; that I had influence with Colonel Drummond, and that I could possibly obtain from him information which he had refused to communicate to the Government. I answered that I scarcely considered it to be consistent with my duties to perform those which belonged to the police. He met this objection by observing that, as the policy of both

countries was the same regarding Slave Trade, by thus aiding his Government I should be serving my own. I said that if such were his Excellency's opinion, I would at once proceed to Serinhaem.

The Drummonds had long before requested me to go there and to judge for myself, but with every desire to do so, I deemed it prudent to avoid any appearance of interference in the internal affairs of the Province; but when the President himself made the request, no such objection could exist, and I consequently started on Thursday morning, and after eleven hours' hard riding arrived at Trapiche, one of the estates of Colonel Drummond.

The next morning I stated to him the object of my visit. He assured me upon his honour that he had nothing whatever to communicate; that the statement which he had already made to me was correct in every particular; that the only ground which the Government had for their complaint of his withholding information was, first, his refusal to withdraw his despatch to the President announcing the robbery of the Africans, and, secondly, his refusal to denounce individuals as the robbers against whom he had no further evidence than the general report; that he had seized the slaver at the instigation of his son Antonio, to whom all the merit was due; that the delay which arose in her capture was entirely owing to the absence of the police authorities, and of any military or police force; he, therefore, detained the captain at his "engenho" as a stratagem, until he assured him that the Africans would perish for want of food and water, unless speedily provided.

I accompanied the Colonel to the Barra of Serinhaem the following day, and there obtained sufficient evidence to prove that if the Government had formed its process in accordance with the law, at the scene of the crime, instead of at Rio Formoso, six leagues off, abundant evidence would have been obtained to convict the guilty. I returned to Serinhaem the same night, and to Pernambuco on Sunday.

On Monday I called at the Palace, and the President asked me the result of my visit. I told him that it had confirmed me in my opinion of the innocence of the Drummonds, of their valuable services, and of the injustice with which they had been treated by the Government; that I therefore intended to transmit the thanks of Her Majesty's Government to Colonel Drummond without further delay. He begged me not to do so, as it would greatly embarrass him; but I replied that both my sense of justice and my duty forbade me to delay it any longer. He said that he had taken the liberty of informing the Ministers at Rio, confidentially, what my instructions were, and they had desired him to endeavour to arrange matters with me, and prevent their execution; he trusted, therefore, that I would at least await the arrival of the English steamer from Rio, and as she is expected in a few days I agreed to this, but I have, nevertheless, prepared the letter which it is my intention to forward, and now transmit a copy to your Lordship.

His Excellency then observed that the affair was wearing a serious aspect at Rio de Janeiro, and that it was in my power to settle it by a simple expression of approbation of the acts of the authorities, which would at once satisfy my Government. I replied that I had no doubt of it; but that as my opinions were, unfortunately, entirely opposed to those proceedings, it was impossible for me to do so. The President said that if I urged on the trial of the accused, he would throw the onus of the acquittal, which would inevitably follow, upon me; and he ended by requesting that I would suggest anything which I thought it advisable to do, and he would, if possible, do it. I told him that I feared that the course which the Government had pursued, rendered effective action difficult, if not impossible, now; but that there still existed at the Barra, where the inquiry ought in the first instance to have been held, persons who could personally swear to the robbers. He said that if I would give him their names, he would order the Chief of the Police to proceed there and interrogate them.

I inquired if the purchase of the stolen Africans had been ordered by him; he replied in the affirmative, but justified the proceeding upon the ground of the impossibility of recovering them by force. I replied that if this were an act of unavoidable expediency, still the persons from whom they were obtained must be known, and why were they not prosecuted? To this I obtained no reply.

Your Lordship will, I think, admit that there are strong grounds for coming to the following conclusions with respect to the proceedings of the President in this affair:—

1. That he wilfully and premeditatedly removed the police authorities from the district of Serinhaem previous to the slaver's arrival.
2. That with the official announcement of the robbery of the Africans in his possession, he denied that fact in his reply to my protest; and to support his statement sent the Chief of the Police on board the "Itamarica" to obtain a certificate, and to Colonel Drummond to induce him to withdraw his despatch.
3. That although the law specifically ordains that processes in such cases shall be formed at the locality of the crime, where the evidence of eye-witnesses may be supposed to be most obtainable, he had it formed at Rio Formoso, six leagues off.
4. That he included in the process Dr. Antonio Drummond, and all the other captors of the slaver, in order that he might crush the evidence of the only eye-witnesses of the crime, for the testimony of an accused cannot be received.
5. That in prosecuting the captors of the slaver, he has offered the greatest discouragement to such acts, and that in purchasing the Africans from their robbers, without prosecuting the latter, he has offered the greatest encouragement to Slave Trade.

Inclosure in No. 7.

Consul Cowper to Colonel Drummond.

(Translation.)

Most Illustrious Sir,

Pernambuco, April , 1856.

I HAVE received instructions from his Excellency the Earl of Clarendon, Her Britannic Majesty's Minister for Foreign Affairs, to offer to you the cordial thanks of Her Majesty's Government for the service which you have rendered to humanity, in apprehending the slaver which arrived at the mouth of the River Serinhaem in the month of October last.

As a service to the human race, your proceeding requires no comment; for what observations of mine could add to the pride and satisfaction which you must feel in having saved from hereditary slavery 181 of your fellow-creatures, added to the certainty of the applause of all right-thinking men.

As a service to your country its effects cannot be exaggerated; for the example of the proprietor of six "engenhoes," containing one hundred and fifty square miles of territory, seizing and delivering over to the authorities of the Empire a cargo of unfortunates, falsely and fatally considered as essential to the development of agriculture, must cause the most infatuated to pause. This unexampled defence of the supremacy of the laws, at the risk of personal and family inconveniences and persecution, is not only an honour to you, but should be a source of pride to your country.

I, who have so long known the opinions entertained by you upon that curse of the human race, and remnant of a barbarous age—the enslavement of man by man, beg to express to you the profound satisfaction that I feel in being the organ of conveying to you the thanks of the Government of my august Sovereign.

I avail myself of this occasion to reiterate to you my warmest sentiments of admiration and esteem.

God preserve, &c.

(Signed)

H. AUGUSTUS COWPER.

No. 8.

The Earl of Clarendon to Mr. Jerningham.

Sir,

Foreign Office, May 31, 1856.

I HAVE received your despatch of the 12th of April, inclosing a copy of the reply of the Brazilian Minister for Foreign Affairs to the note which you addressed to him on the 7th of March, remonstrating against the laxity of the proceedings of the Brazilian authorities in the affair of the Africans landed and stolen at Serinhaem; and, with reference to that part of your despatch which relates to the interview which you had with the Brazilian Minister, I have

to acquaint you that I approve of your having communicated to Senhor Paranhos the information which you had received respecting the slave-trading movement reported to be commencing amongst the small shopkeepers at Bahia.

I am, &c.
(Signed) CLARENDON.

No. 9.

The Earl of Clarendon to Consul Cowper.

(Extract.)

Foreign Office, May 31, 1856.

I HAVE received your despatch of the 21st of April, reporting the circumstances which led you to undertake a journey to Serinhaem, the facts which you ascertained relative to the landing of African slaves at that place in October last, and the reasons which have induced you to come to the conclusion that the President of the Province of Pernambuco has been guilty of having connived at this slave-trading adventure, and has availed himself of his official position to screen the principal offenders.

No. 10.

The Earl of Clarendon to Mr. Jerningham.

(Extract.)

Foreign Office, June 6, 1856.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Cowper, Her Majesty's Consul at Pernambuco, respecting the conduct of the President of that province in the matter of the African slaves landed at Serinhaem in October last.

Her Majesty's Government having carefully considered all the facts connected with this disgraceful affair, have, with regret, come to the conclusion that the President is the person upon whom rests the guilt of having wilfully neglected his public duty in this matter.

The principal grounds upon which Mr. Cowper founds this accusation appear to be—

1. That the President, in order to provide for the security of the slave-vessel, and in order to screen this criminal adventure, which was undertaken by friends of his, took care beforehand to remove the police authorities from the district of Serinhaem.

2. That he purposely contrived that the preliminary process of legal inquiry as to the facts of the case should be conducted at Rio Formoso, a place distant six leagues from the spot where the slaves were landed, instead of having it held at the Barra, at which place, and not at Rio Formoso, persons were to be found who could identify the men who carried away the slaves.

3. That, in order to suppress the evidence of the only eye-witnesses of the crime by making them the accused parties, he included in the process of accusation Dr. Antonio Drummond and all the other captors of the slaver.

You will communicate these charges to the Brazilian Minister for Foreign Affairs, and you will state to his Excellency that Her Majesty's Government place full reliance upon the good faith of the Imperial Government, and upon their desire to persevere in the wise and humane policy of opposition to the Slave Trade which they have pursued since 1852; that Her Majesty's Government are convinced that the Brazilian Government will be ready to make a proper example of an offender whose rank and official position aggravate the criminality of his proceedings, and will see the necessity of thus checking the revival of the Slave Trade, which the impunity of the President of Pernambuco cannot fail to encourage; and that Her Majesty's Government, accordingly, suggest that this officer should be dismissed from the post of President; that the Chief of the Police of Pernambuco should also be dismissed; and that Dr. Antonio Drummond and the other captors of the slaver should either be immediately brought to trial or be liberated.

* No. 7.

Mr. Jerningham to the Earl of Clarendon.—(Received June 9.)

(Extract.)

Rio de Janeiro, May 12, 1856.

I HAVE the honour to announce to your Lordship that Senhor José Bento de Figueredo, President of Pernambuco, has been succeeded in that post by Senhor Sergio Macedo, former Brazilian Minister in London.

Some consider this change as a kind of dismissal; however, Senhor Paranhos told me the other day, during an interview, that President José Bento himself had asked to be replaced.

In a conversation I had the other day with the Brazilian Minister for Foreign Affairs, I frankly told his Excellency all I had heard by way of complaint against Senhor Bento's conduct in the Serinhaem affair—of his subserviency to the Cavalcantis, and of his prosecution of the Drummonds; as well as his late attempt of conciliating Mr. Consul Cowper's goodwill, upon which point Senhor Paranhos, however, endeavoured, as he has always done when I have spoken to him upon this matter, to defend Senhor Bento's proceedings. He could not allow that the President was wrong in prosecuting the Drummonds, whom he thought culpable, and seemed astonished to think that I should believe the Imperial authority could permit itself to be influenced by provincial factions.

I likewise informed his Excellency that Mr. Cowper had been ordered by your Lordship to offer Colonel Gaspar de Menezes Drummond the cordial thanks of Her Majesty's Government for the service which that gentleman rendered to humanity in apprehending the slaver at the mouth of the River Serinhaem in October last.

I observed, however, to M. Paranhos, that out of deference to the demand of Senhor José Bento, Mr. Cowper had withheld for a short time this tribute of justice to Colonel Drummond; but that lately Her Majesty's Consul had written me word that he had told President Bento that there existed no further necessity for a delay, and that he should consequently transmit Her Majesty's Government's thanks, which I supposed he had by this time done accordingly.

Upon this announcement Senhor Paranhos said that he had to complain of Her Majesty's Government for transmitting thanks to a Brazilian subject who was bound to answer before a Brazilian tribunal for charges preferred against him; and his Excellency exclaimed, "If you are to be judges in such affairs, there is an end of everything."

I told his Excellency that Her Majesty's Government had given these orders to Mr. Cowper, and that if even his Excellency or Mr. Cowper had consulted me upon delaying to put them into execution, I should not have interfered (as I could not) in such a positive direction. "Well," added Senhor Paranhos, "write to your Government, and represent what I have said. I have also instructed M. Carvalho Moreira to speak upon this subject to Lord Clarendon."

