

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

COMMUNICATING

A report from the Secretary of State, with the correspondence of Mr. Wise, late United States minister to Brazil, in relation to the slave trade.

MARCH 3, 1848.

Read, and ordered to be printed.

To the Senate of the United States:

In answer to the resolution of the Senate of the 3d of January, 1848, I communicate, herewith, a report from the Secretary of State, with the accompanying documents, containing "the correspondence of Mr. Wise, late minister of the United States at the court of Brazil, relating to the subject of the slave trade."

JAMES K. POLK.

WASHINGTON, March 3, 1848.

DEPARTMENT OF STATE,
Washington, March 1, 1848.

SIR: The Secretary of State, to whom was referred the resolution of the Senate of the 3d of January last, requesting the President "to communicate to the Senate the correspondence of Mr. Wise, late minister of the United States at the court of Brazil, embracing a letter of Mr. Hamilton Hamilton, her Britannic Majesty's minister at the same court, to Mr. Wise, dated the 24th March, 1846, with a note from the Earl of Aberdeen of the 4th December, 1845; a letter from Mr. Wise to Mr. Hamilton; dated the 27th March, 1845; a letter from Mr. Wise to Mr. Hamilton, dated 31st July, 1846; and the papers accompanying the same; all relating to the subject of the slave trade; provided that the same may be done, in his opinion, without detriment to the public service," has the honor to lay before the President a copy of the documents called for by the resolution.

Respectfully submitted.

JAMES BUCHANAN.

To the PRESIDENT OF THE UNITED STATES.

Mr. Hamilton to Mr. Wise.

BRITISH LEGATION, *March 24, 1846.*

SIR: On the 1st December, 1844, your excellency addressed to me a letter, containing, in much detail, observations on the present state of the slave trade with the coast of Africa, as carried from this country.

This letter I engaged, at the time, to lay before her Majesty's government; and this having been done, and that mature consideration given to it by her Majesty's government which its great importance demanded, I have recently been instructed by the Earl of Aberdeen to communicate to you the accompanying copy of a despatch from his lordship, conveying to me such considerations as, in his lordship's judgment, the purport of your letter appeared to call for.

There are, however, two passages in his lordship's despatch to which it is proper that I should refer more particularly.

Your statement of the very culpable practices of certain individuals here with regard to the slave trade, appears to implicate a British subject, Mr. Weetman. The nature of the evidence that you produce to this effect, is not sufficiently distinct and explicit to justify an assertion that cause exists for legal accusation against him; still, ample ground does appear for further investigation; and such investigation I am directed by her Majesty's government to pursue.

In this intent, then, and confident that your excellency will afford me every facility in your power, whether by means of the depositions made before you and the consul of the United States, or of any other evidence verifying the facts upon oath, Lord Aberdeen directs me to request, that you will have the goodness to furnish me with certified copies of such evidence; and to assure you, that should it support the charges made, no exertions will be spared by her Majesty's government to reach the offending party, and to enforce the penalties of the law. And, as your excellency will further perceive from the context of his lordship's letter, I am also directed to assure you that, although he has felt it to be his duty to point out certain inaccuracies and misapprehensions which it was impossible to leave uncorrected, in a letter addressed to a British functionary, her Majesty's government do not the less appreciate the zeal and success with which you have traced and exposed the devices of the criminal traffic by which the flag of the United States has been polluted, and the motives which have actuated you in making public the result of your researches.

Relying on your excellency's complaisance for obtaining the information above mentioned with regard to Mr. Weetman, I have the honor to be your excellency's most obedient and humble servant,

HAMILTON HAMILTON.

The Earl of Aberdeen to Mr. Hamilton.

FOREIGN OFFICE,
December 4, 1845.

SIR: Early in the present year, I received from you a despatch, in which you enclosed, for the information of her Majesty's government, a copy of a letter addressed to you by Mr. Wise, the United States minister in Brazil, containing observations as to the manner in which the slave trade is said to be carried on between that country and the coast of Africa.

The great importance which, in the estimation of her Majesty's government, attaches to the subject of that communication, the charges which, although in a tone of friendliness, it brings against the British nation at large, not excepting her Majesty's naval officers, and other servants, and above all, the public attention drawn to it by a message addressed by the President of the United States to Congress, on the 20th of February last, made it impossible for her Majesty's government to pass over such a document in silence. At the same time, they have deemed it necessary, before instructing you to make any communication to Mr. Wise, to take the most efficacious measures which the case admitted, for investigating the circumstances adduced by him, and for ascertaining, so far as might be possible, from the slender data which he has furnished, what share of culpability, in the transactions described by him, may attach to British subjects, or to persons within the reach of British law.

This her Majesty's government has done; and I will now proceed to make such observations as Mr. Wise's letter appears to me to call for; premising, however, that, as some passages of it treat of international matters, which could not, without inconvenience, be made the subject of discussion with any one who is not avowedly the organ for expressing the opinions of his government upon such topics, I shall confine myself to noticing those points which affect the character of any individuals or classes of her Majesty's subjects, and upon some of which Mr. Wise's personal observation, or the information which has been furnished to him, appears to have led him into error.

Mr. Wise observes, that the evidence which it had been his duty to collect on a charge that American citizens were concerned in [the] slave trade, had shewn to him that, whilst the vessels and the flag of the United States are employed in this prohibited traffic, British brokers in Brazil are the agents of the slave dealers in that country, British goods are sent and consigned to make funds for the slave trade in Africa, and British capital and credit employed in Brazil to guarantee the payments.

Mr. Wise then proceeds to give the general history of the cases, in investigating which, he has found the proof of these facts verified, as he states them to be, upon oath.

It is not necessary to follow Mr. Wise through the account of all the details of these transactions. So far as relates to the proof of the vessels and their crews, nothing can be clearer, or

apparently better established, than the charges which he makes out against them. It is, beyond a doubt, that of the three vessels which he specifies, the *Agnes*, the *Montevideo*, and the *Sea Eagle*, the two first were employed in carrying goods prepared for the coast from Brazil to Africa; being at the time under American colours, although previously, whilst in Brazil, sold to a notorious slave dealer, on the understanding that they were to be delivered to him whilst on the coast of Africa. As little can it be doubted that the object of this arrangement was that, by the retention of the American flag and American papers, and all the recognized signs of American character, they might, during their passage to the African coast, be safe from capture by any other cruisers than those of the United States. The third vessel, the *Sea Eagle*, was occupied in conveying from Brazil to Africa the Brazilian masters and crews for the two former vessels, who were put on board their respective ships as soon as these had been delivered to the slave dealers; the *Sea Eagle* then receiving on board the former American crews for the purpose of carrying them back to Brazil, whilst the *Agnes* and the *Montevideo*, having thus far prosecuted their iniquitous traffic under the flag of the United States, proceed, each with her cargo of slaves, to run the only hazard of their voyage, in re-crossing the Atlantic without that protection. In short, it is manifest, from the facts which Mr. Wise has collected, and from the details which he is enabled to furnish, that American merchants, American ship owners, and American vessels, with their masters and crews, are regularly employed in carrying on the slave trade, and in furthering the conveyance of slaves from the coast of Africa to Brazil.

The only two points in the above transactions at which it is stated that any British agents are implicated, are the proceedings of Mr. Weetman, the charterer of the *Agnes* at Rio de Janeiro, and the shipment of the *Agnes's* cargo at Liverpool; and upon these, the information supplied by Mr. Wise is, perhaps, not unnaturally less precise than that which relates to the proceedings of the vessels and their crews. With respect, however, to the cargo of the *Agnes*, her Majesty's government have ascertained who the parties are by whom it was shipped, and the circumstances under which this was done; and I cannot state these more clearly than by quoting their own words, which are as follows:

"On the 22d of June, 1843, our Rio partners wrote to tell us that they had undertaken to execute a large order; consisting more or less of the articles enumerated in the preceding page of this letter, (that is, of cottons, baizes, cloths, muskets, gunpowder, hardware, &c.,) for one of the wealthiest of their customers. This order was to be executed for a commission of 6 per cent., as the amount of invoice would be paid, if not immediately, shortly after the receipt of the said invoice and the arrival of the vessel at Rio. Four per cent. was to be added to the cost of the goods, in order to cover the delay which must necessarily take place before the vessel could reach Rio, bills be remitted and become due. The various articles were shipped by the schooner *Agnes*, which vessel had been char-

tered in Rio by the person who gave us the order. It was stipulated in the charter party that, after taking in a cargo of merchandise, the Agnes should proceed from Liverpool to the coast of Africa, by way of Montevideo, calling at Rio for orders; and, after she had landed her cargo in Africa, she was to return thence to Rio with a lawful cargo, and then the charter party was to terminate. How far this agreement was adhered to, Mr. Wise's letter assumes to state, and we have no means of contradicting his assertions. But, supposing all he says to be true, (and we doubt not that, in this respect, he is correct,) how, we fearlessly ask, were we to foresee that any such nefarious project was contemplated? Indeed, it appears from Mr. Wise's own statement, that the vessel was on the coast of Africa six months before she was equipped as a slaver. So far as we were concerned, all our interest in the matter ceased so soon as the ship reached Rio; or, to speak more correctly, as soon as she left Liverpool; neither, directly or indirectly had we the slightest interest in the result of the adventure, and we executed the order under the full conviction that the vessel *would* return to Rio with a "lawful cargo;" in short, that it was a regular trading voyage. It may be urged that the fact of her going to Africa by way of Montevideo ought to have excited suspicion; but this route was adopted for the purpose of evading the Brazilian duties of 20 per cent., which were then levied on goods sent from Brazil to Africa. With all the other vessels named by Mr. Wise, we had nothing to do; we think it, however, right to mention, that in December last, we executed an order similar in every respect to that per Agnes, and, for what we know, the same infamous use may be made of the vessel as in the former case. If Mr. Wise had published his information, such a possibility would have been avoided. The name of the vessel we allude to is the Janet."

Mr. Wise will probably admit that this simple statement, voluntarily made by the parties who shipped the goods on board the Agnes, goes far to prove that they had neither any interest in, or even any knowledge of, the slave trading part of the transaction which was to follow.

The other part of Mr. Wise's statement, which would appear to implicate a British agent, is that which relates to the proceedings of Mr. Weetman, at Rio de Janeiro.

If proof can be adduced that this person, being a British subject, was privy to the vessel's being sold to Fonseca, at Rio de Janeiro, and to the fact that, to avoid capture, the delivery was not to take place until they had arrived on the coast of Africa, and that the American flag was to protect them until the Brazilian masters and crews could take possession, and ship the slaves, there can be no question that he has violated the law of his country, notwithstanding that the act has been committed in Brazil. But Mr. Wise not having stated the nature of the evidence in his possession against Weetman, it is impossible, with a due regard to justice, to say that there is sufficient ground for asserting that the latter has committed a violation of the British laws.

Mr. Wise, indeed, appears to be uncertain whether it was Weet-

man, or the consignees of the Agnes, who received a commission for guaranteeing the bills drawn by Fonseca in payment for that vessel. But this is not important. If Weetman did actually receive a commission on the sale, it is abundantly clear that he was, knowingly and wilfully, engaged in assisting to carry on the slave trade; and it matters not whether he or the consignees guaranteed the bills.

There is, therefore, ample ground for further investigation; and it will be your duty to push your inquiries, as to the share which Weetman (if he is a British subject) may have had in these transactions, to the utmost. For this purpose, you will consult and use the services of her Majesty's consul; and I feel confident that you will receive every facility which Mr. Wise can give you, whether by means of the depositions made before him and the consul of the United States, or of any other evidence verifying the facts upon oath. You will, accordingly, ask him to have the goodness to furnish you with certified copies of that evidence; and you will assure him that, should it support the charges made, no exertion will be spared by her Majesty's government to reach the offending party, and to enforce the penalties of the law.

Mr. Wise, after having described in detail the course pursued by the owners, charterers, and crews of the three vessels, proceeds to furnish other information which he has obtained respecting the slave trade, and which he says it is proper that you should hear.

