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# CORRESPONDENCE

RESPECTING

# LIBERATED SLAVES

IN

# BRAZIL.

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*Presented to the House of Lords by Command of Her Majesty, in pursuance of their Address  
of June 22, 1863.*

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LONDON:  
PRINTED BY HARRISON AND SONS.

### LIST OF PAPERS.

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No.							Page
1.	Earl Russell to Mr. Christie	..	..	..	..	..	January 8, 1863 1
2.	Mr. Christie to Earl Russell	..	..	..	..	..	February 26, — 1
	One Inclosure.						
3.	Mr. Christie to Earl Russell	..	..	..	..	..	March 5, — 2
	Two Inclosures.						
4.	Mr. Eliot to Earl Russell	..	..	..	..	..	April 3, — 5
	One Inclosure.						

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RETURN to an Address of the House of Lords, dated June 22, 1863;  
for—

“Copy of the Note of the Marquis of Abrantes respecting the Captive Slaves landed in Brazil, and the Despatch of the British Minister respecting that Note; with any other Communication respecting liberated Slaves, African or Creole.”

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No. 1.

*Earl Russell to Mr. Christie.*

Sir,

*Foreign Office, January 8, 1863.*

WITH reference to your despatch\* of the 24th of November last, inclosing a copy of the regulations issued by the Brazilian authorities for the government of the free Africans at the naval establishment of Itapura, I have to instruct you to take such measures as you may deem best calculated for ascertaining whether among the Africans in that establishment there are any who were liberated through the late British and Brazilian Mixed Commission Court.

Should there be any negroes in this category you will state that Her Majesty's Government are bound to see that faith is kept with them, and you are consequently instructed to claim from the Brazilian Government their unconditional freedom.

The effect of the regulations recently issued for the government of the negroes at Itapura is practically to consign to six years' forced servitude men, women, and children who are free according to the showing of the Brazilian authorities themselves, and the Government of Her Majesty are consequently bound to require that those Africans who were liberated under British auspices shall not be subjected to the regulations in question.

I am, &c.  
(Signed) RUSSELL.

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No. 2.

*Mr. Christie to Earl Russell.—(Received April 6.)*

(Extract.)

*Rio de Janeiro, February 26, 1863.*

ON the receipt of your Lordship's despatch of the 8th January last, having no doubt of the fact that among the Africans at Itapura are free Africans liberated by the Anglo-Brazilian Mixed Commission of Rio de Janeiro, I have thought it best to address to the Marquis of Abrantes the note of which I inclose a copy. The attention of the Brazilian Government is, I have reason to believe, seriously turned to this subject of the free Africans.

Itapura is very distant from Rio, and is most easily arrived at by a circuitous voyage to the River Plate and up the Rivers Parana and Paraguay, and through Mattogrosso.

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Inclosure in No. 2.

*Mr. Christie to the Marquis of Abrantes.*

M. le Marquis,

*Petropolis, February 12, 1863.*

HER Majesty's Government have carefully considered the Regulations published by the Minister of Public Works under date of the 5th November, 1862, for the free Africans employed in the naval establishment at Itapura.

Her Majesty's Government are yet without accurate information as to the number of free Africans employed at Itapura who were liberated by the British and Brazilian Mixed Commission Court.

\* See Slave Trade Papers, Class B, presented to Parliament this Session, No. 97.

I have again to call your Excellency's attention to the following notes addressed by me to your predecessors, referring to free Africans at Itapura: December 19, 1860, to Senhor Sinimbú; December 28, 1860, to Senhor Sinimbú; January 10, 1861, to Senhor Sinimbú; June 3, 1861, to Señor Sá e Albuquerque.

I abstain from mentioning unanswered notes of mine asking for general information about free Africans, which of course include those employed at Itapura.

Her Majesty's Government instruct me to say that, with respect to Africans liberated by the late Mixed Commission Court at Rio de Janeiro, they are bound to see that the Brazilian Government keep faith with them; and I am instructed to claim for all such Africans unconditional freedom.

Her Majesty's Government are of opinion that the effect of the new Regulations for the government of negroes in the Itapura establishment is, practically to consign to forced servitude for six years men, women, and children who are free according to the showing of the Brazilian authorities themselves; and Her Majesty's Government consequently feel themselves bound to require that these Africans, who were liberated under British auspices, shall not be subjected to the regulations in question.

I avail, &c.

(Signed) W. D. CHRISTIE.

No. 3.