To prove to his Excellency that there were precedents for what he considered a cause of complaint, I reminded him that Viscount Palmerston, to the best of my recollection, had, either in 1850 or 1851, caused official thanks to be offered to Senhor Gonçalves Martins, and also to Senhor Mauricio Wanderly, then Chief of the Police at Bahia; but his Excellency considered that quite a different matter (although it was for good behaviour in Slave Trade repression), because neither of these gentlemen were in the position of an accused party, like Colonel Vasconcellos Drummond.

In speaking of M. Macedo's nomination I gave his Excellency to understand that I could but applaud such a proceeding.

The other evening I had an occasion at a ball to converse with M. Macedo, who spoke to me of his being about to repair to Pernambuco.

He added that he had been making inquiries respecting the Chief of Police, and that as the result of these inquiries had been satisfactory, he had determined upon retaining him in office.

I then told M. Macedo what I knew and had heard of the whole of this—about the President Bento, the police, and the Drummonds, as well as the favour which had been shown to Cavalcanti (Chico Caçador), who, although

under arrest, was promenading the streets of Serinhaem, whilst Colonel Drummond's son was in close confinement; and I urged his Excellency above all things to cause the trials to be brought on and concluded, as soon as in justice they ought to be, since the Drummonds, who were thought to be innocent, would then see this terrible aspersion removed from their characters.

His Excellency, who had evidently been prejudiced against Mr. Cowper, asked me about that gentleman. I told his Excellency that he would find him a very active man of business, and that when he took a thing in hand he would go through with it; and that in the Serinhaem affair especially he had exerted himself greatly in the interests of humanity.

In conformity to the instructions contained in your Lordship's despatch of the 17th of March,* in which your Lordship states that upon perusing Senhor Paranhos' note, copy of which was sent home in my despatch of the 12th of February, his Excellency does not appear satisfactorily to exonerate the Government authorities in Pernambuco from the complaints made against them, for having failed to exert sufficient vigour in repressing the scandalous violation of the law in the Serinhaem Slave Trade business, as well as from other charges preferred against them, I beg to state that I informed Senhor Paranhos of your Lordship's impressions upon his Excellency's note, and expressed to his Excellency the hope of Her Majesty's Government that, in the future proceedings in these matters, the Brazilian Government will prove that the provincial authorities on every part of the coast of Brazil shall be encouraged and stimulated to exert the same laudable activity in crushing the Slave Trade as was shown by the capture of the American slaver "*Mary E. Smith*."

P.S. I have the honour to forward translation of an extract of the journal "*Correio da Tarde*" of Rio de Janeiro respecting the case of Colonel Drummond.

Inclosure in No. 11.

*Private Letter from Pernambuco, published in the "Correio da Tarde" of
May 5, 1856.*

(Translation.)

THE Drummond case continues *in statu quo*, and it is not possible to obtain from the Chief of the Police and Auditor of the Marine the institution of proceedings; as the Government advocate *ad hoc* is a creature of the judge *a quo*, he is disinclined to compose the famous indictment, for the purpose of its being exhibited in the Court, for the commencement of proceedings.

It appears that the English Consul went to Serinhaem, and returned thence the more and more convinced of the innocence of Dr. Antonio Drummond, and of the worthy conduct of his father, Colonel Menezes de Drummond, the ex-delegate of the district.

It is further said, that the English Government has addressed a most honourable letter to the said Colonel, thanking him for the service rendered to humanity by that capture, from which, by the way, so many troubles, losses, &c., have resulted to him.

One of the accomplices appealed to the Supreme Court (*Relação*); up to this moment I am ignorant of what may have been the result. Be it what it may, I shall inform you of it, and shall moralize thereon. On this occasion I will only tell you that the two judges ("*desembargadores*") Telles and Valle, humble servants of the Councillor President of the Supreme Court, and of Senhor José Bento, have meanly pleaded in way of excuse for their scandalous proceeding that their votes were imposed upon them by the Government, and that if they had not acted as they did, they feared that they would have been removed to Maranhã, &c., &c.; as if Maranhã were Siberia, or some garrisoned fortress. This is what is rumoured, but I cannot vouch for its being true, and I have no intercourse with those magistrates; you can, therefore, deduce from what I tell you the natural inferences.

* See Slave Trade Papers presented 1856, Class B, No. 144.

No. 12.

Consul Cowper to the Earl of Clarendon.—(Received June 9.)

(Extract.)

Pernambuco, May 19, 1856.

I HAVE the honour to announce to your Lordship that the President, Senhor José Bento da Cunha Figueredo, has been superseded, and that Senhor Macedo, recently Brazilian Minister in London, has been appointed to succeed him; his arrival here is hourly expected. I have also been informed that the Chief of the Police has at length been dismissed.

No. 13.

Memorandum.—(Communicated to the Earl of Clarendon by M. Moreira, June 18, 1856.)

(Translation.)

THE Government of His Majesty the Emperor of Brazil has received from the Honourable Mr. Wm. Stafford Jerningham, Chargé d'Affaires of Her Britannic Majesty at Rio de Janeiro, a note dated the 7th of March ultimo, in which Mr. Jerningham states that he has learnt that the course taken by the Imperial Government, and the Imperial authorities, in recovering the Africans who were stolen at Serinhaem, and in the following up the prosecution of the individuals implicated in this criminal speculation, is far from being satisfactory; and in consequence of instructions from Her Britannic Majesty's Government, he begs to intimate to the Brazilian Government, that if they do not use their utmost efforts in discovering the real aggressors in this or any other similar acts of slave-trading, and in prosecuting them with all the rigour of the law, the British Government will be obliged again to put in force the provisions of the Act of Parliament of 1845; and that while in this case British cruisers will exercise on the coast, in the rivers, and in the harbours of Brazil, that watchfulness and activity which the agents and officers of the Brazilian Government neglect to use, British Courts of Justice will pronounce those sentences of condemnation from which Brazilian Courts may be found to shrink (Doc. No. 1).

This note of Mr. Jerningham was answered by his Excellency J. M. da Silva Paranhos, Minister and Secretary of State for Foreign Affairs at Rio de Janeiro, in a note dated the 6th of April ultimo (Doc. No. 2).

The Brazilian Minister in London was not less astonished than his Government had been, by the contents of the note of the 7th of March, and it was not until he recalled to his recollection, and combined certain facts and circumstances of which he had personal cognizance, and which at the receipt of the note were unknown to his Government, that he was able to discover any cause which, without impeaching the justice which ought to preside over every act of such an enlightened Government as Her Britannic Majesty's, could have provoked so unexpected and so harsh an intimation as that given to the Imperial Government.

Having done so, these same facts and circumstances now fully convince the Brazilian Minister that no other motives could have induced the British Government to forward to their Legation at Rio instructions authorizing the note of the 7th March, but premature and unexact intelligence transmitted to the Foreign Office, immediately after the occurrence at Serinhaem.

During an interview with Lord Wodehouse, on the 14th of March ultimo, the Brazilian Minister observed, with the utmost surprise, that the Under Secretary of State spoke of the affair at Serinhaem in such a manner as clearly to reveal how unacquainted his Lordship was with the true fact of the case, and this to such a degree as even to call into question the undoubted and notorious recovery and arrival in the city of Recife, of almost all the Africans brought by the slaver pilot-boat which had been captured at Serinhaem.

Like assertions were repeated by Lord Palmerston to the Brazilian Minister, in an accidental conversation which they had on the subject, at Her Majesty's levee, on the 7th of May. In the course of that conversation his Lordship

appeared to be thoroughly persuaded that not a single African had been recovered or redeemed from the possession of the slavers, and that this state of things was attributable to the criminal neglect of the President and other authorities of Pernambuco.

Comparing the impressions of the Foreign Office and of the Prime Minister with the manner in which the English Consul at Pernambuco addressed the President of the Province on the 27th of October, immediately after the capture of the pilot-boat had been effected, when Mr. Cowper had, not unnaturally, been misled by some articles published in the newspapers of the Opposition party at Pernambuco (see Docs. Nos. 3 and 4); and considering, moreover, that the Consul is the official channel through which the British Legation must have obtained information of the attempt at Serinhaem, which caused it to address to the Imperial Government the confidential note of the 13th of November (Doc. No. 5), in which it repeats similar misstatements to those which are to be met with in the correspondence of the Consul; all these facts and circumstances, combined with the date of the note of the 7th of March, make it logically to be presumed, if it does not put it beyond all doubt, that the instructions of the Foreign Office, in virtue of which the British Legation considered itself authorized to address that note to the Imperial Government, were the result of the first impressions created by the precipitate and incorrect communications made to it by the Consul, Mr. Cowper; the said instructions having been transmitted to the British Legation on a matter the full particulars of which were then still involved in all the doubts and uncertainties of police and preliminary investigations.

It is said that this was logically to be presumed, because it was materially impossible within the intervening space of time that the British Government should have had knowledge of the note of the Imperial Government dated the 2nd February (Doc. No. 6), before it transmitted to the British Legation at Rio its instructions for the note of the 7th of March.

It was, indeed, only on the 2nd of February that the Imperial Government was enabled to furnish to the British Legation, in a note of that date, the most full and complete information in addition to what they had already communicated in their confidential note of the 4th of December (Doc. No. 7). The distance and the want of frequent means of communication between the Province of Pernambuco and Rio de Janeiro are adequate causes for that delay in the rapid remittance of the necessary official communications, without which the Government cannot with justice and security take any deliberation, or even affirm as actual facts statements which previously exist only in the domain of a doubtful publicity.

Had Her Britannic Majesty's Diplomatic and Consular Agents in Brazil reported to Her Britannic Majesty's Government these difficulties, the Brazilian Minister is convinced that the Government of His Imperial Majesty would have been spared the surprise and mortification caused by this note of the 7th of March, as the British Government certainly would not have authorised an act so little warranted by the actual facts.

In order to have avoided a new incident of this sort, so particularly disagreeable in the present state of the relations between the two countries, it certainly cannot be deemed claiming too much from British justice and fairness to have expected from the British Legation, which, before the receipt of the Foreign Office instructions, had been informed of the regular course of judicial proceedings entered upon at Serinhaem, that it would have delayed for a while acting on such instructions, bringing, as its justification, to the knowledge of the British Government the actual and improved state of affairs. And this reticence might the more reasonably have been practised by the British Legation for the sake of avoiding the contradiction in which the note of the 7th of March placed it in reference to its own spontaneous statements, contained in another note which it had, by its own sense of propriety, been compelled to address to the Imperial Government on the 4th of the preceding month of February (Doc. No. 8). In that note it had, the British Government is aware, highly praised the sincerity and zeal of which the Imperial Government had just given proof in the case of the capture of the North American schooner "*Mary E. Smith*," in the waters of St. Mathew's.

In fact, on the 4th of February, the British Legation addressed itself in the following terms to the Brazilian Government: "The capture of this schooner

by the Imperial cruizer, whilst it is an indication of the firm determination of the Imperial Government to crush all attempts at reviving the detestable African Traffic, will add an additional prestige to the moral force of the Executive, &c." Yet scarcely had another month elapsed before the very Legation which then voluntarily expressed this opinion of the conduct of the Imperial Government, sends to the very same Government which so lately it had acknowledged to be firmly determined to crush all attempts at reviving the Traffic, another note in which it acrimoniously and injuriously asperses the honour of the Imperial Government, by calling that Government to "a proper sense of their own dignity," by calling "upon the Imperial Government to fulfil their engagements in the most honourable and complete manner," and by threatening an independent State with the "putting into execution" the Act of 1845, which, when there was even less evidence of zeal and of accompanying success, the British Government had withdrawn.