He states that, as the goods fit for the coast are purchased from British merchants, and as the chief security which the merchants have for payment is the successful sale of the goods in Africa, the consequence is said to be that British cruisers will not capture or *destroy the vessels which carry these goods*, as the blow is found to fall upon the commerce of their country. And, again, that it is pointedly asserted that British cruisers do not take the proper steps to prevent the shipping of slaves in Africa, because they desire the slaves to be shipped in order to obtain the bounty of so many pounds a head for the capture, and to send them, as apprentices to Demarara, and other British colonies.

I cannot but think it a matter of regret, that a person occupying the distinguished position held by Mr. Wise, and writing that which was destined not only to be, within a few weeks, itself published to the world, but to be made the foundation of a formal message from the head of his government to the United States legislature, should have placed upon record what I feel confident he would, upon a more mature examination, and after inquiry at authentic sources, have seen to be a calumny as groundless as it is offensive.

It will be sufficient, in answer to these charges, to state two simple facts:

1. That by a return made during last session to an order of the House of Commons, it appears that from December, 1838, to December, 1844, that is, during the six years immediately preceding the date of Mr. Wise's letter, there were 346 vessels seized and proceeded against in the British and foreign courts of mixed commission, and in the British courts of vice admiralty, and that of

these only 66 had slaves on board; the remaining 280, or more than four times 66, having been seized without slaves.

2. That, in the case of the vessels captured without slaves, parliament authorizes, by a law which has now been in force for several years, a bounty to be granted to the captors, calculated upon the tonnage of the vessel; and this for the very purpose that there may be no difference as regards the value of the prize, whether the slaver has shipped her cargo or not.

As to the sending of the slaver to Demarara, or to any other British possession, being an object to the cruisers, it can only be said, that as her Majesty's naval officers have no voice in the disposal of the slaves after capture, so have they no conceivable interest therein.

Now these facts prove, not only that the charges to which Mr. Wise has lent his ear are contrary to the truth, but that the motives which they impute to her Majesty's officers can have no existence; and I am inclined to think that, if, instead of forming his opinion after a residence of scarcely more than four weeks at Rio de Janeiro, he had prosecuted his inquiries respecting the slave trade with a little more patience, and had extended them not only to the devices and contrivances by which it is carried on, but to the measures by which it is attempted to be met by British cruisers, and to the effect of those measures, he would have expressed himself in very different terms. At least, he might have learned, more or less precisely, from any one not interested in deceiving him, the facts which I have just stated; facts, as I have said, totally inconsistent with the charges which he has so hastily published against her Majesty's officers.

Mr. Wise next brings forward the more sweeping allegation, that the obvious effect, if not design, of the British efforts on the African coast is not so much to suppress the African slave trade as to monopolize the African commerce, and particularly the trade there carried on by the United States. As this charge is unsupported by any attempt at proof or illustration, and as it would be unjust to Mr. Wise to suppose that he would blindly and groundlessly give his sanction to the imputation of dishonorable motives on the part of the British government, I can only instruct you to beg Mr. Wise to state to you the reasons which have induced him to record such a charge in his letter, and the public measures (if any) of her Majesty's government to which the charge has reference.

Further on, Mr. Wise adds: "It is worse than idle for Great Britain to reproach the United States for permitting their flag and their vessels to be common carriers, as long as British manufacturers, merchants, brokers, and capitalists are allowed to furnish the very pabulum of the slave trade;" and he observes, that "neither Great Britain nor the United States are exactly in that blameless position to assume the high tone of casting reproach, or of reading moral lectures in respect of the sin of the slave trade, and that neither can cast the first stone so long as they are both so equally and deeply implicated."

Now, the fair answer to this charge, that the slave trade is sup-

ported by British merchants and capitalists, cannot surely have escaped Mr. Wise. His researches into the trade of the African coast must have shown him that the articles required for the licit and illicit traffic are, in great part, the same; and, therefore, that, as these articles are manufactured to a large extent in Great Britain, it must sometimes happen that British goods will be employed in the slave trade.

This is a matter, unfortunately, beyond the complete control of the British, or of any free government. But Mr. Wise might, with a little pains, have learned that the British laws have been framed in the strongest and most comprehensive terms to prevent British subjects from being engaged directly or indirectly in the slave trade; and he may rest assured that if, as is unfortunately possible, a British merchant ever has engaged in it with impunity, it is only because the government of this country have not had it in their power to obtain evidence which would warrant a prosecution.

Mr. Wise then proceeds, before closing his letter, to point out the course which, he says, Great Britain ought to pursue in order to secure to herself a more cordial co-operation against the slave trade on the part of the United States.

First, he says, Great Britain must desist from all attempts or pretensions to visit or search the vessels of the United States.

Upon this, I have to observe, that it is one of the passages in Mr. Wise's letter, to which I have referred, as raising questions which can be properly discussed—if, indeed, discussion were necessary—only with the government itself of the United States, or with their recognised organ. I will, therefore, say no more than that Mr. Wise's suggestion appears to be founded on a misapprehension, both of the rights claimed by her Majesty's government, and of the practice of the British cruisers.

I cannot, however, forbear to remark that if, as Mr. Wise goes on to say, (and her Majesty's government are far from disputing it,) the United States are in all respects competent to control their own citizens within their own jurisdiction, it is to be hoped that the American flag and American seamen will not long continue to cross and recross the ocean with impunity, sharing actively in the prosecution of the slave trade, and giving it their open support until the moment when its miserable victims are safely stowed in the vessel's hold, and the success of the infamous adventure is more than half secured. Her Majesty's government earnestly trust that such a state of things will not be suffered. The facts which Mr. Wise has adduced in the case of the three vessels mentioned by him are so clear, and the criminality of the owners and masters of the vessels is so evident, that it is scarcely possible to conceive that they can escape unpunished. And it is the more desirable that justice should not fail to reach them, as the practice which Mr. Wise has traced and described in the case of the Agnes, and the vessels associated with her, is one which, as her Majesty's government are well assured, is becoming of more and more frequent occurrence on the coast of Africa.

Mr. Wise's next recommendation is that Great Britain and America should cease to rely so much upon African squadrons, and

that their ministers and consuls, in Brazil, should be clothed with full powers to arrest culprits, summon witnesses, hold examinations, and require bonds, and to send culprits and witnesses home; and he then suggests that the laws of both countries should, above all, aim their penalties against the owners, shippers, and manufacturers, and others, at home; and, next to them, against the factors, agents, and consignees, abroad.

The practicability of the first part of this suggestion, it is scarcely necessary to say, depends not so much on the good will of England and America, as upon that of Brazil. At present, undoubtedly, no such authority as that proposed by Mr. Wise is given by the legislature to British functionaries, except so far as relates to the taking and transmitting of evidence, (6 and 7 Vic., c. 98, sec. 4;) and whether the exercise of it, if given, would be sanctioned by the foreign government upon whose territory it is to take effect, this is not the place to consider.

But as to the actual scope and tendency of the British laws against slave trading, it will be well that Mr. Wise, who, naturally enough, as he says, is unable to speak to this point, should know that, in framing the different acts of the legislature on this subject, the greatest care and attention have been bestowed to prevent the possibility of any delinquent escaping.

In support of this, I cannot do better than quote the words of Lord Stowell, with respect to those acts of parliament. "They were devised," says that great authority, "by the legislature engaged in the ardent pursuit of an effective cure for an evil, considered as of great magnitude, and conquerable only by a most vigilant and searching police, looking on all sides and into every artifice by which the mischief complained of might seek to elude the prohibitions of the law. All the avenues to fraud were to be shut up, even though immediate fraud might not be intended in the particular case. In short, a jealous and inquisitive guard was to be maintained against the possibilities of evil."

To Mr. Wise, however, the provisions of the act themselves will doubtless be more satisfactory evidence. Accordingly, I enclose you copies of the 5th Geo. IV., cap. 113, and of the 6th and 7th Victoria, cap. 98, which you will communicate to him; as also a short abstract of the first clauses of the first mentioned act.

Mr. Wise's last advice is that Great Britain should, by all means, change her policy of making apprentices of the Africans taken from the slavers; and he asks, as an argument against such a system, if a servitude for five or seven years, why not for life? Mr. Wise will, I am sure, be glad to know that the answer is simple, inasmuch as I find, upon reference to the proper department of her Majesty's government, that since the time appointed, by parliament, for the commencement of the unqualified freedom of the population of the British West Indies, the Secretary of State for the colonies has no reason to believe that so much as a solitary instance has occurred of the apprenticeship, or of the compulsory labor under any other form, of any liberated African for any term or number of years, excepting only in the case of very young chil-

dren, destitute of parents and kindred, for whose education and maintenance it has occasionally been necessary to provide, by binding them out as apprentices to trades or other labor of skill.

Indeed such a case could not have occurred without a violation of the invariable tenor of the instructions issued by her Majesty's government, and of the tenor and spirit of the various enactments made for the government and protection of the laboring and handicraft population of the West India colonies. Although, at the same time, it is not contrary to law that a liberated African, or any other person, arriving in the colony, should bind himself by contract for a service of twelve months; and in some of the cases in which the Africans have been ignorant of the language of the colony, and of the arts of civilized life, such contracts have been necessarily executed in their behalf by officers who were instructed to make for them the best contracts in their power. But at the end of the twelve months the Africans have been invariably found capable of making their own terms for their daily labor, and have been left to provide for themselves.

I believe that I have now noticed all the points in Mr. Wise's letter which call for observation. It therefore only remains for me to desire that you will place a copy of this despatch in that minister's hands; and, in doing so, you will assure him that, although I have felt it to be my duty to point out certain inaccuracies and misapprehensions which it was impossible to leave uncorrected, in a letter addressed to a British functionary, her Majesty's government do not the less appreciate the zeal and success with which he has traced and exposed the devices of the criminal traffic by which his flag has been polluted, and the motives which have actuated him in making public the result of his researches.

I am, &c.,

ABERDEEN.

Mr. Wise to Mr. Hamilton.

LEGATION UNITED STATES,
Rio de Janeiro, March 27, 1846.

SIR: Your excellency's note, of the 24th instant, marked "confidential," enclosing a copy of a "despatch to your excellency, dated 4th December, 1845, and signed 'Aberdeen,' together with certain laws, and parts of laws, enacted by the British parliament, in the 5th of George IV. and 6th and 7th of Victoria, to amend and consolidate the laws relating to the abolition of the slave trade, and for the more effectual suppression of the slave trade," were duly received by me yesterday evening.

I am sure that your excellency will concur with me in the opinion, formed after an attentive perusal of the commentaries of the Earl of Aberdeen upon my letter to you of the 1st December, 1844, that his lordship's despatch is one of too grave and serious importance to be responded to in haste, or without due care and

preparation. My letter to you is elaborately reviewed by his lordship, more than a year and a day after its date. It was transmitted by your excellency, I presume, by the first opportunity after its receipt in December, 1844, and his lordship acknowledges, on the 4th December, 1845, that "early in that year he received from you a despatch, in which you enclosed, for the information of her Majesty's government, a copy of a letter addressed to you by Mr. Wise, the United States minister in Brazil," &c., &c. This long delay will place me, I fear, somewhat at disadvantage in satisfying his lordship's calls, both for evidence of facts on some points, and for the reasons of opinions on others. During the lapse of the fifteen months from the date of my letter to this first notice of its contents, by his lordship, much of the evidence, which even six months ago might have been easily established, is now difficult to be procured, if it has not entirely escaped, owing to many vicissitudes, but particularly the absence of persons who were then present. The United States consul, for example, at this place has been changed. The former incumbent knew, of course, much more intimately the facts of past cases, and the proof of them, than his successor, but lately installed, can be supposed to know. The former consul, too, as I am informed, has taken with him many of the records, books and papers belonging to the office, including a mass of depositions taken in these very slave cases. The copies furnished to this office, too, have nearly all been forwarded to the Department of State at Washington. But there, at Washington, I trust much, if not all, of this evidence will be found; and depositions have been taken in recent cases here, as your excellency and her Britannic Majesty's consul have been partly informed, so that though I cannot promise that my reply to his lordship, through you, will now be as full and as satisfactory as it would have been, had I not been led to believe, by this delay, that the whole subject of my letter to you had been pretermitted by her British Majesty's government, yet there are proofs, testimony and evidence enough remaining, to place my past declarations, at all events, in a just and true light. There shall be, then, a full and fair answer to all the points of his lordship's despatch. But your excellency must see the necessity for me, in turn, to take due time for all the consideration belonging to his lordship's despatch, on account of its very high source, as well as of its matter and its manner. And though I could furnish you at once, perhaps, with the proof in part, but conclusive, as to one of the passages in his lordship's despatch, to which you thought proper to "refer more particularly," yet your excellency will, I am sure, not except to the decision which I, for the present, announce: not to reply to a part, until I am prepared to answer fully to the whole, of his lordship's despatch. I will collect the materials for doing so, now within my reach, as promptly as possible; and I must ask of your excellency the favor to aid me by furnishing, if you have them, two numbers of the Evening Mail, the one dated from Wednesday, March 19th, to Friday, March 21st, and the other from Friday, March 28th, to Monday, March 31st, 1845; the one containing the reply of Sir

Robert Peel to the question of Mr. Aldam, in the House of Commons, March 19th, upon the message of President Tyler on the slave trade; and the other, certain strictures upon that reply in an article under the signature of "A British Merchant." These numbers were loaned by you to me in May last, about the 25th of that month, I think, and were returned to you, through my secretary, Mr. Walsh. I have requested him frequently since to procure them for me again, but he did not succeed. You will very much oblige me, if you have them on file, to allow me the use of them for a short time; and, if you have them not now, will you please do me the favor of causing inquiry for them to be made among your countrymen in this city, who may chance to preserve files of the English papers.