*Mr. Christie to Earl Russell.—(Received April 6.)*

My Lord,

*Rio de Janeiro, March 5, 1863.*

WITH reference to my preceding despatch of February 26, I inclose a copy and translation of a note which I have received from the Marquis of Abrantes on the subject of the new regulations of the naval establishment of Itapura, the application of which to free Africans liberated under British auspices I protested against under your Lordship's instructions; and I also inclose a copy of a further note which I have addressed to the Marquis of Abrantes in rejoinder.

I have made no remarks in my reply on the explanations offered as to the Regulations, which I leave entirely to your Lordship's judgment. But I thought it well to point out to the Marquis, in reply to his remarks on the danger of wholesale sudden emancipation, that had the Imperial Government done their duty, and attended to the representations of successive British Ministers, all might by this time have been made free by gradual measures, and that the object of the fourteen years' apprenticeship which all have now served was to prepare for full freedom.

Your Lordship will observe that on this occasion I have received a sufficiently prompt answer. Since the reprisals the Marquis of Abrantes has become very prompt in answering.

I have, &c.

(Signed) W. D. CHRISTIE.

Inclosure 1 in No. 3.

*The Marquis of Abrantes to Mr. Christie.*

*Ministerio dos Negocios Estrangeiros,*

*Rio de Janeiro, 28 de Fevereiro de 1863.*

POR sua nota datada de 12 do corrente, o Senhor William Dougal Christie, &c., &c., chama a minha attenção sobre varias notas que dirigio aos meus antecessores acerca dos Africanos livres, empregados no estabelecimento naval do Itapura, e especialmente sobre as instrucções expedidas em 6 de Novembro do anno proximo findo, pelo Ministerio d'Agricultura, Commercio, e Obras Publicas para a administração dos ditos empregados n'aquelle estabelecimento.

Na mesma nota declara o Senhor Christie que teve ordem do seu Governo para reclamar uma liberdade sem condição em favor dos Africanos libertados pela ultima Comissão Mixta.

Em resposta a esta nota passo a transmittir ao Senhor Christie as informações que recebi do Senhor Ministro d'Agricultura acerca des referidas instrucções.

Antes d'isso, porem cumpre me assegurar ao Senhor Christie que o Governo Imperial cuida com todo o empenho e sollicitude da questão dos Africanos livres, e sobre ella está

colhendo todas as necessarias informações para proceder com o acerto e prudencia que o caso requer ; não podendo escapar a perspicacia do Senhor Christie os graves inconvenientes e perigos que poderiam resultar de lançar de chofre na população, entregues a si proprios e sem cautelas, um numero avultado de individuos baldos de educação e d'experience para se dirigirem.

Das informações aqui acima referi-me, resulta que, pelas instrucções de 6 Novembro, se teve em vista garantir a existencia futura dos Africanos livres do estabelecimento de Itapura, e habilital-os a serem cidadãos uteis, morigerados, e com os habitos civilisadores do trabalho ; sendo elles para esse fim submettidos á disciplina militar, e equipados aos colonos militares de terceira classe, existentes no mesmo estabelecimento.

Por isso tambem deu se lhes vantagens pecuniarias e o direito a um lote de terras, depois de seis annos de bons serviços, tempo este por que são obrigados a servir não só as praças de pret voluntarios do exercito, como mesmo os medicos e pharmaceuticos do Corpo de Saude.

Na posição assim feita a esses individuos, posição em que elles encontram meios de subsistencia e vantagens de colonos militares, entendo o Governo Imperial que erão conciliados os interesses d'esses mesmos individuos, com as garantias necessarias á sociedade, onde elles vivem, contra os perigos de que estaria ameaçada se fossem elles abandonados á sua propria discrição.

As instrucções reconhecem o direito pleno e absoluto que tem esses Africanos á sua liberdade e reconhecem designando-os pelo nome de Africanos livres ; declarando, no Artigo 8, que tem direito á carta de emancipação, e mandando, além da etapa e da vestimenta, que lhes é dada, gratificar o seu trabalho.

E se, além do tempo por que elles tem de servir, em compensação das vantagens que lhes são feitas, se exigir provas de bons serviços e de regular comportamento, para a entrega da sua carta de liberdade, n'isto seguiu-se o principio que prevalece tambem no exercito, quando se pune as praças que commettem infracções dos regulamentos militares, com a perda do tempo de serviço que anteriormente contavão.

N'este ponto as instrucções estão de accordo com os principios geraes da legislação militar.

Convem ainda notar que os regulamentos dos Presidios e Colonias Militares do Imperio contem disposições semelhantes ás das instrucções.

São estes os esclarecimentos que me cumpre levar ao conhecimento do Senhor Christie, e que me parecem sufficientes para mostrar que os individuos de que se trata não ficarão por aquellas instrucções sujeitos a una escravidão forçada.

Renovo, &c.

(Assignado) MARQUEZ D'ABRANTES.