Unfortunately, however, these considerations, which should have determined the British Legation not to bring this intimation before the Imperial Government, did not prevail, and the Imperial Government had to receive this new proof of the distrust which unfortunately is again manifested by the Government of England to the Empire of Brazil, notwithstanding the fact that Brazil is one of the best foreign customers of the people and productions of England.

But there appears not only to have been forwarded to the British Government incomplete information, whereby inquiries and proceedings are represented as being terminated, while in reality they were being rigorously prosecuted and followed up in their regular course. That in itself is just ground of astonishment and complaint. But that which even causes greater surprise to the Brazilian Minister is that there appears, moreover, to have existed a total want of information about the principal circumstance of the occurrence at Serinhaem, viz., the immediate seizure of 162 Africans on board the pilot-boat when captured. Otherwise, the Brazilian Minister would not have heard it doubted, contested, and even denied, that such a circumstance had really taken place; when from the correspondence of the British Agents at Rio de Janeiro and in Pernambuco (Docs. Nos. 3 and 5), it is seen that that number of Africans was captured in the very beginning, and was brought to Recife, and that the only difference of opinion was as to the real number of negroes which had been lost.

The Brazilian Minister, therefore, deeply regretting being compelled to believe that this unexpected fact has been provoked by a far more unexpected combination of circumstances which concurred, in order that the Government of Her Majesty should not discover in the occurrence at Serinhaem and its ulterior phases that sincerity, zeal, and activity, and that firm determination to crush all attempts at reviving the Traffic which the British Legation itself had, on the 4th of February, acknowledged and applauded in the Government of the Emperor, thinks it to be his unavoidable and imperative duty to bring directly to the knowledge of the Earl of Clarendon a clear and succinct exposition of the whole case, and of what is going on at Pernambuco in consequence of the capture made at Serinhaem, and to transmit to Lord Clarendon authentic copies of different documents connected with the case, in order to place beyond all doubt the accuracy of the statements made in this Memorandum.

On the 5th of July of last year the President of Pernambuco received some reports that, in the district of the Rio Formoso, rumours were afloat of a projected landing of Africans. Investigations were instantly ordered and begun, but no evidence whatever could be obtained to justify the apprehension that the Slave Trade was about to be revived in a province in which Mr. Cowper himself (Doc. No. 3) had declared that the Traffic had entirely ceased. Notwithstanding the absence of all proof, the President ordered the Chief of Police, the Judge of the district of Rio Formoso, and the officer commanding the naval station, to direct all their attention, efforts, and watchfulness to the spot suspected.

The President's orders were punctually and faithfully obeyed. On the 27th of the said month of July, and again on the 3rd of September, the officer commanding the naval station informed the President that the war-corvette "Itamarica," and war-brig "Cearense," having cruized on the part of the sea-coast suspected, did not observe the least evidence of any intended landing of Africans. The same inability to detect suspicious circumstances attended the English steamer "Rifleman," which, having left the port of Recife on different

occasions in order to cruize to the southward between the 5th and 14th of October, returned to Recife without result (Docs. Nos. 9 and 10).

The suspicions originated by the denunciation of the 5th of July had, therefore, been considerably allayed, when, on the 11th of October, three months later, a pilot-boat, reporting itself to be infected, and carrying the quarantine flag, came and anchored close to the Island of San Aleixo, in the waters of Serinhaem.

On the 12th of the same month a lighter, employed in carrying stones from that island to the Recife, making for the port of the island, the pilot-boat became alarmed, weighed anchor, and with precipitation entered the Bay of Serinhaem. Then, for the first time, rumours arose that the vessel had a cargo of Africans. The local authority, who had no force himself to act, without any delay sent notice to the commander of the small detachment of soldiers stationed at the town of Rio Formoso, five leagues distant from the Bay of Serinhaem. That authority was an officer called the Delegate of Serinhaem, and it is important to state that his name was Drummond.

The Commander of the detachment put himself and it immediately under forced march, and arrived on the spot early on the morning of the 13th. He proceeded at once to seize the pilot-boat, and found 162 African negroes on board. In his official report he informed his superiors that part of the negroes had been taken from the vessel before his arrival, and that, in spite of the search which he had instituted for their recovery, it had not been possible either to capture any of them or the slaver's crew, which, before he reached Serinhaem, had abandoned the vessel and escaped.

As soon as the President of the Province received notice of the occurrence, he sent to Serinhaem the war-corvette "Itamarica," having on board the Chief of the Naval Station, to bring to the capital of the province the vessel captured, with the Africans found in her, and to put on foot the most vigorous proceedings for the apprehension of the slaver's crew and the discovery of the lost negroes.

The "Itamarica" returned to Recife on the 24th, bringing with her the pilot-boat and the 162 Africans, having also taken, without any result, every possible step that time permitted in order to apprehend the crew, and to verify whether, in reality, any of the Africans not recovered had been stolen.

The exertions made for this purpose by both the naval and police authorities not having been successful, the President ordered a superior officer, namely, the Chief of Police of the Province, to proceed to the district of Rio Formoso, and there to institute the most scrupulous inquest, to arrest all to whom suspicion attached, and apprehend any Africans who might have been stolen before the vessel had been captured. The steps taken by the Chief of Police were not unfruitful, for he was fortunate enough to apprehend, and consequently to restore freedom to, 9 of the negroes who had been taken from the pilot-boat, and he also obtained knowledge of many circumstances of the crime, and of several of its authors and accomplices, against whom he took criminal proceedings.

The Imperial Government, approving the conduct of the President of Pernambuco, reiterated again, on the 31st of December, the most positive orders to the President for continuing to act with vigour, and to take new judicial proceedings in the district of Rio Formoso; and the Government arrested immediately, at Rio de Janeiro, and remitted to Pernambuco, the Portuguese subject Antonio Severino de Avellar, about whom suspicions were raised in consequence of the communications which had been received from the President of Pernambuco of his being implicated in the case of Serinhaem.

Lord Clarendon will see from these spontaneous measures the firm resolution, the zeal, and the energy with which the Imperial Government acted on the discovery of the crime committed at Serinhaem, and that which in them is worthy of his Lordship's most special attention, is the extraordinary measures which the Imperial Government did not hesitate to dictate to the President of Pernambuco for the effective and severe punishment of all the criminals, and for the recovery and restitution to freedom of the 38 strayed Africans.

The results of this vigour was the restitution to freedom of 21 Africans, in addition to the 162 originally found on board the pilot-boat, missing a diminute number; and 183 Africans brought by the pilot-boat are at this moment enjoying the freedom which the laws of the Empire guarantee to them.

Next in importance as resulting from this determination and vigour are,

first, the arrest and the indictment of the suspected authors and accomplices of this crime, among whom are persons whose social position has not prevailed as an obstacle to the action of the authorities; secondly, the deportation of the Portuguese slave-dealer Avellar, who, notwithstanding the want of sufficient judicial proof against him, has nevertheless been deported from the Empire by a special Administrative Act; thirdly, the arrest of the son of the Delegate Drummond, against whom there is vehement evidence of his having availed himself of his father's authority, and with the latter's acquiescence, in order to mislead some negroes, who, fortunately, are now already recovered; and, lastly, the dismissal of the Delegate Drummond, who was himself also implicated by the judicial investigations for complicity in the escape of the captain of the pilot-boat, and in the destruction of the ship's papers, blemishing in this manner the credit of a fact which otherwise would have been as complete as was the seizure of the North American schooner "*Mary E. Smith*." It is to be most deeply regretted that this man so misunderstood and neglected his obvious duty, but neither the President of the Province, nor the Imperial Government, nor any Government whatever in the world, is to be considered, with justice, as solidary with their Agents' faults. That which the Imperial Government was bound to do when it discovered this deplorable breach of trust, it immediately and spontaneously did. It dismissed Drummond from the service of the Emperor, notwithstanding the first circumstances of the case having been so creditable to the Delegate's intervention in this occurrence. The Government did not hesitate for one moment, not only in dismissing him, but it proceeded criminally and judicially against him. In this manner they completely satisfied their duty, and what now remains in his case is expected with confidence from the justice of the tribunals of the country.

The first favourable circumstance above alluded to in Drummond's case, was the merit of the original recovery of the 162 African negroes, and the capture of the pilot-boat. The British Consul at Pernambuco attributed the recovery and the capture to him; so also did the Provincial Government, which even praised him officially; and it was undoubtedly due to this first phasis of the occurrence at Serinhaem that the British Government authorised their Consul to thank that Delegate, if the Consul deemed him worthy of thanks.

Lord Clarendon is no doubt aware that Mr. Cowper called on the President of Pernambuco, in order to make him acquainted with his having received this authority to thank Drummond from his Government, as he wished to obtain the President's acquiescence before putting it into execution. Returning with cordiality the regularity and propriety of such a proceeding, the President replied that Mr. Cowper felt naturally some enthusiasm for the Delegate Drummond, in consequence of the first notices which had arrived at Pernambuco of the part Drummond had played in the capture; that this had also been the Government's own early impression, but that posterior investigations had made them alter their opinion. During this interview Mr. Cowper admitted to the President that the Delegate Drummond had confessed to him that he (Drummond) had favoured the escape of the captain of the pilot-boat.

In consequence, however, of the observations then made by the President to Mr. Cowper, the latter appeared to renounce the favourable impression he had previously entertained of Mr. Drummond's conduct at Serinhaem on this occasion; and the Brazilian Minister is without information of Mr. Cowper having expressed to the Delegate Drummond those praises which he had been instructed by the Foreign Office to bestow on that functionary of the Imperial Government.

The admission made by Mr. Cowper to the President of the Province of Pernambuco, which the Brazilian Minister has just brought under Lord Clarendon's particular attention, is an additional proof that complete information of the occurrence at Serinhaem had not been transmitted to the Foreign Office. For had the Foreign Office been fully informed on the case, it would have been spared the inconsistency of having directed a Brazilian officer to be thanked, whom its own medium of the proposed thanks was thus obliged to condemn.

It is sincerely to be hoped that Mr. Cowper, with this testimony of his own conscience, and influenced by the arguments of the President, will have abstained from acting on those instructions from his Government which so obviously followed from defective information, especially as Lord Clarendon allowed him the full exercise of his discretion in so delicate a matter.

Such is the present state of the affair which occurred at Serinhaem. These, in few words, are the characteristic circumstances of this case, so ill appreciated as to have been cause of the presentation of the note of the 7th of March. All these series of measures put into execution by the Imperial Government and the President of Pernambuco, in order to bring the judicial proceedings of Serinhaem to the state in which they now are, were executed long before the date of that note, and they were the result of the spontaneous and decided determination of the Imperial Government to completely suppress the Slave Trade.

Of this the British Legation at Rio de Janeiro possessed ample proofs. The Imperial Government had never ceased, from the first notice it received of the occurrence at Serinhaem, to transmit to the Legation, as they always do, every particular and information which came to their knowledge, and which they thought might serve to hinder the realisation of any other plan, or attempt at renewing the Traffic. It was the Imperial Government who hastened to communicate to the British Legation the result of the police investigations, and the revelations made in the presence of the Chief of Police at Rio de Janeiro, by the Portuguese slave-dealer Avellar, when arrested on suspicion of complicity in the case of Serinhaem; revelations which, for the first time, showed that the foreign slave-traders (Portuguese and Spanish) on being deported from Brazil, had met, in the United States, with all kinds of facilities and protection from American ship-owners, ready to give them the benefit of their flag, and that the attempts to renew the Traffic, and force it again on Brazil, had no native origin or cooperation, but were entirely conspiracies and combinations, planned by foreigners out of the reach of the laws of the Empire. This intelligence was rewarded by the noble capture of the North American schooner "*Mary E. Smith*," which extorted the voluntary applause even of the British Legation.