This latter request I would not presume to make, was my acquaintance with your countrymen here not so very limited as hardly to justify an attempt to procure the favor, if possible, myself.

Whatever turn this correspondence may take, your excellency may surely rely on my disposition and wish to furnish you, cheerfully, with all the information you have asked, and with any other information which it may be in my power to give, and which may be of service to you, or her Majesty's government, in the suppression of the slave trade.

I have the honor to remain, your excellency's most obedient servant,

HENRY A. WISE.

To his Excellency HAMILTON HAMILTON,
Her B. M. Envoy Extraordinary, &c., &c.

Mr. Wise to Mr. Hamilton.

LEGATION OF THE UNITED STATES,
July 31, 1846.

SIR: The copy of the despatch of the Earl of Aberdeen, communicated to me on the 26th of March last, dated the 4th of December, 1845, acknowledges that "early in that" year he received from your excellency, for the information of her Majesty's government, a copy of my letter addressed to you, dated the 1st of December, 1844. I refer thus particularly to dates, for the purpose of remarking that, for many and obvious reasons, it was desirable that his lordship's review should have followed sooner, if possible, in point of time, after the receipt of my letter by her Majesty's government.

Acknowledging the receipt of a copy of my letter, his lordship enumerates three causes which made it impossible for her Majesty's government, to pass it in silence.

1st. The great importance which, in the estimation of her Majesty's government attaches to the subject of that communication.

2d. The charges which, although in a tone of friendship, it brings

against the British nation at large, not excepting her Majesty's naval officers and other servants.

3d, And above all, the public attention drawn to it by a message addressed by the President of the United States to Congress on the 20th of February, 1845.

I am happy to remark upon the first of these alleged causes, that the principal object, at least, of my letter to your excellency, has been obtained. Its aim was to arouse and attract the attention of both governments to certain aspects of the slave trade, which had not been sufficiently, if at all, exposed to either; to make manifest certain of its evils, and its auxiliaries in the very bosom and the very home of Great Britain herself, which were immediately tangible to her remedial power, and thereby to convince her Majesty's government that more importance even should be attached to the subject than had, great as it undoubtedly was, heretofore been ascribed to it. Her Majesty's government had been in the habit of treating the slave trade at this day as a subject more nearly, if not entirely, touching its foreign relations, as an evil belonging rather to other nations and to other powers, which it was its abstract duty of humanity merely to suppress, and not as one which practically concerned so much its own domestic policy, and the good government of British subjects and British interests themselves. It was deemed, therefore, that the more her Majesty's government became convinced that its own subjects were implicated, and its own national interests and honor were involved in the guilt of the slave trade, the more importance still would it attach to its suppression. It would no longer be a foreign but a home question, and her domestic treatment of it might essentially aid her foreign policy and international action in respect to it. I am gratified at having attracted the attention of both governments to this point of view of the subject, and time will show whether the good result intended will be produced.

The immediate end I aimed at is attained; the importance of suppressing the slave trade is magnified.

Upon the second cause enumerated by his lordship he will pardon me, I am sure, for declaring that he is in error when he says that my letter to your excellency "brings" any "charges" whatever "against the British nation at large, not excepting her Majesty's naval officers and other servants." Certain facts it did adduce to show that "British brokers are the immediate agents of the slave dealers in Brazil, in negotiating the sales and the charters of American vessels, and that British goods chiefly are sent and consigned to make funds for the slave trade on the coast of Africa, and that British capital and credit are used here to guarantee the payments." It informed your excellency further that "it is said" that, in consequence of the long credits of British manufacturers and merchants, extended to the Portuguese and Brazilian merchants who ship goods to the coast, and in consequence of the fact that the chief security which the British merchants have for payment, is the successful sales of these goods in Africa, the English cruisers will not now capture or destroy *them*, because the blow is found to fall upon

the trade and commerce of their own countrymen. It informed your excellency further, that "it is asserted here positively, as I had informed you on another occasion, that the British cruizers do not take the proper and active steps to prevent the *shipping* of slaves in *Africa*, and that the motive alleged was, that they seem to desire the slaves to be shipped, to be once put on board, in order to obtain the bounty of so many pounds sterling per capita for their capture, and to send them, as apprentices, to Demarara and other possessions of Great Britain."

It informed your excellency that it was alleged, moreover, that the obvious effect, if not design, of the British efforts on the African coast, was not so much to suppress the African slave trade, as to monopolize the African commerce, and particularly to exclude the trade there of the United States.

Information, in a friendly tone, that an imputation, whether true or false, is made by others, is not the bringing of a charge yourself, and whatever facts I did undertake to assert and to sanction, upon evidence deemed by me sufficient, whether amounting to "charges" or not, I am still prepared to establish. But upon none of these facts did my letter bring any charges whatever "against the British nation at large, not excepting her Majesty's naval officers and other servants." Where it spoke upon evidence, it so asserted, and where it gave information of accusation, it spoke on the ipse dixit of others; and where it authoritatively asserted facts upon which charges could be made at all, they related to certain British subjects only, and not to the British nation at large, or to her Majesty's naval officers and other servants; and where it spoke of the charges brought by others, whether against the British government or nation at large, or against her Majesty's naval officers and other servants, it pretended, not impliedly even, to sanction these charges, but to name merely objections to the national policy of Great Britain, which, whether well or ill founded, could be and should be easily removed by her Majesty's government itself. So far from sanctioning any or all of these charges stated to be made by others, the letter itself rather repels them by the expressed assumption that one, at least, of the most prominent of them, might be but "an art of the African slave dealers, in order to divide their opponents." These allegations, whether deemed *charges* or not, were adduced in any other than in a recriminating spirit. Of this your excellency, doubtless, was well assured; and I am glad that his lordship even acknowledges the "friendliness of the tone" of my letter. But more of these charges, and the spirit in which they were made, specifically, hereafter. My letter to your excellency was certainly not meant as a bill of indictment, but I do not demur to being held to all the strictness of replying to his lordship's special plea to it.

Upon the third cause enumerated by his lordship, I must observe, that he received a copy of my letter early in the year 1845; that the message of the President of the United States communicating it to Congress, was dated the 20th of February, 1845; that on the 19th of March following Mr. Adlam propounded certain questions, and Sir Robert Peel answered them in the House of Commons, and

certain strictures appeared in the London papers, especially under the signature of a "British merchant," upon the answer of Sir R. Peel, all well calculated to create erroneous impressions in respect to the message itself, and the source of information on which it was founded, which were left free to circulate and to grow and strengthen into conviction, whilst I was kept waiting until the 26th of March, 1846, for a legitimate occasion to correct them. Knowing that truth follows but slowly at best in the footsteps of error, my intention at first was, after receiving the debate in the House of Commons, to make it the occasion of addressing your excellency again, and I commenced a letter with that view. But certain causes prevented me from doing so, and I am rather pleased that I awaited the direct opportunity, now afforded me by his lordship, of answering not only his despatch but the debate in the House of Commons, and of correcting all error, as far as I can, on both sides, and of justifying the President's message, and the information on which it was based, forwarded by me to the federal executive. This is what I purpose, with patience, to do, in the same tone of candor and of friendliness with which my correspondence with your excellency was first commenced.

Perhaps the main cause of the delay of his lordship's despatch was, that her Majesty's government deemed it necessary, as he says, before instructing you to make any communications to Mr. Wise, to take the most efficacious measures which the case admitted for investigating the circumstances adduced by him, and for ascertaining, so far as might be possible from the slender data which he has furnished, what share of culpability in the transactions described by him may attach to British subjects, or to persons within the reach of British law. This, he says, her Majesty's government have done; and he then proceeds "to make such observations as Mr. Wise's letter appears to him to call for."

Upon this I have to repeat, that I regret very much that the communication to me should have been delayed so long by an investigation in England, founded upon "data" deemed to have been slender, of circumstances adduced by me in Rio de Janeiro. The case necessarily admitted of no very efficacious measures in that mode of investigating the circumstances, as is clearly proved by the letter of the British merchant or manufacturer, quoted by his lordship, if he means to adduce that as one of the results of the investigation, or if it is evidence of the kind of efficacious measures taken.

My letter professed to give information only, and not to furnish the proof of any one fact which it stated or described. This is particularly to be noted, because different parts of the same letter, all resting upon the same authority, my own narration, no other, seem to have weighed very differently in the scale of evidence with his lordship. Full credence is given by him to certain parts, whilst others are "damned by doubts," and others still not only wholly disbelieved, but discountenanced and denied. Which are given full faith to, which are doubted, and which are positively denied, is seen as his lordship proceeds. Where facts were pre-

tended to be stated positively by me, whether in respect to an American vessel, owner, or captain, or in respect to British brokers, credit, and goods, the data furnished in each case was precisely the same, equally "slender" or equally strong. The object of my letter was to give information for the purpose of causing investigation, and to give aid in the execution of our own laws, which the United States were so often called on by Great Britain to execute, and not with the view of convicting culprits. How the information came to be given will be spoken of presently.

For the present I pass over the next observation premised by his lordship. He professes to "confine himself to noticing those points which affect the character of any individuals or classes of her Majesty's subjects, and upon some of which Mr. Wise's personal observation, or the information which has been furnished to him, appears to have led him into error." No one would be more happy than I would be to have any error of mine on this subject corrected. No one could desire more sincerely than I do to be put right, in case I may have been wrong, or not to be put wrong when I may have been right. I am even anxious to satisfy her Majesty's government how particular, as minister of the United States, I have been in ascertaining correct information, and in using it for the promotion of the humane policy both of Great Britain and the United States, in suppressing the African slave trade. When bad men combine for evil purposes, good men must unite to suppress the evil and promote the good. To prevent the co-operation of the good is the policy of the bad; and to cause misunderstanding and misconstruction between the agents of governments whose policy is to suppress the slave trade, is an old art of slave traders too often successfully practised. To prevent or correct any and all such misunderstanding or misconstruction between Great Britain and the United States, and their respective officers and agents, has been, and will continue to be, one of the main objects of my best exertions. It is, indeed, one of the most essential means of success in the struggle with the slave trade.

His lordship next proceeds to cite, in substance, but not in precise terms, my declaration "that, whilst the vessels and the flag of the United States are employed for transportation, British brokers are the immediate agents of the slave dealers in Brazil, in negotiating the sales and the charters of these vessels, and British goods chiefly are sent and consigned to make funds for the slave trade on the coast of Africa; and British capital and credit are used here to guaranty the payments." This proposition, thus stated, but not precisely as his lordship states it, is one of those contained in my letter to your excellency, which I made upon my own authority; to which I did give my sanction; which I re-assert, with more emphasis, if necessary, than ever; which I am doubly well prepared to maintain, and for the truth of which, both in letter and in spirit, I appeal to the knowledge, information, belief and experience of her British Majesty's envoy at the court of Brazil, and her British Majesty's consul at the port of Rio de Janeiro.