(Translation.)

*Rio de Janeiro, February 28, 1863.*

MR. WILLIAM DOUGAL CHRISTIE, &c., in his note of the 12th instant, calls my attention to various notes which he addressed to my predecessors on the subject of free Africans employed in the naval establishment of Itapura, and particularly respecting the instructions sent on the 6th of November last, by the Ministry of Agriculture, Commerce and Public Works, for the administration of the said Africans employed in that establishment.

In the same note Mr. Christie declares that he has been instructed by his Government to claim unconditional liberty in favour of the Africans who were freed by the last Mixed Commission.

In reply to this note, I now transmit to Mr. Christie the information which I received from the Ministry of Agriculture relative to the said instructions.

Before doing so, however, I have to assure Mr. Christie that the Imperial Government, with the greatest earnestness and solicitude, studies the question of the free Africans, and is collecting all the necessary information in order to proceed with all such discretion and prudence as the case requires. It cannot escape the perspicuity of Mr. Christie that serious inconvenience and dangers might result from letting loose at once among the population, without certain precautions, a large number of uneducated individuals, and without experience to guide them.

From the information above referred to, the result is, that the Instructions of the 6th of November had in view the guaranteeing of the future existence of the free Africans of the establishment of Itapura, and of enabling them to become useful and obedient citizens, habitually prone to work, they being to that end subjected to military discipline, and made equal to the military colonists of the third class existing in that same establishment.

For that reason pecuniary advantages were granted them, and the right to a portion of land, after six years of good services, this being the term in which not only the soldiers, volunteers from the army, and even the medical men and apothecaries of the Body of Health, are obliged to serve.

In the position thus prepared for those individuals, and in which they meet with the means of subsistence and the advantages of military colonists, the Imperial Government judged that the interests of those same individuals were reconciled with the necessary guarantees in favour of the society in which they live, against the dangers with which it would be menaced if they were to have been abandoned to their own discretion.

The instructions recognize the full and absolute right of those Africans to their liberty, and they recognize it in designating them as free Africans, declaring, in the 8th Article, that they have a right to the letter of emancipation, and ordering that, besides rations and clothes, which are furnished them, they are to be paid for their work.

And if, besides the time during which they have to serve in compensation of the advantages conferred upon them, proofs of good services and good behaviour are exacted for the delivery of their letter of freedom, the principle is only observed which prevails also in the army, when soldiers are punished for infractions of the Military Regulations, with the loss of time of their previous services.

On this point the instructions agree with the general principles of the military legislation.

It is proper still to note that the regulations of the garrisons and military colonies of the empire contain the same provisions as the instructions.

These are the elucidations which it behoves me to bring to the knowledge of Mr. Christie, and which appear to be sufficient to show that the individuals in question do not remain, by those instructions, subject to forced slavery.

I avail, &c.

(Signed) MARQUIS OF ABRANTES.

Inclosure 2 in No. 3.

*Mr. Christie to the Marquis of Abrantes.*

M. le Marquis,

*Petropolis, March 4, 1863.*

I HAVE received your Excellency's note of the 28th ultimo, giving explanations in reply to mine of the 12th, as to the regulations which free Africans have been lately subjected in the naval establishment of Itapura.

I shall lose no time in forwarding a copy of your note to Earl Russell, and Her Majesty's Government will judge whether these explanations suffice to show that the condition of the free African under the regulations in question is not one of forced servitude.

I restrict myself to remarks on some general propositions of your Excellency.

You say that the Imperial Government are attending to the question of the free Africans, and are collecting all the necessary information in order to act with the judgment and prudence required; but you do not say that they have been collecting information in order to communicate it to Her Majesty's Government in compliance with the particular request which I addressed to Senhor Paranhos on the 18th of March, 1861, that is, two years ago.

You speak of the inconveniences which may follow from a general sudden emancipation of the free Africans who are without education and experience. Let me remind your Excellency that Her Majesty's Government have been urging this question on the Government of the Emperor from time to time, and in various ways, for the last thirteen years, and that similar language was held in 1856 to Mr. Scarlett by Senhor Paranhos, who at the same time declared that it was the intention of the Imperial Government to give all these free Africans their freedom. Had the interval been well employed in gradual emancipation, all might now be free. As it is, every free African who was liberated by the British and Brazilian Mixed Commission Court must have served more than fourteen years. And what was the object of this fourteen years' apprenticeship but to train them for the full enjoyment of freedom?

I can perfectly understand that the labour of these free Africans is cheap and serviceable to the Imperial Government at Itapura and elsewhere.