In addition to the system of open and loyal communication towards the British Legation, Lord Clarendon knows that the Imperial Government has always been desirous to establish a system of mutual cooperation for the praiseworthy end of the extinction of the Slave Trade in Brazil.

The Imperial Government's watchfulness and activity have, the Brazilian Minister repeats, been crowned with the most happy results. The British Government is perfectly well aware that, at the risk of offending and wounding the constitutional scruples of an influential political class in Brazil, the Imperial Government did not hesitate to propose, and that they obtained from the Legislative Chamber of the country the Law of the 4th of September, 1850, and the additional dispositions of the Decree of the 5th of January, 1854, which submits the crime of attempting to introduce Africans to the judgment of special Judges, appointed by Government, and by which the penalties of this crime were augmented.

The Imperial Government's endeavours have been more than once acknowledged and praised by the British Government, and despatches from the Foreign Office to the Governments of various European States urging them to adopt the legislation of Brazil on the subject, have been laid before the Parliament of Great Britain.

With these new means of action, the Imperial Government has been able to strike such terror into the hearts of the slave-traders, that since their enactment scarcely two attempts at landing slaves have occurred on the coast of Brazil, and even these, it is clearly proved, were organized out of the Empire, were conducted by foreign capital and under the protection of the United States' flag. Of these same two attempts, if the capture of Serinhaem was not so complete and brilliant as that of the schooner "*Mary E. Smith*," it is nevertheless incontestable that the contraband of slave-trading is no longer a possible object of speculation in Brazil, for the watchfulness of the Imperial Government is untiring; and even in the event of the slave-trader escaping English cruisers on the coast of Africa, he will forcibly find in the authorities of the country, and in the measures of prevision and of restraint combined by the Imperial Government, the complete discomfiture of his speculations, and the severe punishment of his crime. It is in this way that there can now be seen in the Blue Books laid before Parliament official reports of all the British Consuls in the various Provinces of the Empire, informing the Foreign Office of the complete extinction of the Slave Trade in their respective districts; and with truth, for the Slave Trade is extinct in Brazil. Condemned by the enlightened opinion of the country, threatened and punished by the laws and the authorities,

the slave-trader has no longer an opportunity of organizing his plans and agencies within the Empire. If proofs beyond these Consular reports are wanting, there they are in the captures by Brazilian cruisers and authorities at Serinhaem and St. Matthew's, and in the whole of that system of watchfulness to frustrate the projects, now perfectly well known by the Imperial Government, of American ship-owners associated with slave-traders, who have either been deported from the Empire or escaped from it. The Documents Nos. 21, 22, 23, and 24, plainly prove the systematic efforts of the Imperial Government, in order to prevent and punish all these criminal attempts above alluded to.

In the presence of this sincerity, and of the efficacy of means which, in good faith, cannot be denied to the Imperial Government, as to their determination, in all cases, to put a stop to the Slave Trade, and in the presence of all these measures and precautions spontaneously and energetically executed by the said Government, how can the note of the 7th of March be explained, without putting it in contradiction with the truth of the facts already known and appreciated by the British Government themselves? What benefit can there result in favour of the extinction of the Slave Trade, which England so much desires, by thus discrediting and demoralising the actions of the Brazilian Government; accusing it of negligence and carelessness, in a case in which they have shown the most decided energy? Such a proceeding on the part of the British Government, on the contrary, may contribute to encourage the slave-traders, who, explaining to themselves the energy developed by the Imperial Government as only a foreign coercion, will not have, therefore, any faith in the firm determination of the Government of the country to keep the Slave Trade down to permanent extinction.

Such a proceeding, far from contributing to the end which both Governments have at heart, tends to create new obstacles, by placing the Imperial Government in the disadvantageous position of having to brave national susceptibility on an object, success in which requires them to possess the whole support of the nation.

Such a proceeding, finally, loosens the relations between the two Governments, by the resentment caused by an unmerited censure, wounding in its form the sovereignty of Brazil, and by destroying reciprocal confidence, which is an essential element of the mutual cooperation of both Governments for the complete extinction of the Slave Trade.

For all those reasons, the Brazilian Minister hopes that the Government of Her Majesty the Queen, taking into consideration the facts rectified in this Memorandum, will adopt such expedient as they may judge best fitted to destroy the disagreeable impression caused to the Government of His Majesty the Emperor by the note of the 7th of March, against which, in virtue of instructions received from his Government, the Brazilian Minister finds it to be his duty to remonstrate.

London, June 9, 1856.

Inclosure 1 in No. 13.

Mr. Jerningham to Senhor Paranhos, March 7, 1856.

[See Inclosure in No. 2.]

Inclosure 2 in No. 13.

Senhor Paranhos to Mr. Jerningham, April 6, 1856.

[See Inclosure in No. 6.]

Inclosure 3 in No. 13.

Consul Cowper to the President of the Province of Pernambuco, October 27, 1855.

[See Slave Trade Papers presented 1856, Class B, Inclosure 4 in No. 118.]

Inclosure 4 in No. 13.

The President of the Province of Pernambuco to Consul Cowper, October 29, 1855.

[Ibid., Inclosure 2 in No. 181.]

Inclosure 5 in No. 13.

Mr. Jerningham to Senhor Paranhos, November 13, 1855.

[Ibid., Inclosure 5 in No. 118.]

Inclosure 6 in No. 13.

Senhor Paranhos to Mr. Jerningham, February 2, 1856.

[Ibid., Inclosure 1 in No. 144.]

Inclosure 7 in No. 13.

Senhor Paranhos to Mr. Jerningham, December 4, 1855.

[Ibid., Inclosure 1 in No. 128.]

Inclosure 8 in No. 13.

Mr. Jerningham to Senhor Paranhos, February 4, 1856.

[Ibid., Inclosure 2 in No. 142.]

Inclosure 9 in No. 13.

Extract from the Port Register, October 11, 1855.

(Translation.)

DEPARTURE.—LEFT the Roads ("lamarão"), under quarantine, the English war steamer "Rifleman," Commander Christian, whither bound I know not.

Extract from the Port Register, October 14, 1855.

ENTRY.—Anchored in the Roads, the English war steamer "Rifleman," Commander Christian.

(Signed)

JOAO DE SIGUEIRA CAMPELLO,
Lieutenant.

Inclosure 10 in No. 13.

Report of the Captain of the Port.

(Translation.)

THE English steamer "Rifleman" arrived on the 2nd from Bahia, and anchored in the Roads.

On the 5th, she weighed, and cruized to the southward.

On the 8th, she anchored in the Roads.

On the 11th, she weighed, and cruized, going southward.

On the 14th, she anchored in the Roads.

On the 15th, entered for the Mosqueiro.

On the 25th, left the harbour, and to-day again appears in company with the English brig of war.

Recife, October 27, 1855.

(Signed)

ELISIARIO ANTONIO DOS SANTOS.

Inclosure 11 in No. 13.

The Minister of Justice to Senhor Paranhos.

(Translation.)

(Private.)

Department of Justice, Rio de Janeiro,

Excellent Sir,

December 31, 1855.

IN reference to the letter of the President of Pernambuco of the 4th instant, copy of which was transmitted by him to your Excellency, I have to notify to your Excellency that as the said letter shows that 47 Africans were carried off, of whom 9 had been already found and set at liberty, the disgraceful negligence of the Police Delegate in that affair is evident, and is deserving of severe and exemplary punishment. The Imperial Government, fully aware of the duty and political interest of repressing the same, sent orders to repeat the search in the suspected mills, with the personal aid of the Head of the Police, to proceed to fresh inquiries for discovering the crime, imprisoning the guilty, and apprehending the kidnapped Africans, to dismiss the Delegate, and to replace him by some one superior or foreign to local interests.

The fact, first, that the said Delegate had allowed the captain of the slaver to retire quietly, when the said vessel was not yet captured, thus leaving him at liberty to come to an understanding with the interested parties; secondly, that he did not seize the papers on board which would serve to prove the crime; thirdly, that he impeded and opposed the action of the Head of the Police in verifying the crime; fourthly, that he took no steps to apprehend and guard the Africans until the detachment should arrive, so that it is very clear that it was not because the Africans were secure that they were not all carried off before the arrival of the detachment, but because the robbers had not the means for transporting them; these facts induce the suspicion that the negligence of Colonel Menezes was nothing else than connivance with his son, and consequently a complicity with the offence, according to Law No. 581 of 1850, Article 3.

Consequently orders were sent at that date to the President of the province to imprison and proceed against the Delegate, who was the cause of the criminal abduction of 47 Africans.

The Imperial Government expects that by fresh researches, and the imprisonment and prosecution of the Delegate, who by his power in the locality impeded the action of justice, the crime may be satisfactorily proved, and consequently punished by the Courts.

God preserve, &c.

(Signed)

JOSE THOMAZ NABUCO DE ARAUJO.

Inclosure 12 in No. 13.

The Head of Police to the Minister of Justice.

(Translation.)

(Private.)

Excellent Sir,

Secretariat of the City Police, November 17, 1855.

IN the interrogatory to which I subjected the culprit Antonio Severino d'Avellar, I was able to discover that the places on the African coast most liable to the carrying off of Africans to the south of Benguella are, Nuquemeni, Bay of the Elephant, and the vicinity of the same. In Angola, Ambriz, and Cabinda, the Traffic is difficult, because they are well known and populous. To the north of Benguella the places most favourable for the Traffic are Molembo, Chirichola, and Congo. There is in this neighbourhood a Cape called "Cabeça de Cobra," which being little frequented by English cruizers from a fear of the shallows, is well suited for the embarkation of Africans, because it is accessible to the little vessels which are usually the most employed in the Traffic. It is said also that the River Zaire is a very rapid stream, and not easily accessible to those boats, which find it difficult to overcome the current, and that in order to get Africans away from there it is necessary to build on the spot vessels fitted for the Traffic, which are easily known from the quality of the timber, which is that which grows in those quarters. Such are those of which the palhabote is built which was captured in Pernambuco. The same Avellar added also that usually the vessels sent to the African coast are purchased of North Americans, of light build and small value, because these Americans, from the privilege enjoyed by their flag, are the most addicted to this Traffic. The above is such information as I could gather without appearing to have any ostensible object, and which I consider useful to bring to your Excellency's knowledge.

God preserve, &c.

(Signed)

JOAO LUIS VIEIRA CAUSAUSAO DE SINIMBU,

The Head of Police.

Inclosure 13 in No. 13.

The Minister of Justice to the President of the Province of Pernambuco.

(Translation.)

(Private.)

Excellent Sir,

*Department of Justice, Rio de Janeiro,**December 31, 1855.*

THE Emperor directs that the Head of the Police, in renewing the researches which he is to make, either himself or by delegates in his confidence, for the apprehension of the Africans carried off in Serinhaem, as also in the fresh acts and proceeding which he is to institute for the imprisonment of those declared guilty, and the punishment of the Delegate and of others who may be discovered, shall observe those rules which were laid down in the confidential communication addressed to your Excellency on the 4th December instant, that is to say:

1st. That all the Bozal Africans that may be found in the researches that may be made shall be considered as newly imported and carried off at Serinhaem.

2nd. That instructed slaves (Ladinos) from the suspected works be arrested that they may be obliged, by promises or by force, to declare and give information where the Bozal Africans and the people of the crew are.

3rd. That Colonel João Manoel de Barros Wanderley shall be included in the prosecution, and obliged to justify himself, because of the following indications, which are ample for such proceedings: because he was the consignee of the vessel, or person to whom it was addressed; because it militates against him that he has been already engaged in another landing; and because João José de Varias is a creature of his.

4th. That some of the Bozal Africans shall accompany the new researches for the capture, with an interpreter.