Departing from the points to which his lordship proposed to confine himself, he recurs, in the next place, to my "general history of the cases in investigating which I found the proof of these facts verified, as I state them to be, upon oath." He does not follow me through my account of all the details of these transactions, but he does my statement the justice to say, "So far as relates to the proceedings of the vessels and their crews, nothing can be clearer, or apparently better established, than the charges which he makes out against *them*." He then recapitulates several particulars of the voyages of the three vessels, the *Agnes*, the *Monte Video* and the *Sea Eagle*, and concludes his observations upon them by saying, "In short, it is manifest from the facts which Mr. Wise has collected, and from the details which he is enabled to furnish, that *American* merchants, *American* ship owners, and *American* vessels, with their masters and crews, are regularly employed in carrying on the slave trade, and in furthering the conveyance of slaves from the coast of Africa to Brazil." Nothing can be clearer, or apparently better established, than *American* guilt. In short, it is manifest from the facts, that every person and every thing *American* are, as charged, not only regularly employed in furthering the conveyance of slaves from the coast of Africa to Brazil, but they are "regularly employed" (which is neither directly charged nor proved) "in carrying on the slave trade" itself. Now where did his lordship obtain such conclusive proof of all this against *American* persons and things, masters, owners, crews, vessels and flags? "From the facts which Mr. Wise has collected, and from the details which he is enabled to furnish." Were his facts proved? Were his details vouched by any data? By his own assertions alone. The strength of his lordship's credence thus far is fully justified; but it is remarkable in contrast with his incredulity which immediately follows, in respect to British persons and things. Turning from American participation in the guilt and profits of the slave trade, he examines "the only two points in the above transactions, at which it is stated that any *British* agents are implicated"—the proceedings of Mr. Weetman, the charterer of the *Agnes*, at Rio de Janeiro, and the shipment of the *Agnes*' cargo at Liverpool." "And as to *these*," his lordship says, "the information supplied by Mr. Wise is, perhaps not unnaturally, less precise than that which relates to the proceedings of the vessels and their crews." Truly enough, it is not to be expected that I should have been as fully informed, or as pains-taking in collecting facts respecting British as American proceedings. It was not my duty, or my province, to be concerned so much in the one as in the other. Whilst investigating the one, the other arose incidentally, and in necessary union and connexion, but not so as to pertain to the issue of guilt or innocence in the American cases. All relating to the latter, of essential importance, was noted and recorded. Much of importance, and everything of minor matter, relating to the British cases, was omitted in writing the depositions. Still, much was recorded, and, so far as noted, the information was no less precise in relation to British, than to American cases. The state-

ment was precise, that Mr. Weetman had negotiated the sales and charters in the cases of all three of these vessels, and that the goods were shipped in Liverpool for the coast. These facts are established. Where, then, was the want of precision? Perhaps his lordship meant that the information was not quite so "full," and not that, as far as it went, it was not so precise, because it turns out that the most essential facts stated are sustained by her Majesty's government's own investigation. His lordship first takes up the shipment of the Agnes' cargo from Liverpool. He states that her Majesty's government had ascertained who the parties are by whom it was shipped, and the circumstances under which this was done; and he adds, "I cannot state these more clearly than by quoting their own words." He then sets forth their own words, and concludes by saying, "Mr. Wise will probably admit that this simple statement, voluntarily made by the parties who shipped the goods on board the Agnes, goes far to prove that they had neither any interest in, or even any knowledge of the slave trading part of the transaction which was to follow." In making it to me, the simplicity, the benevolence, the charity of this submission, prove that his lordship is really sincere. Now, would your excellency say that Mr. Wise will probably admit all that his lordship thus supposes? It proves only what I have often, since my labors here, had reason to lament, and sometimes in conjunction with yourself, that the high functionaries of both governments are not only so far removed in space from the scenes of this horrid trade, but are elevated so far above its evil imaginations at home, that it seems almost impossible to make them conceive of its practices and devices. They cannot realize the whole truth of the subject as we do, located in Rio de Janeiro. But that they should so widely misconceive the truth, is strange. His lordship will, doubtless, be perfectly astonished when he reads my response—that so far from my admitting that this "simple statement, voluntarily made by the parties who shipped the goods on board the Agnes, goes far to prove that they had neither interest in, nor even any knowledge of the slave trading part of the transaction which was to follow," I insist that *it goes very far to prove the very reverse*. Let us examine this simple statement, thus voluntarily made, and, for the sake of illustration to his lordship, let us see how it would affect your belief and mine. Let me premise, however, that, knowing nothing of the parties in England, not knowing who or what they are, and not wishing to prejudge, or to prejudice their cases, and disclaiming altogether the judgment that they are innocent or guilty, I will imagine the case to be a supposed and abstract one only, not real, and tell his lordship what I, sitting in Rio de Janeiro, think of it.

1. The parties admit that they have *partners in Rio*, who wrote to tell them that they (the partners in Rio) had undertaken to execute a large order.

2. That it consisted, more or less, of the articles enumerated, &c., that is, of "*cottons, baizes, cloths, muskets, gunpowder, hardware*," &c., &c.,

3. *For one of the wealthiest of their customers.*

4. This order was to be executed on commission.
5. The various articles were shipped by the schooner *Agnès*.
6. *Which vessel had been chartered in Rio by the person who gave them the order.*

7. It was stipulated that the *Agnès* should proceed with her cargo from Liverpool to the coast of *Africa*, by the way of *Monte Video*, calling at *Rio* for orders. And a false reason was assigned for going by *Monte Video*, as there was no Brazilian duty of 20 per cent. levied on goods sent to *Africa*.

8. After landing her cargo in *Africa*, she was to return thence to *Rio* with a lawful cargo, and then the charter party was to terminate. Such is the case. The balance of the statement consists of argument in defence.

Now, besides these facts thus admitted, it is known, 1. That every article of cargo shipped in Liverpool enumerated, is such as is used in the slave trade.

2. That they were shipped by a vessel which actually returned from *Africa* to *Brazil* with a cargo of slaves, after cruising for several months with her cargo of English goods to supply various factories and posts of the slave trade. Though the vessel was a long time on the coast before she took slaves, yet she was as effectually aiding the slave trade.

3. That one of the wealthiest customers of this English house, who ordered the goods and who chartered the vessel, was none other than the Illmo. Sr. Manoel Pinto da Fonseca, knight or commander of the Order of the Rose in the empire of *Brazil*, as notorious a slave trader as any to be found in *Brazil*, whose name at the head of the list, with that of Bernardino de Sá and many others, your excellency has been known long ago to have officially communicated to the Brazilian government, and whose name figures in almost every case of slave trading by American vessels for the last five years, and which cases have, from time to time, caused even national excitement between *Brazil* and the United States. The facts admitted and the facts notorious, then, justify us in inquiring of these parties whose statement is truly too simple; whose art, simple, truth-like as it seems to his lordship, does not conceal its art from me.

1. Who are these *Rio* partners, and how long have they been residing in *Rio*?

2. Are they British subjects?

3. Did they know Manoel Pinto da Fonseca, one of the wealthiest of their customers?

4. Did they not know his calling, and the means of carrying on the slave trade, and the goods required for it?

5. Had the parties in Liverpool no advices in respect to all these inquiries?

Sir, I leave your excellency to elicit answers to these questions, and many more which might be put, and I call upon you to state to his lordship your opinion on this more than *prima facie* evidence, which proves, beyond doubt, to my mind:

1. That though the Liverpool parties may not have had any

knowledge, (of which, whoever they be, I doubt,) yet they certainly had an *interest* in the cargo of a slave trading voyage.

2. They had, by their own statement, information enough to make out a "*caveat vender.*" And

3. Their partners in Rio, in every presumptive aspect of the case, not only had an interest in the slave trading part of the transaction, so far as ordering the slave trade goods for their wealthy customers on a commission, but the *scienter* of moral; if not legal, guilt is established upon them beyond a doubt in my mind.

Now, who are these parties? Whoever they be, I challenge the comparison, that either the American owner, or the American captain, of this very vessel, the Agnes, can give an excuse just as simple, voluntarily made, as fair and truth-like and reasonable, apparently, and that her American crew and consignees can give still better excuses for their conduct than either of them. And so far as the American government is concerned, it has caused the captains and mates, and parts of the crews, of the Agnes and Monte Video both to be arrested, and a number of them have been tried and convicted. Here we have the defence. Let us see what the owner of the Agnes could say.

In the first place, he could plead his general character for respectability as high as that, probably, of the parties in Liverpool. He is said to be a quaker, a person belonging to what is called "a free State of the Union," and of a class whose principles and practice are opposed to slavery in every form, and who are almost universally in favor, especially, of African emancipation. He declares that he is a vessel owner and a shipper; that the policy of his country is to encourage ship-building, navigation, and commerce, and the sale of vessels, as a considerable part of trade. That being the owner of the Agnes, a vessel employed in the trade to Brazil from the United States, he gave, of course, instructions to her captain to procure for her the best possible lawful charter, and to sell the vessel if he could get for her a fair price. That his captain made his voyage to Rio, there entered into the charter party, (as described by the Liverpool parties,) and on his return to Philadelphia, seeing nothing unlawful or suspicious in the voyage, and knowing nothing of the character of the parties in Rio, with whom, and through whom, the charter was made, he permitted the vessel to pursue her voyage. True, he was informed that there was a contract aside from the charter party, that the vessel was at the option of the charterer, to be sold and delivered to him, at a stipulated price, on the coast of Africa, but such a contract, to sell at one place deliverable at another, was lawful and usual, and the price, in this case, was not beyond the market value of vessels deliverable on the coast of Africa. Then he, too, fearlessly asks, "was he to foresee that any such nefarious project was contemplated? All his interest ceased as soon as the ship was delivered; neither directly or indirectly had he the slightest interest in the result of the adventure," and he confirmed the charter and sale of the vessel, "under the full conviction that she *would* return to Rio with a lawful cargo; in short, that it was a regular trading voyage." All this seems very

fair. Let us next examine the captain. Captain Gray, of the *Agnes*, in fact, was arrested upon information sent to the United States by me; and his excuse is, therefore, no supposititious one, but was really made, as I am told, upon his examination. His excuse in substance was: "I was captain of the *Agnes*; took letters to the consignees at Rio to charter the vessel on the most advantageous terms, and I had instructions to sell her, if I could, for a good price. I, of course, left the negotiations for the charter or sale in the hands of the consignees, and they, as usual, employed a broker who contracted with the charterer. The charter-party is fair and legal on its face; it was for a *lawful* voyage. I knew nothing to the contrary; and the bargain to sell and deliver the vessel on the coast, in case the charterer chose to take her at the price agreed, was legal and bona fide. I did not, owing to the danger of sickness on the coast, go in the vessel, and another captain was shipped on board of her in Rio. He died on the coast, and then I went there in the "*Sea Eagle*" to look after the interest of the owners. The vessel was sold and delivered according to contract and law, and previous to that moment no part of her voyage was, in any respect, unlawful. I was not responsible for the acts of the Brazilian purchasers, and 'was I to foresee that any such nefarious project was contemplated?'" &c., &c. There were positive witnesses of this man's guilt, but owing to their absence from the United States, he was discharged. Since the witnesses have gone home, he has arrived here captain of another vessel. Now let us see what the consignees say. "We are doing a lawful and large commission business in Rio de Janeiro. We have nothing to do, and would not, on any terms, have anything to do, directly or indirectly, with the slave trade or its profits. A ship owner instructed us to procure an advantageous charter for his vessel. This was in the line of our lawful business, and we could not decline the order. It was not for us to inquire of the charterer, how he was going to employ the vessel; and our only care was to have a lawful charter negotiated on the most favorable terms for the owner. The usual course we pursued, in the case of the *Agnes*, to refer the captain to a responsible broker, with whom we dealt, and who did the business in this, as in all cases of consignments to us, on a commission of 2½ per cent. We left the business with him, and feel in no wise responsible farther than to see, as we did, that all money due under the charter-party or sale, was credited and remitted to the owners." And it is due to the consignees in the case of the *Agnes* to say, that immediately upon the developments of the cases of the *Agnes* and *Monte Video* and *Sea Eagle*, they addressed to me a letter of inquiry, on the 30th of November, 1844, in respect to the law and their duty in future cases, and I returned them advice which I believe they have followed since in good faith. The house of Maxwell, Wright, & Co., composed of English and American partners, is one of the largest houses in Rio de Janeiro, and none stands in higher credit with the bankers of England. No men are more respectable here than all the partners are; and since my letter to them of December 9, 1844, they have wholly declined to negotiate the

charters or sales of vessels for the coast of Africa. They have manifested the most bona fide intents throughout, so far as I have had an opportunity of judging their motives by their acts.