I take occasion to remind your Excellency that in 1860 and 1861, Senhor Sinimbú promised me on several occasions that no more free Africans should be sent to Itapura from Ypanema. Since then all my efforts to obtain particular information have been

fruitless. It will be satisfactory to Her Majesty's Government to be assured that no free Africans were sent to Itapura from Santos or Ypanema after July 1860.

I need not tell your Excellency that the journey to Itapura is long and toilsome, that the place is notoriously unhealthy, and that such a destination is not likely to be chosen by free men.

I avail, &c.  
(Signed) W. D. CHRISTIE.

No. 4.

*Mr. Eliot to Earl Russell.—(Received May 6.)*

My Lord,

*Rio de Janeiro, April 3, 1863.*

I HAVE the honour to inclose a translation of an article which appeared in the "Diario" of Rio de Janeiro on the 2nd instant, showing the difficulties thrown in the way of the free Africans obtaining their liberty—difficulties which, as it appears, render it almost impossible for these unfortunate people to obtain that result unless powerfully protected.

I have, &c.  
(Signed) W. G. CORNWALLIS ELIOT.

Inclosure 1 in No. 4.

*Extract from the "Diario" of April 2, 1863.*

(Translation.)

A NAME is a word by which things are expressed, according to Padre Antonio Pereira de Figueiredo and other simple-minded people of that age.

In Brazil, however, this rule has its exceptions—exceptions very ironical and satirical as regards our "free institutions," if such they be.

The law which prohibited the Traffic in human flesh, declared free all the Africans taken from that time, providing for the protection of the rights of these unhappy creatures, giving them Judges, Guardians-General, special and temporary, and Clerks; the special guardians are the private persons or public establishments to whose service the Africans were given over until they could be freed by law.

In the wretched condition in which the unhappy creatures live in Brazil, as well those delivered to private persons as to public establishments, it appears (unless satire and irony are legal) that the law ought to facilitate and protect, even directly and in all ways, the emancipation—the true liberty of the Africans, once that the time required for them to acquire moral capacity for self-government has elapsed.

However, let us see what facilities, what protection they meet for emancipating themselves, and how that emancipation is realized. The "free" African delivered to the service of a private person or of a public establishment does not cease to be practically a slave. Those who enjoy his services do not commit the folly of facilitating his emancipation, and, slave as he is *de facto*, he is unable to obtain the pecuniary means to pay advocates to occupy themselves about it.

It follows, then, that these wretched beings must resign themselves to the taunts of the law, or wait until chance procures for them a disinterested protector, and that, clothed with the most evangelical patience, they must prepare to suffer and follow the following proofs of this new moral inquisition:—

1. To ask from the Clerk of the Africans ("Escrivão") the positive attestation that the time has elapsed.
2. Petition the Imperial Government through the Minister of Justice.
3. The Minister of Justice refers to the Judge of Orphans.
4. The Judge of Orphans gives information and returns the petition to the Minister.
5. The Minister refers to the Chief of Police.
6. The Chief of Police refers to the General Guardian Curador.
7. The Guardian gives information and returns the petition to the Chief of Police.
8. The Chief of Police refers to the Director of the House of Correction.
9. The Director of the House of Correction gives information and sends back to the Chief of Police.
10. The Chief of Police gives the information, and sends back to the office of the Secretary of Justice.



11. The Secretary's office makes a *précis* of the information to be acted on by the Minister.
  12. Finally, the Minister acts, ordering a letter of freedom to be issued.
  13. The petition returns to the Judge of Orphans.
  14. Notification of the decision is sent to the Chief of Police.
  15. The Judge of Orphans refers the petition to the Clerk, and orders a letter of freedom to be given, but retains it in his possession until the party pays the respective emoluments.
  16. The letter is made over to the Chief of Police.
  17. The Chief of Police communicates with the Director of the House of Correction, ordering the African to appear.
  18. The Director sends for him, and the Chief designates his place of residence.
  19. The Chief of Police of the city of Rio de Janeiro ("Corté") communicates with the Provincial Chief of Police to whom the place designated belongs, and hands over the free African with the letter.
  20. The Provincial Chief of Police hands over the wretched man and his letter to the police authority of the place approved by the Chief of Police of Rio de Janeiro as place of banishment for a free man condemned for no crime.
- And after all this work and expense incurred with procurators and intermediaries, in order that the petition may not remain buried in the great ocean of our Departments, the wretched African succeeds in being banished from the place where he has lived ten, fifteen, or twenty years, in which he had taken root, where he had begun to found his future, his hopes.
- This is Brazil in the year of grace 1863. This is not a censure on authorities or functionaries; it is an evil which is exclaimed against, and for which we claim the attention of the Imperial Government.
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CORRESPONDENCE respecting Liberated Slaves in  
Brazil.

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