5th. That valuable rewards be promised to any one who may give information or bring before the authorities any Bozal Africans or any person of the crew of the palhabote.

God preserve, &c.
(Signed)

JOSE THOMAZ NABUCO DE ARAUJO.

Inclosure 14 in No. 13.

The Minister of Justice to the President of the Province of Pernambuco.

(Translation.)
Excellent Sir,

*Department of Justice, Rio de Janeiro,
December 31, 1855.*

BY the letter No. 407*bis* which your Excellency addressed to me on the 21st instant, I was informed that Dr. Antonio de Vasconcellos Menezes de Drummond, declared an accomplice in the abduction of some of the free Africans who were carried off from the palhabote on the bar of Serinhaem, was already in the prison of this city.

Your Excellency will inform me if the aforesaid Doctor delivered himself up to the prison of his own accord, and will issue a repetition of the orders for arresting the other offenders.

God preserve, &c.
(Signed)

JOSE THOMAZ NABUCO DE ARAUJO.

Inclosure 15 in No. 13.

The Minister of Justice to the President of the Province of Pernambuco.

(Translation.)
(Private.)
Excellent Sir,

*Department of State, Rio de Janeiro,
December 31, 1855.*

AS it may happen that Antonio Severino de Avellar, who was arrested in this city, and sent to your province by the steamer "Beberibe" as accused of the crime of landing Africans in Serinhaem, may receive an order to be liberated by the power of *habeas corpus*, or found not guilty in the suit in which he is prosecuted, His Majesty the Emperor commands that in either of these cases the said Avellar be banished from the Empire, remaining in prison until he departs directly from that port for Europe; as it appears that by the confidential communication which I addressed to your Excellency on the 16th November, this step was already intimated.

God preserve, &c.
(Signed)

JOSE THOMAZ NABUCO DE ARAUJO.

Inclosure 16 in No. 13.

The President of the Province of Pernambuco to the Minister of Justice.

(Translation.)
Excellent Sir,

*Palace of the Government of Pernambuco,
February 11, 1856.*

ON the 9th instant 10 Bozal Africans of those carried away from the palhabote captured in October at the bar of Serinhaem, reached this city, sent by the authorities of Serinhaem (copy No. 1). I immediately sent a copy of the same note to the Head of the Police, directing him to deal with the Africans according to law; and by the inclosed copy No. 2 of the letter of yesterday from the said Head of the Police, your Excellency will learn that they are already placed in the Marine Arsenal, and also that they were brought before the authorities there by João Isidor da Paixão, who reported that he had found them in the bush ("matta") of the Taitinga works of the Carmelites within the said district, and that he gave them in order to receive the reward offered in the notices published there. All which I have the honour to report to your Excellency as it is my duty.

God preserve, &c.
(Signed)

JOSE BENTO DA CUNHA E FIGUEREDO.

Inclosure 17 in No. 13.

Senhor Paranhos to Senhor Moreira.(Translation.)
(Private.)*Department of Foreign Affairs,
Rio de Janeiro, April 14, 1856.*

THE Minister of Justice has informed me by private communication of the 12th of April, that two more Africans of those brought by the palhabote captured in Serinhaem, have been taken through the measures of the President of Pernambuco, and are now in the Marine Arsenal of that Province; they were found by an inspector of the quarter in a "mucambo" within the bush ("matta") of the Ubaca works of that district; and that Francisco de Paula Cavalcanti Wanderley Lins, commonly called Chico Caçador, accused of the crime of taking away free Africans from the said palhabote, has been taken to the prison of Serinhaem.

(Signed) JOSE MARIA DA SILVA PARANHOS.

Inclosure 18 in No. 13.

Senhor Paranhos to Senhor Moreira.

(Translation.)

*Department of Foreign Affairs,
Rio de Janeiro, March 1, 1856.*

THE President of the Province of Pernambuco has communicated to me, by advices dated 23rd February last, that the orders of the Department of Justice are already complied with, according to which the Portuguese subject Antonio Severino d'Avellar was sent out of the Empire on board the English steamer "Thamar," which left that port, on the 1st February last, having signed the usual bond in the Police Department.

All which I submit for your Excellency's information, renewing, &c.

(Signed) JOSE MARIA DA SILVA PARANHOS.

Inclosure 19 in No. 13.

Extract from a Private Note addressed on the 11th of April, 1856, by the Department of Justice to the Department of Foreign Affairs of Rio de Janeiro.

(Translation.)

I HAVE the honour to transmit to your Excellency copy of the confidential communication of the President of Pernambuco of the 19th ultimo, in which he states that the English Consul in that Province asked for his opinion in respect to the intimation which he had received from the English Ministry in London, to thank Colonel Drummond for the part which he had taken in the capture of the contraband slave-ship in Serinhaem, in case the Consul should find that Drummond deserved it.

The President states that in replying with sincerity to the good intent of the Consul in consulting him, he told him that he was exceedingly pleased with Colonel Drummond at the moment when he received the account of the capture of the slaver, and that he had bestowed the highest praise on him, as the Imperial Government had also ordered that its approbation would be made known; but that subsequent investigation and inquiry had caused both himself and the Government to change their opinion, and that they had serious suspicions of Drummond; that then the Consul, although he was very favourable to Drummond, and revealed the confession that he had made to him of his having allowed the captain of the palhabote to escape, went away without saying whether he was inclined or not to signify his approbation of him.

Inclosure 20 in No. 13.

Senhor Paranhos to Senhor Moreira.(Translation.)
(Private.)*Department of Foreign Affairs,
Rio de Janeiro, February 13, 1856.*

ACCORDING to a communication made to me by the Minister of Justice, in a private note dated yesterday, the commander of the schooner "*Mary E. Smith*" gave information that two North American vessels, one a schooner of one mast, "*Wilcot*," of New York, and one a lugger, had entered into one of the harbours on the coast of Africa, between Cape Lopez and Loango, to land slaves for Brazil.

The adventure was to be made by Joaquim Ignacio Riveiroza de Ouziga, brother of Don Francisco Riveiroza, who had been commanded to leave the Empire because he was a notorious slave-trader, had remained a long time in Lisbon, and is said to be now in Rio de Janeiro.

On receipt of that information his Excellency recommended the Presidents of the provinces, and the Head of the Police of the capital, to watch very carefully for those two vessels, and also to make the strictest inquiries with a view to discover whether the said Don Francisco Riveiroza was in Brazil, in order that he might be put in prison and proceeded against with the utmost rigour of the law, if he should be involved in any new slave-trading speculations.

It being now unquestionable that slave-traders are directing their operations for the African coast from the United States' ports, in order to import Africans into Havana or Brazil, I shall, under this date, direct the Imperial Legation in Washington to recommend to Brazilian Consular Agents in those States, through the channel of the general Consulate, that they do communicate to the Imperial Government, either through it or directly, as may be most expedient, the departure of any vessels suspected of being intended for the Traffic, the marks by which they may be known, the names of the shippers and other interested parties, the nature of their cargo, the place to which it is probable, or to which it may be presumed, they are bound, and any other information which may enable the Government to take all anticipatory precautions, in order to frustrate the various attempts that may be made from the North American ports to introduce Africans into Brazil.

I take, &c.

(Signed) JOSE MARIA DA SILVA PARANHOS.

Inclosure 21 in No. 13.

*M. d'Andrada to Mr. Crampton.**Légation Impériale du Brésil aux Etats Unis,
Washington, le 12 Mai, 1856.*

M. le Ministre,

IL est aujourd'hui hors de doute que les trafiquants d'esclaves dirigent des ports des Etats Unis leurs opérations pour la côte d'Afrique, afin de transporter des noirs à Cuba et au Brésil. Ici se construisent et d'ici partent les navires négriers qui vont charger à Ambriz, sur le fleuve Zaire, et dans d'autres ports de ces parages.

Deux nouvelles tentatives de ce genre viennent d'échouer, grâce à la vigilance des croiseurs Brésiliens.

Le navire que l'on a capturé au mois d'Octobre dernier, à l'entrée du port de Serinhaem (Brésil), ayant à bord des nègres, et dont on n'a pu reconnaître le pavillon, appartient, selon toute apparence, au commerce des Etats Unis.

De même, la goëlette "*Mary E. Smith*," dont le brick Brésilien "*Olinda*" a dernièrement effectué la prise, à St. Mathieu, naviguait sous le pavillon de l'Union.

Le capitaine de ce navire a déclaré que deux autres embarcations de la même nation également (un lougre et la goëlette "*Wilcot*," de New York), étaient entrés dans un port de la côte d'Afrique, entre le Cap Lopes et Loango, pour y prendre des noirs à destination du Brésil.

Ces faits, et d'autres encore, fondent à croire que les abominables trafiquans d'esclaves ont établi aux Etats Unis le centre de leurs criminelles spéculations.

Le Gouvernement de Sa Majesté l'Empereur, jaloux de faire toujours respecter les lois du Brésil, et ferme dans sa volonté d'empêcher toute tentative qui tendrait à faire renaître l'odieuse Traite des Nègres, a appelé l'attention la plus sérieuse de cette Légation sur un objet aussi important.

J'apporterai, dans l'accomplissement de mes devoirs, le plus grand soin, et j'exercerai, comme me l'ordonne le Gouvernement Impérial, la surveillance nécessaire, afin d'empêcher, par les moyens officiels en mon pouvoir, que l'on n'équipe dans ces Etats des navires destinés au transport d'esclaves au Brésil. Et lorsque je n'aurai pu obtenir la détention d'un négrier, je ne manquerai pas d'en prévenir mon Gouvernement, afin qu'averti des tentatives semblables, il puisse prendre des mesures et empêcher des débarquements à couvert sur les côtes de l'Empire.

Afin de mieux informer le Gouvernement de Sa Majesté, j'ai donné connaissance à ses Agents Consulaires dans ces Etats de l'ordre que j'ai reçu du Ministère des Affaires Etrangères en leur recommandant à cet égard la vigilance la plus active.

Le Gouvernement de Sa Majesté la Reine de la Grande Bretagne n'étant pas moins intéressé dans cette répression, j'accepterai avec le plus grand plaisir, et je regarderai comme un service, l'aide et la coopération que vous croirez devoir me donner en cette occasion.

Si vous jugez convenable, M. le Ministre, de recommander aux Agents Consulaires de Sa Majesté la Reine d'adresser à cette Légation, directement, ou par l'intermédiaire de celle que vous dirigez, les renseignements qui pourraient lui être utiles, et de l'informer des tentatives qui se prépareraient dans l'étendue du territoire où chacun d'eux exerce sa juridiction, je vous en aurai la plus vive reconnaissance, car ils me seraient d'un puissant secours pour l'accomplissement de ma tâche.

Recevez, &c.
(Signé) F. X. DA C. A D'ANDRADA.

Inclosure 22 in No. 13.

Mr. Crampton to M. d'Andrada.

Sir,

Washington, May 20, 1856.

IN reply to the letter of the 12th instant which you have done me the honour to address to me on the subject of the Slave Trade, and in particular with reference to the late seizure by the Imperial Brazilian brig "Olinda" of the American schooner "Mary E. Smith" having on board a cargo of negroes, I have much pleasure in informing you that by the instructions of my Government, I have been directed to communicate with you freely on all subjects connected with Slave Trade, on all occasions which it may be useful in frustrating the designs of the slave-traders.

Her Majesty's Consuls have already been instructed to communicate to me any information they may obtain, which may lead to the prevention or detection of attempts at carrying on the Slave Trade, and I will not fail to communicate to you such information when received.

I need scarcely assure you that it will always give me sincere pleasure to cooperate with you in carrying out the objects which both our Governments have so much at heart in suppressing that nefarious Traffic.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 23 in No. 13.