Well, what are the excuses of the *captains* who actually navigate the vessels, and of their crews, to the coast? They say: "We are paid by the month, ordinary wages, for most dangerous voyages to our health; we know nothing of the doings or intents of owners, masters, consignees, brokers, purchasers, or charterers. We simply sail the vessel, to such and such ports, and deliver the cargo and the vessel, as the case may be, a charter or sale or both, according to instructions, and then we return to port as best provided for us. We know nothing, and are informed of nothing unlawful, and see nothing suspicious until after we have delivered up the vessel, hauled down the colors, erased the name off the stern, and utterly destroyed all her American character. We were ignorant and innocent throughout, and 'how were we to foresee? &c., &c.'" Some of them, indeed, from maltreatment, are caused to come forward and testify most indignantly, that they were duped into an illegal voyage, and to expose its secret iniquities. In this way, chiefly, does the truth come out. The English broker, the English merchant, partner in Rio, each has his excuse, all tending to the innocent query: "how were we to foresee? &c., &c.," and thus, if the simple story of the parties in Liverpool is to be credited, each and every person connected with the nefarious project has an excuse precisely similar and equally good, and all alike are excusable. Thus, does not his lordship at once see, no one is guilty where so many are concerned? Go to Manoel Pinto da Fonseca, and he would tell his lordship flatly, "Oh! my lord, the cargo from Africa to Brazil *was lawful!*" I put these contrasts and excuses and defences to show not that they all are good, but that any excuse of any one party inculpated, is just as good as that which he expects me to admit, "goes far to prove the innocence of his parties in Liverpool." The fact is, that there has been culpability, if not guilt, on the part of all; there has been deep-dyed guilt on the part of some of them. But the American ship-owner was certainly no more culpable than the British partner in Liverpool, who furnished the goods, and who had a partner whose customer is Fonseca in Rio. The English and American consignees here, were not more culpable than the Rio partners of the Liverpool parties. And Captain Gray, himself, was no more guilty than the English broker. The poor navigating captain and crew were as little guilty of a scienter as any or all the parties. In fact, the fair presumption would be, that the most guilty of all were the Rio partners of the Liverpool parties, and the English broker in Rio, because these were in the most immediate juxtaposition to Manoel Pinto da Fonseca, the Brazilian prime mover and chief gainer in the "nefarious transaction." Yet, his lordship is conclusively convinced of the guilt of all and everybody engaged in it, except these two. As to these, there is a foundation laid only for further inquiry. This proves only how hard it is to judge at a distance, and to judge our own people as we judge our neighbors. I am making no defence for either or any of the parties, but show-

ing only, that those Americans who his lordship admits are clearly proved to be guilty, stand upon just as good, if not better grounds, than the English brokers and merchants, as to whose guilt his lordship declares "the data to be slender" and the proof to be doubtful.

His lordship next remarks on the case of Weetman, and says: "Mr. Wise not having stated the nature of the evidence in his possession against Weetman, it is impossible, with a due regard to justice, to say that there is sufficient ground, &c., &c." Now, as to the case of this man, I must premise, that I cannot forget myself and my position so far as to become in any sense the approver, or prosecutor, or informer, or witness against him. I am neither his accuser nor his judge. It is not my province to bring him to trial; and if the proper British authorities arraign him, it must be for an English court, I presume, to decide whether he has committed a violation of the British laws." But, appealed to as I am for the justification of my own statements to my own government, I am compelled to show, as an example of the evidence upon which I relied, not only as to these but other facts, the foundation upon which I based the information that a British broker does negotiate the charter parties (and I believe the sales) of American vessels employed for the uses of the slave trade. His lordship will please bear in mind that my letter of the 1st^o December, 1844, was addressed to your excellency here in Rio de Janeiro, not to a person in North America or in Europe. I was addressing a person who was already fully informed, and who, I supposed, would fully inform his government. But as his lordship's despatch leaves me to infer that her Majesty's government must have been uninformed, and totally ignorant of facts known, within my knowledge, to its authorities here; and as I am requested by her Majesty's government to produce the evidence, I must appeal to your excellency's recollection to confirm a statement as far as the facts of the case of Weetman are concerned.

Soon after it came out in the first investigations, prior to the date of my letter to your excellency, that Mr. Weetman (whether for himself or for the firm of Hobkirk & Weetman, I am not yet informed) was the negotiator of the charter parties and sales of the American vessels for the coast, a gentleman informed me, at the instance, I understood him, of Mr. Weetman himself, that he desired to be called on by your excellency for explanations; that he would inform your excellency, if called on; that he had negotiated these charters under the advice and counsel of Mr. Hesketh, the British consul, himself, at Rio de Janeiro; that he knew the British laws himself on the subject, but had chosen to have, for his own justification, the opinion of the British consul. He was even desirous to have your excellency informed of the part he had taken in the business. This communication to me, made by a very respectable and responsible gentleman, I imparted to your excellency's personal friend, George W. Slacum, esq., late consul of the United States, who, I have every reason to know, informed both your excellency and Mr. Hesketh. There was no pretence of de-

nying the *fact* of negotiating the charters, and perhaps sales, of American vessels for the coast. It was a boast, on the contrary, that Mr. Weetman had done whatever he had done on the authority, or with the full knowledge at least, of the British consul. It was communicated to me to be told to your excellency, and sounded like a defiance of investigation and a fearlessness of the result, whatever it might be. The case of the seizure of the brig Porpoise in this harbor, by the United States authorities, occurred soon thereafter. Great excitement was produced thereby in this city; and, in the midst of it, whilst attending to that case in the United States consul's office, Mr. Slacum, whom I had informed, and Mr. John S. Wright, my informant, came together to me in person for a written and corrected statement of the communication made to me by the latter. I immediately, in their presence, gave them a written statement, a copy of which is hereto appended, and which they took immediately, on the 24th of January, 1845, to Mr. Hesketh. He has lately furnished me with the original from which the copy was made. Mr. Hesketh and Weetman were brought face to face on the subject. The former peremptorily denied what Mr. Weetman was alleged to have said; but the latter never pretended to deny, and confessed that he had negotiated the charters of the vessels. Thus the matter stood, when Mr. Hesketh addressed a circular to British subjects here, which is hereto appended. Now, all these facts were fully known to your excellency and to Mr. Hesketh when I addressed to you my letter of the 1st December, 1844. In view of them, and particularly of Weetman's personal confessions to Mr. Hesketh, claiming even that he had his advice for his justification, I have not deemed it necessary to recur to the voluminous depositions which were taken about the time of my letter to your excellency, in December, 1844, to prove the fact of Weetman's negotiation of the charters of American vessels for the coast. The copies of those depositions, belonging to this office, have long ago been sent to Washington. Mr. Weetman not only negotiated the charters of the *Monte Video*, the *Agnes*, the *Sea Eagle*, the *Gannecliff*, the *Porpoise*, the *Kentucky*, &c., &c., but since the issuing of Mr. Hesketh's circular, warning British subjects against all participation, directly or indirectly, in the guilt of the slave trade, (induced in part, I believe, by the affair of himself and Weetman,) he has, in the face of that circular, negotiated of late the charters of the *Pons*, the *Enterprise*, and a number of other American vessels, depositions in relation to which, recently taken, I furnish herewith. The charter in the case of the *Porpoise* was sent to this place lately, by a United States court, attached to a commission to take depositions, and can clearly be proved to be in the handwriting of Weetman. In a word, his connexion, as broker, with Fonseca, the notorious slave trader, and the charter, and, I believe, sale of American vessels employed in the slave trade, is notorious, regular, systematic in the way of a *business* transaction, openly law-defying, and continued in spite of the warning of the British authorities, which they know full well, and can easily establish beyond all reasonable doubt.

They themselves know whether Weetman knows Fonseca, and the uses he makes of these charters and sales of American vessels. With them, then, I leave him and his guilt or innocence, assuring his lordship, at the same time, that I will cheerfully afford them all the facilities in my power for the faithful discharge of their duties, in obedience to his instructions to "push" their "inquiries to the utmost." In the hope of arresting and preventing these nefarious sales and charters of American vessels, I shall rely on the assurance "that no exertion will be spared by her Majesty's government to reach the offending party," if found guilty, and to "enforce the penalties of the law."

His lordship then turns from the details respecting the three vessels to the other, or general information, which I said "it was proper you should hear." And I regret to observe in the first clause of his lordship's next paragraph he egregiously misquotes my language, and changes the whole meaning of what I said. He says: "He states that, as the goods fit for the coast are purchased from British merchants, and as the chief security which the merchants have for payment is the successful sale of the goods in Africa, the consequence is said to be that the British cruisers will not capture or destroy *the vessels which carry these goods*, as the blow is found," &c., &c. Now, what I said was this:

"The goods and credit of British manufacturers and merchants, are liberally and indulgently extended to the Portuguese and Brazilian merchants in Brazil, on long time. The Portuguese and Brazilian merchants ship them in these vessels, chartered by the slave traders for the coast; and, in many cases a single vessel will take out the shipments of some ten or twenty various persons. They are not always loaded by the slave dealers themselves. Those persons who purchase of the British merchants 'the goods fit for the coast,' are mostly small dealers, and the chief security which the British merchants have for payment is the successful sales of *these goods in Africa*. If *they* are captured or destroyed, the British merchants suffer. The consequence, it is said, is, that the British cruisers will not now capture or destroy *them*, because the blow, &c., &c."

Not one word is said in this about capturing "the vessels which carry these goods;" but it speaks solely of the capture and destruction of "*these goods*," themselves, "in Africa." Your excellency, doubtless, understood full well what I meant. In the first place, that the British manufacturers make the *panos da costa*, the goods fit for the coast of Africa, *eo nomine*, for the uses and purposes of the slave trade.

Secondly. That their merchants, factors, and agents here, sell them to Portuguese and Brazilian slave traders, with all the scienter of guilt possible. They know at the time, even much better than British and American ministers and consuls know, the uses and purposes of these goods; that they are made and sold to become *the purchase product of slaves*; certainly that their kind is used, and that they will be used, in all human probability, to purchase slaves.

Thirdly. That their credits are long in proportion to the delays

and uncertainties of the slave trade, and their profits are commensurate with its risks. That the goods sold for the coast are sold, in a word, in direct reference to the slave trade; and all its incidents are taken into account.

Fourthly. That these goods are often sold to many small dealers, who, in the perfectly gambling spirit of the trade, invest their all in the adventure, which, if they lose, their creditors here must suffer. And here let me correct an error seemingly implied by this paragraph of my letter which I have cited. It seems to say what I did not intend—that the purchasers of the goods and the shippers are not slave dealers. I meant only to convey the idea, that the slave dealers who *charter the vessels* are not the sole shippers of these goods; not that all, or nearly all of the shippers, are not also slave dealers. They nearly all are. Each expects a return in slaves for the amount of his parcel shipped. The papers which your excellency furnished to me, as found on board the brig Sooy, will well illustrate the manner in which the returns for these goods are made to the individual shippers. In them he will find returns of slaves, with their respective marks, made in account even with female purchasers, among others. Aye, if my memory serves me, African women for Brazilian mistresses, marked with the brand of slavery over their very wombs! In Rio de Janeiro, one large business in the trade is said to be conducted by Bernardino de Sá, and another by Manoel Pinto da Fonseca. The latter is said to be the head of a company which comprises some *fifty* persons, many of whom are leading men in society. He usually charters the vessels, and his agents on the coast are the consignees who purchase the slave cargoes. Most of the members of the company are shippers.

Fifthly. These slave traders, and slave trade companies, have what are called “factories,” all along the coasts, eastern and western, of Africa. The agents (as the notorious Cunha, for example, the factor of Fonseca, at Cabinda) reside in these factories; have extensive establishments and numerous employees; and receive the goods and purchase the slaves.

Sixthly. In these factories, in Africa, these goods are accumulated; to them they are shipped. There, at every eligible point of the slave coasts, stored with goods, are they perched like vultures for their prey.

Now, why are these store-houses of the purchase products of slavery not destroyed?

Why are *the goods in them* not seized?

A British cruiser enters the harbor of Cabinda, and finds the factory of Cunha in full operation. Several vessels are unloading. Their cargoes consist of farinha, aguardente, bales and boxes of dry goods “fit for the coast?” muskets, powder, rice, flour, black beans, cheese, cigars. If on board of any one of these vessels is found an article of *suspicious nature*, the vessel is seized for adjudication. The “goods for the coast” are allowed to be landed. If an American vessel, she is “visited” to see whether she is American. All, as to the vessels and their trading, is or is not found

right, and the cruiser captures or not as the case may be. But there stands the factory; the factory, with its houses, its stores, its goods for the coast, its water pipes, its canoes, barges, and launches, its numerous employees, its fixtures for accommodating crews of slaves, its whole paraphernalia of the odious traffic, with every thing about it not only suspicious, but certain in its slave trade character. The cruiser sails. The moment she is off, the 500 or 1,000 captives, who have, all the time of her stay, been kept by the factory but a few hours' run in the interior until her departure, are hurried to the strand and are shipped; purchased by the very *licit goods*, the landing of which she has witnessed! They are paid for by the aguardente, the cotton cloths, and the muskets, &c., &c., which she has seen stored in the factory. Why is this? Sir, Cabinda is in what is called "the burnt district"—burnt district *once*, but burnt district no more! Need I tell you? Yes, to tell the Earl of Aberdeen that the reason alleged here boldly, unequivocally, and with an air of confidence and insolence even, which, whether it be true or false, defies contradiction, is, that when the district was burnt the British burnt their own goods. The loss fell on British merchants and manufacturers; and, as the saying is, "a burnt child dreads the fire." Such is the boasted answer to the question, why the store-house of slavery and its goods are not destroyed? I can only ask again, why is the factory not again burnt? And I appeal to you, sir, to say whether the destruction of one factory on the coast is not of much more effect in suppressing the slave trade than the capture of many vessels? The vessels would have no rendezvous; the slaves none; the slave dealers none, if the factories were all destroyed; and there would be no medium in which to pay for slaves if the goods fit for the coast were seized. It was at the factories, and the goods in them, that this paragraph of my letter was aimed; and I regret that his lordship turned it towards much less important objects—the vessels.

All his lordship's reasons, therefore, founded on a misapprehension of my statement, as applied to this topic, must fail.

With this he blends the other topic, that "it is asserted here positively that the British cruisers do not take the proper steps to prevent the *shipping* of slaves in Africa; and the alleged motive is that they seem to desire the slaves to be shipped, in order to obtain the bounty of so many pounds sterling, per capita, for their capture, and to send them as apprentices to Demarara, and other possessions of Great Britain." His lordship's mode of treating this subject implies, rather more strongly than is agreeable to me, that I have brought these "charges" against British cruisers. Nothing could be more unjust, and against such an implication I earnestly protest. But let us, since he is so serious on this point, examine into his defence. He thinks "it will be sufficient in answer to these charges," by whomsoever made, "to state two simple facts." The first is—

That out of 346 vessels seized and proceeded against, for the six years immediately preceding the date of my letter, 66 only had

slaves on board; the remaining 280, or more than four times 66, having been seized without slaves.

Secondly. That parliament grants a bounty to the captors calculated upon the tonnage of the vessel; and this for the very purpose that there may be no difference as regards the value of the prize, whether the slaver has shipped her cargo or not. This law has been in force for several years.

Thirdly. That as her Majesty's naval officers have no voice in the disposal of the slaves after capture, so have they no conceivable interest therein.

The first fact stated, if accurate, would seem to go far to vindicate her Majesty's naval officers. But it has not so much weight with me as it has with his lordship, when I reflect that the number of vessels *without slaves in them* (employed in the slave trade in carrying its cargoes and crews, and in tending the factories and the vessels intended to carry slaves) is, to the number of the vessels to be found *with slaves* actually in them, nearer the proportion of *twenty* than *four* to one. Therefore, though *four* of the *one*, to one of the other, have been captured, still, it might be said that it is not up to the relative number which should have been captured and seized. This simple fact, then, is far from conclusive.

The second fact stated, so far from sustaining, rebuts the defence very strongly, in relation, at all events, to times past. His lordship does not say *when* the law granting the *tonnage* bounty to captors was passed. I infer, from the reason he assigns for it, that it was passed after the law granting the bounty per *capita* on the slaves; because he says it was "for the purpose that there may be no difference in regard to the value of the prize, whether the slaver has shipped her cargo or not." Ah! indeed, "the very purpose," then, if this law was to balance the motives and inducements to capture prizes *without* as well as *with* slaves. These facts seem to be: a law was first passed granting a bounty upon *slaves captured*, without any bounty upon the tonnage of the slave vessel. What proportion was there, then, at that time between vessels captured *with* and vessels captured *without* slaves? We are not told; but the number of the latter was not so great as at present we are left to infer, because the law granting tonnage bounty had to be passed for the very purpose that there may be no difference as regards the value of the prize." The "value of the prize," then, was an inducement, a motive for the capture, was it? If so, this reason, up to the time of the granting of the tonnage bounty, admits the very gravamen of the offensive charge. Does not his lordship perceive that these very bounty laws presuppose that her Majesty's naval officers will be influenced and operated on *by the value of the prize*? How is it a calumny, then, to say that they are operated on by their interest in a greater or lesser bounty? If they are scandalized by this imputation, the laws of Great Britain herself form its foundation. Why give any bounties at all? Will not her Majesty's naval officers do their duty in subserving the humane policy of the laws of parliament without a bounty proportioned to their captures? The law itself tempts their discharge of duty with a mercenary mo-

tive. The advocates of the slave trade fail not to ascribe such a motive to them, charging them with a total failure where there is no bounty, as in the case of the factories; and giving them credit for vigilance and activity only where there is a bounty, greater or less, on the capture, as in the case of vessels with slaves actually shipped on board.

But the two simple facts of his lordship relate only to the motive of bounty. I informed your excellency that another reason alleged for the fact stated was :

3d. That a main object of waiting until a capture could be made with slaves on board was, that *laborers were wanted to be sent to Demarara and other British possessions.*

His lordship disposes of this alleged motive very cursorily, "as her Majesty's naval officers have no voice in the disposal of the slaves after capture, so have they no conceivable interest therein." But, though they may have no conceivable *interest* in the disposal of the captives; yet they may have *orders* to obey, and a government policy to subserve. And to the fact that there may be an object, a motive for capturing vessels with slaves on board, with the view of procuring laborers for British colonies, in addition to the motives of bounty, no matter whether founded in interest, or in orders, or a sense of duty to subserve a government policy, his lordship's reasoning does not apply.

Whether these motives have operated or will operate, still they are alleged as motives, and that is all I ever asserted and that I still assert. And though they may be alleged as motives for facts or conduct never existing or likely to exist, yet they form the *basis of imputation* upon the disinterestedness of British policy and its administration. That is all I ever intimated. I pretended not to affirm or to deny the truth of these allegations, but submitted merely the question: Why not remove all ground for them? I honor and respect the officers of her Majesty's naval service as much as any one can who is as much a stranger as I am to all their worth and merit. From what I have seen of them on this station, I can bear the most honorable testimony in their favor. I would be the last to do injustice to them or injury to their reputation; and if the author or publisher of unintentional wrong to them, would be the first to make them the amenable honorable. His lordship must relax, then, the austerity of his brow when he severely expresses his regret at my placing "on record what, upon mature examination, and after inquiring at authentic sources, I would have seen to be a calumny as groundless as it is offensive." I stated before exactly what I repeat now—that these imputations are here, in Rio de Janeiro, on every occasion when the subject is alluded to, and in every case brought under the examination of the American authorities, cast upon the British cruisers. And I add that I am verily convinced that the chief ground of these imputations, whether well or ill founded, is to be found in the British bounty laws themselves. I suggested before only what I venture, notwithstanding his lordship's frowns, to suggest again that a great national scheme of philanthropy should be as free as chastity itself.

from all suspicion of impure motive, and that if there be a ground of suspicion, whether true or false, it ought to be removed. If the motive of bounty operates upon her Majesty's naval officers, then there is no ground for indignation at the imputation of its operation; and if it does not, the law itself is nugatory.

When his lordship intimates that I failed to apply to "authentic sources" for information, he forgets entirely to whom I addressed my letter of December 1, 1844. Whom else did I address but her Majesty's envoy extraordinary and minister plenipotentiary at the coast of Brazil? On the 1st December, 1844, I transmitted to him my letter, and on the 14th of the same month, he replied in the form of the copy of his letter hereto appended.

On the same day, and not until after I received your excellency's reply, did I address the Secretary of State of the United States, giving him all the information upon which the message of the President of the United States was based. Who can say that I did not apply to the most authentic source?

Who can say, after this letter of your excellency, that I was not at liberty to rely on my statements as correct? If not correct, was there any thing in your excellency's reply which intimated it? If there had been the least intimation to that effect, my correspondence should cheerfully, on my part, have contained any and every correction, and had stricken from it every error brought to my conviction. His lordship is in error, then, when he says that "Mr. Wise has lent his ear" to charges "which are contrary to truth." I regret that a person occupying the distinguished position held by the Earl of Aberdeen, and writing that which was destined not only to be published to the world, but to be made the foundation of a formal despatch, should have taken so little pains to understand the text of his commentaries as entirely to misquote it, and should have reflected so little upon the facts as, in the face of a letter to her British Majesty's minister, to have made the charge against a United States minister, of not inquiring "at authentic sources," and should have comprehended so little the object or point of the United States minister, in stating the *allegation* of charges by others against British cruisers, stated only with a view to remove the causes of imputation, as to have made it the occasion of gravely charging him with lending his ear to charges contrary to the truth. I presume your excellency was not interested in deceiving me, and to you I applied, and your reply contained no correction. His lordship is equally in error as to the *time* I was in Rio de Janeiro before I acquired my information. I was here precisely four times the length of time which he asserts, four months instead of four weeks. But four weeks were enough time in which to hear of every imputation of which I informed you. Four weeks are time enough in Rio to hear more truths in respect to the slave trade than a person across the Atlantic would conceive of in a lifetime. The charge of hastily publishing what I addressed to your excellency, rests upon the federal executive, not upon me, though I am ready to bear all the weight there is in it. If his lordship had comprehended the facts of the whole case, and my objects

and motives, as well as your excellency does, he would have lent himself to no such erroneous charges against a foreign minister who has been using his utmost endeavors, in the discharge of his official duty, to aid British policy and laws and their due execution, and his lordship "would have expressed himself in very different terms." The indulgence of such expressions towards a sincere and active friend needs a caution lest it suggest to the enemies of British policy, the imputation upon the foreign office itself that it does not desire to have its errors corrected. The good opinion of his lordship is too high and worth too much, for its loss to be hazarded in future by telling the foreign office plain truths in respect to the execution of British policy regarding the slave trade, which may be unpleasant to hear.

His lordship next adverts to my bringing "forward the more sweeping allegation, that the obvious effect, if not design, of the British efforts on the African coast, is not so much to suppress the African slave trade, as to monopolize the African commerce, and particularly to exclude the trade there carried on by the United States."

And he proceeds to speak of the injustice to Mr. Wise, of supposing "that he would blindly and groundlessly give his sanction to the imputation of dishonorable motives on the part of the British government."