*M. d'Andrada to M. de Escalante.**Légation Impériale du Brésil,
Washington, le 8 Mai, 1856.*

M. le Ministre,

J'AI reçu de mon Gouvernement l'ordre de m'informer si un certain Don Francisco Riveroza, qui a résidé pendant quelques années au Brésil, est effectivement à Cuba, où l'on suppose qu'il se trouve actuellement.

Comme il ne m'est pas possible d'obtenir ce renseignement par la voie officielle, j'ai pris la liberté de m'adresser à vous, M. le Ministre, et je viens vous prier de vouloir bien me faire avoir les informations dont j'ai besoin, vous remerciant à l'avance de la bonté avec laquelle, j'en suis sûr, vous accueillerez ma demande.

Recevez, &c.
(Signé) A. D'ANDRADA.

Inclosure 24 in No. 13.

*M. de Escalante to M. d'Andrada.**Légation d'Espagne, Washington,
le 10 Mai, 1856.*

M. le Chargé d'Affaires,

J'AI l'honneur de porter à votre connaissance, en réponse à votre aimable lettre du 8 du courant, qu'en date d'aujourd'hui j'écris au Capitaine-Général de l'Île de Cuba, lui demandant les renseignements que vous désirez, et que je vous ferai parvenir aussitôt que je les aurai reçus.

Acceptez, &c.
(Signé) A. DE ESCALANTE.

No. 14.

*The Earl of Clarendon to M. Moreira.**Foreign Office, June 24, 1856.*

THE Earl of Clarendon presents his compliments to Mr. Carvalho Moreira, and has the honour to transmit herewith some observations relative to the Memorandum communicated to Lord Clarendon on the 18th instant by M. Moreira, with reference to the subject of an official note respecting the Slave Trade, which Her Majesty's Chargé d'Affaires at Rio de Janeiro addressed to the Brazilian Minister for Foreign Affairs on the 7th of March, 1856.

Inclosure in No. 14.

*Memorandum.**June 24, 1856.*

THE ground upon which Mr. Jerningham was instructed to state to the Brazilian Government that Her Majesty's Government would be obliged to resort to a stringent use of the powers conferred on British cruisers by the Act of 1845, was, that the Brazilian authorities in the Province of Pernambuco had not only shown a laxity amounting almost to connivance in the affair of the slave-vessel which arrived at Serinhaem in October 1855, but also that those authorities were unwilling to resort to effectual legal measures in order to detect, or to punish when detected, the persons concerned in that affair.

This opinion is founded upon the following statements:—

1st. That the President of the Province, in order to provide for the security of the slave-vessel, and in order to screen the landing of her cargo, which was undertaken on account of some friends of his, took care beforehand to remove the police authorities from the district of Serinhaem.

2nd. That he purposely contrived that the preliminary process of legal

inquiry as to the facts of the case should be conducted at Rio Formoso, a place distant six leagues from the spot where the slaves were landed; instead of having it held at the Barra, at which place, and not at Rio Formoso, persons were to be found who could identify the men who carried away the slaves.

3rd. That in order to avenge himself upon Colonel Vasconcellos de Drummond and his son Dr. Antonio Drummond, who were the persons who caused the seizure of a great number of the slaves at Serinhaem, and in order to suppress the evidence of the only eye-witnesses of the crime by making them accused parties, he included in the process of accusation, along with some of the real criminals, Dr. Antonio Drummond and other persons who had taken an active part in capturing the slaves.

None of these charges are refuted by Senhor Moreira's Memorandum.

Her Majesty's Government have, however, learnt from Her Majesty's Chargé d'Affaires at Rio de Janeiro that the President of Pernambuco has been superseded, and, from another quarter, that the Chief of Police has been dismissed; and if it should be ascertained that these measures are intended by the Brazilian Government as a mark of their disapproval of the conduct of those functionaries, Her Majesty's Government would feel much satisfaction at learning that such an act of necessary vigour had been adopted by the Brazilian Government, and would willingly admit that they have removed the principal grounds upon which Her Majesty's Government considered themselves called upon to instruct Her Majesty's Chargé d'Affaires at Rio de Janeiro to address to Senhor Paranhos the note of the 7th of March.

No. 15.

The Earl of Clarendon to Mr. Jerningham.

Sir,

Foreign Office, June 26, 1856.

WITH reference to your despatch of the 12th ultimo, I have to acquaint you that Her Majesty's Government approve the language held by you in your conversations with Senhor Paranhos and with the Chevalier de Macedo, respecting the proceedings of the authorities at Pernambuco in regard to the slave-trading affair at Serinhaem.

M. Moreira has complained to me of the note which you addressed to Senhor Paranhos on the 7th of March last, and which, M. Moreira said, had been the cause of great mortification to the Brazilian Government, who felt that they had not deserved the reproach of want of vigilance and of indifference respecting the Slave Trade. I told M. Moreira that you had acted upon your instructions, and that it had not been the intention of Her Majesty's Government to mortify the Government of Brazil; but that the conduct of that Government in regard to the affair of Serinhaem had not been in accordance with the course which of late had been honourably pursued by Brazil, and that the object of Her Majesty's Government was to convey to the Government of Brazil a friendly warning as to the consequences of not acting with vigour at a moment when it was evident that attempts were being made in several quarters to revive the Slave Trade.

M. Moreira said that a renewal of the Slave Trade in Brazil was impossible, as the honour of the Government and the interest of the country were alike opposed to it.

I am, &c.
(Signed) CLARENDON.

No. 16.

The Earl of Clarendon to Consul Cowper.

(Extract.)

Foreign Office, June 26, 1856.

I HAVE received your despatch of the 19th ultimo, reporting that Senhor José Bento Figueredo has been removed from the Presidency of Pernam-

buco, and that he is to be succeeded by the Chevalier de Macedo; and also that the Chief of the Police of Pernambuco has been dismissed; and I have to state that if this information shall be fully confirmed, it will afford much satisfaction to Her Majesty's Government.

No. 17.

The Earl of Clarendon to Mr. Jerningham.

(Extract.)

Foreign Office, June 30, 1856.

WITH reference to my despatch of the 26th instant, I transmit herewith, for your information, a copy of a Memorandum* which has been placed in my hands by Senhor Carvalho Moreira, the Brazilian Minister at this Court, and a copy of the answer† which I have returned to him relative to the representation which he has been instructed to make to Her Majesty's Government with regard to the note which you addressed to Senhor Paranhos on the 7th of March last, in conformity with the instructions contained in my despatch of the 9th of January.

No. 18.

Mr. Jerningham to the Earl of Clarendon.—(Received July 9.)

(Extract.)

Rio de Janeiro, June 12, 1856.

I BEG to have the honour to acknowledge the receipt of your Lordship's despatch of the 28th of April last, in which your Lordship informs me that Her Majesty's Government have been pleased entirely to approve my proceedings in executing the instructions contained in your Lordship's despatch of the 9th of January, directing me to warn the Brazilian Government of the consequences that would inevitably ensue, and the measures which Her Majesty's Government would be compelled to adopt, if they did not act up to their engagements honourably and vigorously in Slave Trade repression, all of which was detailed in my note to Senhor Paranhos on the 7th of March.

I lost no time, upon receiving your Lordship's despatch of the 28th April, in requesting an interview with the Brazilian Minister for Foreign Affairs, and when I was honoured with an audience, I communicated to his Excellency the fact of Her Majesty's Government having entirely approved my proceedings, and caused his Excellency to peruse your Lordship's despatch, in order that he might be thoroughly convinced that your Lordship was satisfied with my conduct, at the same time that he might learn the grounds upon which Her Majesty's Government had thought fit to address to the Imperial Government the previous warning.

Senhor Paranhos read your Lordship's despatch with the deepest attention, but made no remark until he came to the paragraph where it is stated "that the want of vigour on the part of the President of Pernambuco in the affair of the slaves landed at Serinhaem in October last, and the indifference with which that conduct has been viewed by the Imperial Government, indicate a change of policy," &c.

"Voilà," exclaimed his Excellency, "où on est injuste."

He then continued reading, and endeavoured to impress what your Lordship bade me to communicate to him well upon his mind.

Senhor Paranhos afterwards observed, that he thought that his note to me under date of the 6th of April, which I transmitted to your Lordship by the "Avon" Royal Mail steam-packet on the 12th of that month in my despatch of the same date, was an answer to what was contained in the despatch which I had just allowed him to peruse.

I asked his Excellency if he should like me to address him a note upon the subject, when he replied that he did not, as he had seized the contents; however, that if I wished to present to him a *note verbale*, I could do so.

On that same evening I met Senhor Paranhos on board Her Majesty's

* No. 13.

† No. 14.

ship the "Indefatigable," at a ball given by Captain Hope and the officers of that vessel, when I had some more conversation with him, and when he told me that he had been thinking about what I had communicated to his Excellency in the morning, and that he remembered perfectly the substance of what I had been instructed to state to him, so that he did not want me to give it him in writing.

I have, however, upon reflection, since sent Senhor Paranhos privately an extract, word for word, of what your Lordship instructed me to state to him in your despatch of the 28th April, in order that there may be no ground hereafter for any misunderstanding, and that he and his colleagues may be under no misapprehension whatsoever as to the real and exact meaning of your Lordship's despatch.

Senhor Paranhos, during the above-mentioned interview, spoke of the efforts which Brazil had made, and was making, to repress all attempts at the renewal of the Traffic. His Excellency said that he considered the Trade completely extinct, but that now and then there might be an endeavour to land Africans; however, that the Imperial Government possessed the means, and would enforce them, to prevent any such illegal acts.

About three weeks ago Senhor Paranhos presented his yearly report to the Legislative Assembly; and when this printed document became known to the Senators, Deputies, and the public, they singled out my correspondence with the Imperial Government therein contained, and commented upon it, especially upon the note of the 7th March, in no measured terms.

They have denounced this latter as a most insolent production, and stated, in their excitement, that I had threatened the Government and insulted the nation.

The Senators and Members of the Chamber of Deputies repudiate all sympathy for the Traffic, and consider the Slave Trade extinct; at the same time that they cannot help acknowledging that daring attempts have been made by some speculators to renew it during the last nine months. In the face and progress of civilization, no country, or its legislature, can now publicly countenance Slave Trade, and I can easily understand why the wrath of the Brazilian Chambers was kindled when my correspondence with the Imperial Government was communicated to them, and their patriotism may easily hold them excused for much violence, and even for the false and unjust impressions which they have received with respect to Her Majesty's Government, and myself. But now that things have entered into their normal state, and that matters progress satisfactorily on slave matters between Her Majesty's Legation and the Brazilian Government, the storm will blow over, and perhaps, after all, the publicity of the whole affair will have the most beneficial effect in at once crushing all further attempt at the renewal of Slave Trade, as it will demonstrate that Her Majesty's Government are resolved not to tolerate its resuscitation, at the same time that it will show that, in many respects, the Brazilian Government are desirous to act with vigour; and that, with the exception of the unfortunate Serinhaem business (which has been the cause why such a decided warning has been given to Brazil), the chief authorities in general throughout the Empire have acted honourably in the repression of Slave Trade.

His Excellency Senhor Paranhos, the other day, said to me that perhaps it was a good thing that the Serinhaem attempt had occurred, as this matter (I do not know whether his Excellency included the whole of the details) would publicly show that the Imperial Government were determined to put an end to the African Slave Traffic.

No. 19.

Mr. Jerningham to the Earl of Clarendon.—(Received July 9.)

My Lord,

Rio de Janeiro, June 12, 1856.

I BEG to have the honour to inform your Lordship that Senhor Paiva Teixeira, Chief of Police and Auditor of Marine of the Province of Pernambuco, has been exonerated from his functions by the Imperial Government.