Now, as to this, as well as to other like portions of his lordship's despatch, I must repeat the protest, that I do not "bring forward" these allegations; they are brought forward by others, and so I stated. And neither "blindly," nor "groundlessly," nor in any other way, have I in my letter, given my sanction to any imputation of dishonorable motives on the part of the British government. And the imputation cast by others is not so much, perhaps, upon the motives of the British government, as upon the conduct of those who are entrusted with the execution of its laws on the coast of Africa. The British government is looked to, on the contrary, to correct and reform the effect, if not the design, of their conduct in many instances of outrage perpetrated on the commerce of the United States on that coast. But his lordship instructs your excellency, "to beg Mr. Wise to state to you, the reasons which have induced him to record such a charge in his letter, and the public measures, if any, of her Majesty's government, to which the charge has reference." I regret exceedingly that his lordship should have deemed it proper to give your excellency any such instruction, because it has the appearance, at least, of a challenge to enter upon a reply of crimination and re-crimination. Supposing, however, that his lordship's real intent was to seek for truth and information only, and protesting that nothing could have been, or can be, from first to last, farther from my motives and intentions than to cast reproach, or to excite controversy or unpleasant feeling between the two great governments, which, above all things, I desire to see brought into the most friendly cooperation and concert of action on the subject of the slave trade, and with the main object only of removing obstacles,

which I clearly see to exist in the way of the execution of either their joint or separate policy, I proceed to illustrate the reasons and the measures which he instructs your excellency to beg me to state.

As I have repeatedly said, there are two main foreign interests connected with the slave trade of Brazil. One is British, consisting in manufactured goods, wares, and merchandise. The other is American, consisting in vessels. The goods are the very pabulum of the slave trade, its purchase money. The vessels are the carriers of *them*, as well as of the slaves. The factories on the coast are the depôts of both slaves and goods, and their harbors are the rendezvous of the vessels. Now, in the first place, it is asserted that as between these two interests, the one, that is the goods and factories which contain them, is rarely disturbed since the time of the burning at Cabinda, by the British cruizers; whilst the vessels are watched, and visited, and searched, and captured, with the utmost vigilance, and even American vessels under the United States flag, after their goods are discharged and safely stored in the factories without molestation, are subjected to the most rude and harrassing, and often oppressive and insulting interruptions in what is called their lawful trade. Again, to give an instance. On the 21st of September, 1844, I furnished your excellency with copies of the evidence taken in the case of the brig *Cyrus*, of New Orleans, abandoned at Cabinda, on the 2d June previous, by her master and owner, Dumas, in consequence of the violence and outrage perpetrated on him, his vessel, and the flag of his country, by Captain W. Bosanquet, commander of her Britannic Majesty's sloop, or brig of war "*Alert*." It is unnecessary to recapitulate all the circumstances of this outrage, as they have been already furnished, I presume, by you to her Majesty's government. After being visited *once* politely by an officer of her Britannic Majesty's brig of war *Heroine*, commanded by Captain Foote, on the 1st of April; after being allowed to discharge her cargo fully, (on the 13th of April,) at Cabinda; and after being forcibly searched at sea by an officer of her Britannic Majesty's brig of war *Heroine*, on the 6th of May; she returned to Cabinda, whence she put to sea again, and, on the 22d of May, she was chased, fired upon, boarded and forcibly searched again by her Britannic Majesty's sloop or brig *Alert*. She returned again to Cabinda, on the 29th of May, her captain being confined at that place by sickness; and on the 2d of June was again visited by Captain Bosanquet of the *Alert*, who proceeded to open her hatches, to go into the hold and examine the vessel fore and aft; to threaten the master for refusing to comply with a demand for his papers; to claim charge of the vessel; to go into the cabin, rushing violently over and trampling under foot the American flag, though forbidden by the master, who claimed its protection; to demand the log-book; to threaten to take it by force; to demand the ship's papers; to assert that he had written authority to do all this; to demand the key of the master's trunk to get at the papers therein; to order an officer and a negro to go into the

cabin and to break open the master's trunk, which was done, the papers taken out and delivered to Captain Bosanquet; to retain the papers, though demanded back; and finally, to force the master and crew to abandon the vessel, he, Captain Bosanquet, declaring that he did "not care a damn for the American flag." After the vessel was thus abandoned by the compulsion and force of a British cruiser, under pretext of suppressing the slave trade, she was taken by persons unknown, and, it is said and currently believed here, a cargo of several hundred slaves was run over in her to Brazil. About the same time, at the same place, there were three other vessels, the Agnes, the Monte Video, and the Gannecliff, which had sailed, the Agnes from England, with a full cargo of British goods, and the two latter from Rio, with cargoes chiefly of goods of British manufacture. Under precisely the same circumstances of suspicion as the Cyrus, they were permitted to land their cargoes without molestation at a notorious slave factory which was left undisturbed, and they were allowed to remain off and on about the harbor, and finally, they were sold, and shipped each a full cargo of slaves to Brazil with impunity. When Captain Dumas arrived here in the French vessel Guatamozin, to protest before the United States consul, is it to be wondered at that he indignantly inquired, why it was that the only innocent vessel of the four was thus insulted and oppressed; why he was searched and pillaged, and compelled actually to abandon his vessel? He could imagine no other cause for it than that he hailed last from New Orleans *via* Havanna, when the Agnes hailed last from Liverpool, and the other two from ports in Brazil, all three with English goods. Is it strange that he noticed the fact that his vessel was harassed by visit and search when the others were not, and that the goods and factories were not disturbed, whilst he was compelled to abandon his vessel? This is one only of a number of like cases, and is it to be supposed that the masters, shippers, and owners in the United States, will not in such cases draw the inference, and plausibly too, that British cruisers intend to drive off from the trade to Africa American vessels carrying American cargoes, but that they are not either desirous or active to prevent the trade in English goods? They do draw such inferences and do express them, too, with the strongest protestations of their truth, and the most indignant protests against the conduct of British cruisers, whether authorized or not by her Majesty's government.

Facts like these were the reasons which induced Mr. Wise, not himself, to "bring forward the more sweeping allegation," but to record it as brought forward by his countrymen to whose complaints he is bound to attend.

And, after what I have said, it is hardly necessary for me to add, that the public measure of her Britannic Majesty's government, to which the charge has reference, is the exercise, by authority of her Majesty's government, of the pretension of visit and search of American vessels, in a manner partial and much more offensive in practice than it is in principle, as asserted of late.

In the next place, his lordship says: "that the fair answer to the charge, that the slave trade is supported by British merchants and capitalists, cannot surely have escaped Mr. Wise; that the articles required for the *licit* and *illicit* traffic are, in great part, the same; and, therefore, that, as these articles are manufactured, to a large extent, in Great Britain, it must sometimes happen that British goods will be employed in the slave trade." His lordship really must indulge me with great plainness of speech in reply to this answer. He must allow me to tell him that it is anything else but fair, either in fact or form, and that it has filled me with no little astonishment and regret. Astonishment, that such an answer on a subject supposed to be so thoroughly understood in Great Britain, should have proceeded from the head of the foreign office of her Majesty's government; and regret, that, whilst I am bound to ascribe to this fair answer the utmost sincerity, and candor, and integrity, I am compelled to attribute it to a total want of correct information. It is an answer which *surely could not* have escaped me; for, during my researches into the trade of the African slave coast with Brazil, I have heard that same defence set up, if once, perhaps one hundred times. I have heard the very same urged again and again in defence of the unlawful American, as well as British trade. The vessel owners of the United States use the same fair answer precisely: "The vessels used for the licit and illicit traffic, are of the same class; and, therefore, as vessels are built extensively in the United States for sale, and, as they seek the best markets for them in Brazil and Africa, it must *sometimes happen* that American vessels, after they are sold, will be employed in the slave trade." It is hard for a conscientious officer, of either Great Britain or the United States here, who is trying his best to make his government comprehend the true, as distinguished from the pretended, state of the slave trade between Africa and Brazil, to treat such pretences, such mere impositions and acts of the odious traffic, upon the belief of even enlightened persons at a distance, with calmness and patience. I say, again, therefore, that I mean to pay his lordship all due respect, when I tell him that I pay no respect at all to this "fair answer." I believe him to be incapable of coming short, in the least, of the utmost opposition to the slave trade, when I tell him that it is but an old trick of that trade. I am sure that he believed this answer to be "fair," or he would never have given it, when I tell him that her Britannic Majesty's envoy and consul, both, at Rio de Janeiro, as well as the minister of the United States, know it to be, in form and substance, in spirit and letter, inconsistent with the true state of facts, and wholly unfair. Tell it not in Onim, Cabinda, Quillimane; Lorencó, Marques—nowhere on the slave coast of Africa—publish it not in the streets of Bahia, Pernambuco, Victoria, Rio de Janeiro, Santos—nowhere on the coast of Brazil!

I cannot believe, for one moment, from what I have known of their dispositions and acts, that her Britannic Majesty's officers in Brazil, envoy, consul, commissioners, and naval commanders, all have failed to communicate true and full information on this

subject to her Majesty's government. It is so palpable here, that the children and the slaves know the facts. Any candid person can attest the truth of what I have said in respect to the employment of British capital, credit, and goods in the slave trade. It cannot be possible that your excellency has not informed your government of it, and his lordship must have been so much engrossed by higher and more pressing matters of state, that he cannot have given due attention to what you and Mr. Samo, particularly, must have sent home for the information of her Majesty's government. But the task is thrown upon me to scrutinize this answer. It will help the cause of suppressing the slave trade to do so.

“Articles required for the licit and illicit traffic.”

Premising that, in speaking of the traffic, licit or illicit, to the coast of Africa, I am to be understood always as having reference to the *slave coast* of Africa—that is, places where slaves are regularly, and on a large scale, bought and sold at all for this market, I ask your excellency whether you can tell his lordship what is the licit, and what is the illicit traffic, as distinguished from each other, between the coast of Africa and Brazil? *I cannot*; and, were his lordship here “four weeks” even, I would convince him that he could not distinguish the licit from the illicit traffic. The whole trade between Brazil and the African slave ports is one concatenated slave trade. The slave trade is the primary, the major, and the other is but the secondary, the minor trade, ancillary to the traffic in slaves.

Manoel Pinto da Fonseca, for example, at the head of a large company of slave dealers, employs a regular line of packets on the coasts of Brazil and Africa. He has his factories—that is, “stores,” and regular depôts for goods, provisions, and slaves, both in Africa and Brazil. His head-quarters are at Rio de Janeiro. He employs a number of coasting vessels to carry, to various points, the requisite supplies. The coffee, rusks, crackers, farinha, black beans, jerked beef, rice, sugar, and cachaca, or aguardente, are the products chiefly of Brazil. These are the chief provisions of the employees, and the slaves, and the crews of vessels. What is not consumed by the captives themselves, is necessary for the persons engaged at the slave factories, and on board the slave vessels and their tenders. Brazil has no currency to remit to Africa; and, if she had, *money* is not the medium of slave purchases in Africa. Dry goods, cotton, cloths, velvets, &c., and toys, gewgaws, beads, ornaments, and gunpowder, and muskets, and aguardente, are used as the products for purchasing slaves. A vast proportion of the dry goods, and the powder, and muskets, and a great variety of articles, under the general names of “fazendas estrangeiras,” or “mercadorias e varios generos,” are of English manufacture, and many made expressly as “panos da costa.” When the stores of provisions, goods, water casks, &c., &c., are all collected at the time and place desired, by the coasters, then vessels of a larger

class are chartered, or brought to run the goods over to the factories, and to bring the slaves back. Some are bought to bring back the cargoes of slaves, and the most are chartered to carry goods over, and to be tenders to the slave vessels and the slave factories. For example, the Agnes, and the Monte Video, and the Ganneclift, were nearly all three about the same time bought to carry cargoes of goods, and bring back slaves; and did each bring a cargo of slaves; and the Sea Eagle, and other vessels, were chartered only to take over goods and passengers, and bring back the crews of the slavers. The Porpoise was the tender to the Kentucky and the Panther, perhaps, and I do not know how many more vessels, of late, to the Pons. Now, I venture to say, that the outward bound cargoes of all these vessels from Brazil were of the same general description. Look at those of the Pons and Panther, and some other vessels, which have lately made voyages, and the "despatches," of which are hereto appended. And here, I will observe, that the only mode of getting at the description of cargoes taken out hence to the slave coast is, by looking at the daily reports of the *Jornal da Commercio*, under the head of "Exportação, Embarcações, Despachadas," and "Despachos de Exportação." These show the uniform description of the cargoes to the coast, and the identity of the persons by whom they are shipped. The Pons was captured with 900 slaves on board of her, and her cargo out was much less suspicious, apparently, than that of the Panther, which vessel was captured without a slave. See the deposition of Captain Graham, hereto annexed, which states how unaccountably this vessel escaped with her slaves on board, three days in sight of a British cruiser. She was captured the 4th day out by the United States sloop of war Yorktown. The sloop run up the British flag, and the slaver the United States flag. I pick up a paper whilst I am writing—the *Jornal*, of the 13th instant—I find this entry:

"Africa—Bergantim Amer: Frances Ann, de 346 tons, consig: J. Birkhead: manf: 40 pipas aguardente, 1 barrica café, 10 barricas bolacha, 3 barricas arroz, 2 barricas assuear, 2 barris toucinho, e re-exp: 100 barris polvora 34 volumes fazendas estrangeiras, 8 caixas espingardos e mindezas."