I have no official intelligence on the subject, but I have heard it in various quarters and see it mentioned in public journals.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 20.

Consul Cowper to the Earl of Clarendon.—(Received July 9.)

(Extract.)

Pernambuco, June 17, 1856.

I HAVE the honour to inform your Lordship that Senhor Sergio Teixeira de Macedo has officially entered upon his functions as the President of this province, in the place of Senhor José Bento da Cunha Figueredo; that Senhor Paiva Teixeira is removed, and replaced by another Chief of the Police; and that the trials of the accused in the Serinhaem Slave Trade affair have at length actually commenced.

I called upon the President last Saturday, for the purpose of paying my respects to him upon his taking office. He, very shortly after my entry, observed, that the Serinhaem affair was extremely disagreeable, and had caused the Government great trouble and embarrassment; and that his first act would be to endeavour to bring it to a speedy and satisfactory conclusion.

I replied that if his Excellency would fix any period convenient to himself, I would wait upon him to discuss the question. He, however, preferred continuing the subject. I therefore remarked, that I presumed the Government had placed him in possession of all the details of the case before he left Rio de Janeiro. He said that the Ministry had supplied him only with a Memorandum upon the subject, and had referred him for details to the correspondence which he would find in the presidential archives here.

He then stated to me the substance of the Memorandum, which was a mere embodiment of the views of the late Provincial Government. I admitted one fact advanced by his Excellency in defence of his predecessor, that, with so extended a coast, it was impossible, even with the strictest vigilance, to avoid an occasional successful landing of slaves; but I denied that the complications which had arisen in this affair, and the gravity which the question had assumed, were caused by an exceptional and perhaps inevitable act, which Her Majesty's Government would have known how to appreciate, but to the culpable behaviour of the provincial authorities.

I then proceeded to recount the circumstances which your Lordship will find embodied in the inclosed Memorandum.

The trial of the accused is proceeding in a fair and praiseworthy manner; the impartial conduct of the new Chief of Police, who is the Judge without jury in this and other Slave Trade causes, merits universal approbation.

I had a third interview with the President yesterday. His Excellency holds out a hope that, by the next mail, I shall be enabled to communicate something decisive to your Lordship.

As regards the proceedings of the President, nothing can appear more frank, honourable, and determined; partially differing from me in my condemnation of the late Government, it is impossible for me not to respect opinions dictated by a generous sentiment. I feel the utmost confidence that M. de Macedo will do his duty; he said to me emphatically, "I do not alone wish to see the innocent acquitted, but the guilty punished; and if it be only to prove that I fear no man—that I seek not his votes, I will arrest, even should I fail to convict, the highest of those against whom a particle of evidence is produced; this will be an example of what may be expected from me in future."

Inclosure in No. 20.

Memorandum respecting the Serinhaem Slave Trade Affair.

1st. IN July last the Imperial Government gave notice to the Provincial Government of Pernambuco that a slaver was expected to arrive at Serinhaem from the coast of Africa, and desired the authorities to be vigilant in preventing the accomplishment of the intended act of Slave Trade. On the 11th of October following, the slaver actually arrived at the spot designated, when every police authority was found to be absent but one, who was confined to his bed by sickness, and consequently unable to act; the result was that 48 of 212 Africans were stolen and reduced to slavery—a fate which would have been shared by the rest, had it not been for the laudable conduct of Colonel Gaspar de Menezes Vasconcellos de Drummond, who seized the vessel, and rescued 162, whom he delivered over to the Government.

The circumstance of the absence of all the police authorities at such a juncture, and after the lengthened intimation which the Government had received, if it does not justify the suspicion of connivance, at least convicts it of culpable and extraordinary neglect and indifference; the plea that Colonel Drummond was the Delegate of the Police, rather weakens than sustains confidence in its good faith, as his appointment was considered by the Government itself as so much of an honorary nature (he having never exercised any authority since 1849) that it had made him no communication in that character for many years.

2ndly. When this neglect became public, the British Consul, in the exercise of his duty, addressed a note to the President, protesting against the laxity of the police and its deplorable consequences, to which his Excellency refused to afford any explanation, or to enter upon any discussion, implying, however, that the Consul's information was erroneous; it was then only, after the receipt of the protest, and it may fairly be assumed in consequence of it, that the Chief of the Police was sent to Serinhaem; prior to his departure, however, it is reported that he sought and obtained from the officers of the "Itamarica," a certificate that to the best of their knowledge and belief the slaver had never contained more Africans than the 162 which had been delivered to the Government; he then proceeded to Serinhaem, and calling upon Colonel Drummond, urged him in the most impressive manner to withdraw his despatch announcing the robbery of the Africans, for the purpose, as he stated, of belying the English Consul.

These facts lead to the inference that had it not been for the protest, no steps would have been taken for the recovery of the stolen Africans, or the punishment of their robbers; and that the Government thus started in bad faith, by the surreptitious means which it adopted to conceal the truth.

3rd. The law is specific upon the point that a process shall be formed at the locality where the crime was committed, but in the present instance this salutary rule was departed from, and the examination took place at Rio Formoso, some leagues off, where it was the extreme of improbability that available evidence could be obtained, whereas had the law been adhered to, eye-witnesses of the crime must have been found at the Barra of Serinhaem.

The Government, by this proceeding, not only became obnoxious to the charge of violating the laws of the Empire, but of doing so for the most sinister purposes, namely, of so avoiding practical evidence that no conviction could take place under the process; and the opinion of the most distinguished advocates is, that it has been perfectly successful in this object.

4thly. Every man who had any hand in the slaver's capture has been either prosecuted, or has fallen under the displeasure of the Government. Thus Colonel Drummond, the captor, is in disgrace; Dr. Antonio Drummond, who executed his father's orders; Manoel Elias, who guarded the Africans; Manoel Fidelis, who betrayed the captain, and delivered him to Colonel Drummond; and Antonio da Silva Pereira, who assisted at the capture, are all prosecuted.

What deductions can be drawn from these facts, what conclusions arrived at, but that the late Government intended to discourage these commendable acts, and, whether purposely or not, the fact is patent, to neutralize all chance of a successful prosecution of the real culprits, by placing amongst the

accused those whose evidence alone could convict them, but which could not then be legally received ?

5thly. Dr. Antonio Drummond, one of the chief captors of the slaver, has been in confinement for six months ; he surrendered voluntarily, and the offence of which he is accused is bailable, but his repeated applications for this constitutional right have been refused. The late Government made no effort to arrest the other actors in this affair, and it is only very recently that Chico Caçador surrendered, but that act so immediately followed the refusal of the *Relação* of Dr. Antonio Drummond's last application, that it seemed, as is reported, to have been arranged by the Government, to save appearances.

Is not this suspicion supported by the facts ? and does it not appear that the prosecution of Dr. Antonio Drummond has degenerated into persecution ? When such extraordinary and apparently illegal harshness is shown to the opponents of African Slave Trade, is it to be supposed that any man now living upon the coast will, upon any future occasion, support the external engagements and the municipal laws of the country, by following an example which has led to results so fatal to the happiness of an honourable family ?

6thly. The public announcement by the Government that three times the value of the stolen Africans would be given to any person delivering them up to the authorities, may have been, as urged, a matter of expediency, but it was an impolitic acknowledgment of weakness, and, as it was unaccompanied by the arrest of their vendors, an encouragement to the Slave Trade perfectly incomprehensible.

Finally, after a lapse of eight months, 28 Africans still remain in captivity, and not an individual has been punished who was engaged in this nefarious transaction, and this under the administration of a President supported not only by the acknowledged policy of the Imperial Government, and the stringent laws of the country, but by a large military and police force, had he deemed it necessary to employ them.

No. 21.

The Earl of Clarendon to Mr. Jerningham.

Sir,

Foreign Office, July 15, 1856.

I HAVE received your despatch of the 12th ultimo, and I have to acquaint you that I entirely approve the communications which you have made to the Brazilian Minister for Foreign Affairs upon the subject of the note which you addressed to the Brazilian Government on the 7th of March last, warning them of the measures which Her Majesty's Government would be compelled to adopt if the Brazilian Government did not act up to their engagements in regard to the repression of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 22.

M. Moreira to the Earl of Clarendon.

(Translation.)

*Imperial Legation of Brazil, London,
July 21, 1856.*

THE Commenda/or Carvalho Moreira presents his respectful compliments to his Excellency the Right Honourable the Earl of Clarendon, and has the honour to send him the inclosed Memorandum, in reply to what his Excellency addressed to him on the 24th ultimo.

Inclosure in No. 22.

Memorandum.

IN the Memorandum which Lord Clarendon, on the 24th of June last, addressed to the Minister of Brazil, in reply to what the latter had written to him on the 9th of that month, his Excellency said, in substance, as follows :

That the cause of the instructions which gave rise to the note forwarded by Mr. Jerningham, on the 7th of March last, to the Government of His Majesty the Emperor of Brazil, was not only the fact that the authorities of Pernambuco had, on the occasion of the attempt of Serinhaem, exhibited a degree of negligence which bordered almost upon connivance, but also that they had manifested an unwillingness to employ efficient measures to discover and punish the persons involved in that affair.

This opinion of Lord Clarendon is based upon three assertions :

1. That the President of Pernambuco had purposely removed the police authorities of the district of Serinhaem, in order to put the slave-ship in safety, and to protect the landing of the Africans, in which some of their friends were interested.

2. That the same President had ordered, of set purpose, that the suit should be prosecuted at Rio Formoso, instead of its being done at the Barra, at which place there would have been persons who might have declared who were the guilty parties that carried off the Africans.

3. That with the view of revenging himself on Colonel Drummond and his son, to whom the capture of a large number of Africans in Serinhaem is due, and in order to destroy the only existing ocular testimony, the President had given orders to include Dr. Drummond, and other persons who had taken an active part in their capture, in the suit as criminals, mixed up with some of the real criminals.

Lord Clarendon concludes his Memorandum by saying, that neither of these points was refuted by the Minister of Brazil, but that, however, if it were verified that the dismissal of the President and of the head of the police of Pernambuco had taken place in consequence of the disapproval of the Imperial Government of the conduct of these functionaries, the British Government would readily admit that the principal causes which dictated the note of the 7th of March were removed.

It clearly appears from the Memorandum of Lord Clarendon that his Excellency is satisfied that the Imperial Government had done, on its part, all that was incumbent upon it to do on the occasion of the affair of Serinhaem, since what was stated in relation thereto by the Minister of Brazil in his Memorandum of the 9th of June, did not suffer the smallest contradiction, nor even meet with the slightest objection, in his Excellency's reply.

It is, however, greatly to be regretted, that after such full explanations upon all the details of that affair, direct accusations are now revived against the ex-President of Pernambuco, so gratuitous and so unjust that they certainly would not have been accredited in the Foreign Office, if the latter had known the impure source from which they proceeded. It was certain Opposition journals which, by hostility towards the Administration of the Province, invented and promulgated against that honourable and worthy functionary, calumnious insinuations which could not have been brought to the knowledge of Her Britannic Majesty's Government but by indiscretion or malevolence.

And if those inculpations of the said ex-President were not alluded to in the Memorandum of the 9th of June to be especially refuted, as the Right Honourable the Earl of Clarendon appears to object, this arose from the circumstance that the Minister of Brazil could not in any way suppose that the note of the 7th March could have been caused by inadmissible assertions, as well as by those which were substantiative. Moreover, the minute statement given in the Memorandum of the 9th of June, proved by all the details of the case, excluded the admissibility of these imputations alluded to now by his Excellency. In the meantime, nothing is more easy than to demonstrate the injustice and incorrectness of similar statements which are completely refuted.

The assertion is absolutely without foundation, that any police authority within the limits of Serinhaem was removed by the ex-President of Pernam-

buco, at the time when the attempt at landing took place, or even near its occurrence.

The complaint that the police authorities at Serinhaem were out of their posts of duty—a fact which Lord Clarendon would explain at present by a supposed removal, effected in anticipation and expressly by the ex-President of Pernambuco—had been made already, in Mr. Jerningham's note of the 13th November last, in consequence of communications which he had received from Pernambuco; and the Imperial Government replied to this topic on the 4th of December, in the following terms:—

“The very fact of the capture being effected on a depopulated coast, and when no one gave credit to the frustrated attempt at a landing of Africans, is a proof, *à priori*, that such abandonment and negligence on the part of the authorities at Serinhaem did not occur. An investigation into the circumstances in which the town was really placed, so far as relates to its judiciary and police administration, confirms what must be admitted, at the first view, to be necessarily the fact.

“The Judge de Direito of the District, the Municipal Judge, the Acting Delegate of Police, and the Commandant of the Police Detachment, were in the place, to say nothing of more subordinate agents. A place which is in such a condition is assuredly not deprived of its head, as the attempt has been made to cause it to be believed.

“It will be observed that the real Municipal Judge was on leave, and that the first substitute of the Delegate of Police, who executed this office during the illness of Colonel Drummond, had also been absent for some days previous to the appearance of the slave ship. This, however, does not prove that the said offices were abandoned, because their respective substitutes were in the place, and on duty.

“The two functionaries above alluded to remained on their posts for more than three months. They did not go away until the suspicions of an attempt at landing at that place were dispelled. And even if this well-known circumstance did not militate in their favour, their absence could not be attributed to an improper motive, because they are persons generally esteemed for their probity and zeal. In regard to one of them, there is also the consideration that the duties of Delegate and Sub-Delegate of Police, which are numerous in every province, are all discharged gratuitously, the gratitude of the Government of the country being the sole recompense of the citizens who perform them.”

And Mr. Jerningham was so well satisfied of the inaccuracy of such accusations, that when he replied to the note of the 15th of November by another of the 13th December, he did not affirm that the district [“*termo*”] of Serinhaem, and the “*comarca*” of Rio Formoso to which that district belongs, were left without a head, or without police authorities, for the premeditated objects which are now ascribed to the President; but passing by the accusation, and trusting to the words of the British Consul, Mr. Cowper, he would affirm that there was negligence on the part of some of the authorities of the province, &c. Now the fact that Mr. Jerningham could not maintain this point of attack, being aided in Brazil by the excessive zeal displayed by Mr. Cowper, who certainly would not hesitate to furnish the British Legation with any proofs in support of his information, fully demonstrates that such proofs do not exist, and that the desistence of Mr. Jerningham is due to his conviction that the statements of the Imperial Government are true.

The mere reproduction, therefore, of such accusation, without any proof, cannot have more weight than when it was put forward by Mr. Jerningham, replied to by the Imperial Government, and abandoned as not to be supported by the British Legation in Rio de Janeiro.

In regard to the second accusation against the ex-President, a simple remark will be sufficient to dispel it, because that accusation arose from an error respecting the division of the judicial office and the laws of criminal procedure in Brazil.

The “*comarca*” of Rio Formoso includes the so-called “*termos*” of Serinhaem and Rio Formoso united, and constitutes a single “*termo*,” together with another called *Aqua Preta*.

The police jurisdiction of the authorities of the united “*termos*” of Serinhaem and Rio Formoso is extended over the whole of the territory of that Judiciary Division; and the jurisdiction of the Chief of Police, who instituted the suit as

the highest authority, and the one most confided in, which is always required in important cases, is extended, not only over one "comarca," but over the whole province.

On the other hand, according to the laws of criminal procedure in Brazil, the witnesses are called to give evidence in the respective suits to the place where the suit is legally to be opened; and this place must be the head of the "termo" where the jurisdiction ["fôro"] is, and where the Courts are.

Now in the case in question the suit was regularly instituted in Rio Formoso, because it was the head of the "termo," and by the highest police authority of the province, apart from all local influence.

Therefore the witnesses who were to give evidence in the case were, quite legally, called to Rio Formoso, and certainly persons were called there from Barra, and the neighbourhood of the place where the offence was committed.

From this simple statement it results, therefore, that there was not the least irregularity in the institution of the suit, so far as relates to the competency of the place, nor was the discovery of the truth prejudiced for want of eye-witnesses, because all the persons who could have any cognizance of the fact were examined, and the inquiry could not have been more ample or more searching than it was.

The third imputation is in reality the most serious, of which the honourable character of a functionary of such a high class would be the victim.

In the absence of any proof to authorize it, and when it is not even possible to estimate the value of the source of the information which furnished its foundation, it cannot be admitted without danger of a gratuitous injustice; it might be that Colonel Drummond himself and his son, in the absence of defence, might have had recourse to an expedient common to all inculpated persons, when involved in crimes of complicity.

Besides this consideration, it cannot be passed over without remark that this and the second accusation are irreconcilable; as it is said in this that Drummond and other persons who took an active part in the capture were involved in the suit with the object of destroying the evidence of the only eye-witnesses that existed, and in the other it is asserted that there were in Barra other witnesses who might have proved the identity of the persons who committed the crime; for which reason the suit was instituted in Rio Formoso instead of in Barra.

It was Colonel Drummond who allowed the captain of the slaver to escape; and for want of the immediate steps which he ought and might have taken, as an authority that he was, and looking to the means at his disposal, he allowed time for the carrying away of the Africans, and the flight of the crew, who would otherwise have fallen into the hands of justice, if instead of commanding that a detachment should be got from Rio Formoso, he had assembled the national guards of this place, and had with that force immediately captured the vessel.

The English Consul in Pernambuco himself declared to the President that Drummond had revealed to him this criminal conduct of his in having allowed the captain to escape, as it has already been stated in the Memorandum of the 9th June.

In the investigation of the suit, his son, Dr. Drummond, appears as the author of the first theft of 10 of the Africans brought in the vessels previous to the capture effected by the Commandant of detachment from Rio Formoso.

He adds, that Colonel Drummond himself interposed obstacles, and impeded the action of the authority carrying on the suit, certainly not by his innocence.

These and other facts which are proved in the suit, must necessarily result in the guilt of Dr. Drummond, and draw upon his father the responsibility which falls on a public officer who fails in his duty.

To arrive at this result it would assuredly not be necessary that the President of the Province should, by means of an independent Magistrate, as the Chief of the Police is, exercise revenge against a Delegate of Police nominated by that President, and whom he might dismiss at his pleasure, but whom, on the contrary, he commended, under the immediate impression that the capture was successful, and when he was yet ignorant of the real circumstances subsequently ascertained.

This, as well as the other accusations, are only based on rumours spread

abroad by political adversaries, who falsify everything in order to stain the reputation of authorities whom they wish to overthrow; they ought not to be received when destitute of proofs corresponding with the seriousness of the accusation; for, admitting the opposite principles, no country in the world would see its authorities without accusations and insults, if we listen to what is usually said by journals opposed to this or that Government, where freedom of the press exists, as in Brazil.

Such is the value of the accusations raised against the ex-President of Pernambuco, with which Lord Clarendon justifies the unexpected note of the 7th of March.

And if, notwithstanding that the motives for forwarding that note are disproved, as the Minister of Brazil considers them to be by this Memorandum, the British Government still reserves to itself the liberty of appreciating so unjustly the acts which took place in Brazil, to such a point as merely to admit that the principal causes for such an undeserved offence would cease if it were the fact that, in dismissing the President and the head of the police in Pernambuco, the Imperial Government had it in view to give a mark of disapproval to the conduct of those functionaries, the same Imperial Government will remain in its full right to estimate the occurrences of its own country, and the conduct of its own authorities according to the rules of justice by which it is guided; the Minister of Brazil only regretting that he has not been so fortunate as to be able to convince Her Britannic Majesty's Government how inaccurate and unfounded the elements are on which his opinion was formed. He declares, therefore, that far from being able to admit that those functionaries were removed for having incurred the censure and disapproval of the Imperial Government, on the contrary, he knows positively that his Government has approved the acts of the ex-President Councillor José Bento da Cunha Figueredo, and that his dismissal was certainly granted because he solicited it, or that the Government thought proper to grant it for reasons absolutely unconnected with any mark of reprobation of his conduct.

And in regard to the Head of the Police, whose dismissal is not known to the Minister of Brazil otherwise than by the Memorandum of Lord Clarendon, he believes that the reasons are the same as those stated in the case of the ex-President.

The Minister of Brazil considers that he has sufficiently weighed, in his Memorandum of the 9th of June, the unpleasant results upon the relations of the two countries which the note of the 7th of March has brought about, involving a new offence to the independence and sovereignty of Brazil, as it is a threat to carry into effect the Act of the English Parliament of 1845, a violence against which the Imperial Government has always formally protested.

The Minister of Brazil has always hoped, and he still hopes, that if Her Britannic Majesty's Government were well informed of all the facts and occurrences of Pernambuco, it would not refuse the just reparation solicited in the Memorandum of the 9th of June.

But fresh causes for refusal still are alleged in the reply of his Excellency the Right Honourable the Earl of Clarendon, though now these causes ought to disappear in view of the explanations here detailed; and the Minister of Brazil does not see a single reason to insist on the continuance of the offence which produced the note of the 7th of March, so much the more as the threat contained in that note is unjust, whether by the especial fact of what occurred at Serinhaem, or by the general circumstances in which Brazil stands in reference to the Traffic.

However the occurrence at Serinhaem be appreciated, its result is not disputed, and from that it is ascertained that barely 26 Africans have until now been able to elude the hands of justice. That is precisely the number of Africans that have entered into Brazil within these four years.

In 1852, a period much nearer to that of the difficulties with which the Imperial Government had to contend for the suppression of the Traffic, and more liable to the dangers of its continuance, the British Government commanded the suspension of the orders issued to its cruisers for the execution of the Bill of 1845; now, in very different circumstances, only for an attempt, which, too, was frustrated by the Brazilian authorities, Brazil is menaced with a renewal of the orders to the English cruisers to carry that Bill into execution.

As to what concerns the general circumstances of Brazil in relation to the

Traffic, the Minister of Brazil confines himself to describe them in the few words uttered with equal truth and justice by the Prime Minister, the Right Honourable Lord Palmerston, in the House of Commons, on the evening of the 15th instant :—

“He thought,” his Excellency said, “the Slave Trade might be regarded as extinct in Brazil, for though attempts had been made to revive it, those attempts had not been attended with much success. Those who formerly invested their money in this Traffic now employed it for purposes of internal improvement, and there was generally evinced throughout the country a spirit of hostility to the revival of the Trade.

“There had, however, been a great mortality among the slave population, and speculators from the United States had endeavoured to take advantage of the circumstance by importing negroes, but he believed that very little success had attended their efforts.”—(“Times” of the 16th instant.)

In this state of things the Minister of Brazil cannot but repeat that there can be no plausible reason to insist on maintaining the offence received, and that it tends solely to produce unpleasantness in the relations between the two countries, which for so many reasons it is desirable to remain always intact, and in the condition of perfect friendship.

London, July 21, 1856.

No. 23.

Consul Cowper to the Earl of Clarendon.—(Received July 25.)

(Extract.)

Pernambuco, June 24, 1856.

THE captors of the Serinhaem slave-vessel are still prisoners, the chief culprits still at large, and 29 Africans still in slavery.

CORRESPONDENCE between Great Britain
and Brazil respecting the Slave Trade.

*Presented to the House of Lords by Command of
Her Majesty, in pursuance of their Address of
July 21, 1856.*

LONDON:

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