Such is a pretty fair specimen of the general description of these slave cargoes. Now which of the articles are licit and which are illicit? Under the laws of the United States, one is as licit as the other. They all, however, are used for the purposes and objects of the slave trade, just as much as are water pipes and shackles.

Again: all these vessels are alike permitted, with these cargoes, freely to pass and repass across the Atlantic, and to harbor on the coast of Africa, and openly and freely discharge at the slave factories. The contracts with those which are sold, are, that as soon as they have discharged the last parcels of goods, they are to be delivered to, be the carriers of the slaves; and the rest are chartered, at very high prices, to return for more goods or to transport them from one port to another in Africa, where they may be most required, taking backward and forward, all the time, the crews and

agents and employees of the slave trade as passengers. And whilst carrying these goods to and fro, the vessels themselves, as well as the goods, are unmolested. If American vessels, they are preferred, because their flag does not acknowledge the right of visit and search. But to carry the passengers, goods, provisions, &c., &c., the vessels may be and are as often of other flags, such as Sardinian, (they are as often used as American,) French, Portuguese, Brazilian, because though they are of searchable flags, yet these fair cargoes of goods are called licit, and they may smile when their holds are examined, and can unload at the factory of Fonseca, consigned to his agent, Sr. Cunha, at Cabinda, in open day, with perfect impunity. Now will his lordship tell us whether it is any more criminal to sell and to send to these slave-dealers these American *vessels*, than it is to sell or send to them these British "*fazendas estrangeiras e mercadorias e varios generos?*" If you will take away the food and clothing of the slave trade, and the purchase products of slaves, there will be no slaves at the factories for the vessels to transport. These licit goods, like these licit vessels, are alike on the ocean and at the factory under perfect protection, *up to the very point of time when the goods are delivered for and in consideration of the slaves directly, and when the vessels are delivered up for their shipment.* What is the difference between the British and American participation in the guilt? What is the difference in point of time of delivery, as well as of moral turpitude? None. If the American flag protect the vessels up to the moment of the shipment of the slaves, so does what is erroneously termed the *licit* character of the goods protect them up to the very moment of the shipment of the purchase of the slaves. Is it worse in law or morals to furnish the means of *transportation* to the slave trade, than it is to put the very *price* of slavery in its hands? Is it not the same to allow that price to go and be deposited in its place in perfect safety, as it is to allow the vessel to be sailed to her rendezvous of the slave market? Is the shackle which binds more a part of the trade than the piece of cotton cloth which buys the slave? His lordship would, doubtless, return the same answer to these questions which I would. The smallest articles of luxury which are sent over for the agents and employees in Africa, are parts and parcels of the slave trade. Every comfort and every necessary, used by the principals and employees, enters into it as well as the slaves themselves. The *incidents*, without which the traffic could not be, or could not so well be carried on, ought to be regarded as illicit as the *principals*, and ought to be as vigilantly pursued, seized and destroyed. Until they are, the principals, with various success, will surely thrive in spite of efforts aimed solely at their extermination. As I said in my letter to your excellency, the very wax and ivory and gold dust, which constitute a small portion of return cargoes, is brought down on the heads of the slaves. These products are shipped in the chartered vessels, and the live stock is shipped on board the vessels sold.

But to proceed. His lordship says, "It must *sometimes* happen that British goods will be employed in the slave trade." Here

is a monstrous error, most unaccountably imposed upon his lordship. "It must"—unavoidably, of course—"sometimes happen!"—now and then—not often, but rarely, and at irregular intervals, "fall out"—by accident, not design—"that British goods"—a few of them, I suppose, is meant—"will be"—by the slave dealers who purchase them, not by British manufacturers and merchants, is implied from the context—"employed in the slave trade!" I call upon the British authorities to undeceive her Majesty's government on this essential point of the traffic.

1st. From what I have said, the employment of British goods in the slave trade, to the vast extent of their present use and appropriation and consumption for its purposes, is not unavoidable. The goods may be seized in the vessels which are liable to search; they may be seized in the act of being discharged in the lighters and launches of the slave factories, and the factories themselves. They may be seized outside the marine league of Brazil wherever found. Such cargoes as I have described sold to M. P. Fonseca or B. de Sá, cleared for the slave coast, are *prima facie* in Rio de Janeiro, to be employed in the slave trade.

2d. They are designed by the very British manufacturers and merchants, in the capital of Great Britain herself, for the uses of the slave trade. In proof of this, I produce a circular from what I am told is a very large and highly respectable house in London. Its caption is :

"FORBES, FORBES & CO.'s CIRCULAR."

No. LXXV.

LONDON, 16th Jan., 1846.

It is stamped with her Majesty's government penny stamp. After giving the transactions in cotton, indigo, &c., &c., and a general review of trade in the London markets, it adds a

"Postscript.—24th January, 1846."

It gives her Majesty's speech, &c., and then proceeds to "prices current of East India and China, produce in London, &c., &c. ; and finally, to the head of, "prices current of cotton goods, Manchester, 30th December, 1845." Under this head it cites, "grey cottons, white cottons, Yorkshire goods, silk goods, colored goods," and lastly "printed cottons." Under colored goods it has the following: "*Panos da Costa*, 70 and 72 inches, &c.," enumerating to the Rio de Janeiro dealers a great variety of articles known universally to be the "*coast goods*," the uses and purposes of which, *eo nomine*, are equally notorious. "Printed by Joseph Blades, of No. 11, — place, Kennington Lane," &c. Precisely such goods did the Agnes and Janet both ship in Liverpool.

This looks very much like happening to be design. This is the 75th circular of this house; and how many other houses, in Great Britain have been sending precisely such circulars to the great slave market of the world, I know not. But, thirdly, I do know

that the "panos da costa," the powder, the muskets, &c., are sent, not now and then only, but regularly, in the way of business, on a large scale. The manufacturers and merchants cannot but know that these goods are made of a peculiar pattern, from the fact of being required for the slave trade, and that they are ordered and intended for that traffic. (See the papers furnished to your excellency by Commodore Purvis, and by your excellency furnished to this legation, found on board the Sooy.) You see, then, a specimen of what goods will, and what will not suit the African chiefs. And in the report of Archibald Reed, commander of her Majesty's brig Racer, to Commodore Purvis, of August 21, 1844, his lordship will find that an English resident at Bahia, "by the name of Goads," was implicated in the transaction of the Sooy, and that "there were augmented disclosures, apparently, of Frenchmen, (Gentois and Pailhot,) our own countrymen," (Englishmen,) "and Americans aiding and abetting." And in the letter of Commodore Purvis to your excellency, dated October 7, 1844, he will find that he says: "Papers which have been placed before me implicate an *Englishman* and a French house in Bahia; and I cannot but believe the Americans who sailed in her from Bahia equally culpable; so, in this instance, is developed the impropriety of conduct of natives of *all three countries* so strenuously opposed to the inhuman traffic," &c. An official letter from G. W. Gordon, consul of the United States at Rio, dated October 21, 1844, addressed to me, states the testimony of an affiant, named Bigelow, to have been, that four were Americans and one was an Englishman, of the crew which navigated the Sooy from Africa to Brazil with the cargo of slaves on board. The man Page, one of the crew of the Kentucky, was an Englishman. With your excellency's approbation he was sent to the United States, with his own consent, as a witness.

Again, I state it as a matter of belief, that a large number of the vessels which are sailed as American, or under the United States flag, over to Africa, for the purposes of the slave trade, are secretly sold, and, in fact, are not American, or entitled to hoist the United States flag. I state this as mere matter of belief; because, if it were susceptible of clear proof, the evil could be easily, and would be promptly prevented and corrected, by the American authorities here refusing to grant the necessary papers to navigate under their flag. Most of the vessels sold, or intended to be sold on the coast, when they depart from ports of Brazil, discharge their American crews, if they can, and ship foreigners. Such was the case, for example, both with the Panther and the Pons. And the fact of discharging Americans and shipping foreigners under the flag of the United States, by a master bound to the coast of Africa, is, in itself, a strong ground for suspecting an intent to engage in the slave trade. Many of the foreigners thus shipped are British subjects; and I have good reasons, not amounting to proof sufficient, however, to justify their statement, for believing that many of the vessels thus secretly sold, and which thus ship foreign crews, are purchased by British subjects. I have no doubt that British subjects are at this moment running the American flag against the

English and French blockade, both at the river Plate and in the slave trade; so that they not only do the slave trade brokerage and furnish capital, credit, and goods for its prosecution, but are really inculpated, as well as American citizens, in the abuse and prostitution of the United States flag to its uses and purposes, and in the business of furnishing vessels and transporting slaves.

But farther, and far more important than all this, I tell his lordship, without the fear of contradiction by any one at all conversant with the facts, that the whole system of trade between Africa and Brazil, and between Great Britain, Brazil, and the United States, and the trio of relative tariffs between them, tend to favor the slave trade, and to aid the British brokers, manufacturers, and merchants, and the American vessel owners, who have a combined interest in its profits. This may startle his lordship, but it is nevertheless true. I appeal to your excellency for the truth of this position.

I regret exceedingly that there is no source to which application can be made for anything like full or correct statistics on this interesting point. Every source of information here is interested to blind and deceive those who are seeking truth with a view to remedial measures. The alfandega and consulado accounts of imports from, and exports to Africa, are, to a vast extent, concealed, and the trade embraces an enormous amount of smuggling, which cannot, of course, be stated. But still there are some few important facts which, however imperfectly stated, may enable his lordship to form some general conclusions approximating to truth.

I have before me the best statistics which I can procure of the trade of Rio de Janeiro:

No. 26 of the Rio Mercantile Journal, edited by Isey Levy, printed by J. Villeneuve & Co., Rua d'Ovidor, No. 65, dated Saturday, January 24, 1846, and purporting to contain an annual retrospect of trade for the year 1845.

In the first place, I have looked in vain through this for a statement of the amount of tonnage employed in the trade between Brazil and the coast of Africa, as compared with the value of its stated imports and exports. Such would the excess of tonnage be found to be, over the amount or value of cargoes accounted for, as doubtless to astonish any one with its amount of tonnage, which must, as there is no other way of accounting for it, necessarily be employed in the transportation of slaves.

In this retrospect we find only:

1st. That the whole import trade from Africa was done by, 1 American, 1 Hamburgese, 2 Portuguese, and 3 Brazilian vessels, in all, 7—tonnage, 1,491. Cargoes, of what they consisted, and value not stated. This, I presume, may be taken as the utmost measure of the licit import trade from Africa to Rio for the year 1845.

In the table No. 3 of the comparative importation from foreign countries of principal articles in 1843, 1844, and 1845, and the respective quantities received from each country in 1845, Africa is not named. The truth is, that the imports from Africa to Brazil, saving a little wax, ivory, and gold dust, and a few birds and other specimens of natural history, and *excepting slaves*, are, in a commercial point of view, hardly worth naming.

Exports.

2dly. We see:

1st. That the whole export trade of Rio employed 881 vessels, of 274,955 tons; an increase of 1845 over 1844, of 13½ per cent. Of this number there were:

With full cargoes.....	513
In part laden with produce.....	33
With foreign merchandise.....	42
With invoiced cargoes.....	72
In ballast.....	52

Total having foreign destination..... 712

2dly. *Where* these vessels were respectively bound to is not stated. But in table No. 6, showing the destination, by countries and ports, of produce of Brazil exported in 1845, with the number of vessels and tonnage of each nation employed in its exportation, we have, exclusive of the Cape of Good Hope, to the dependencies of Portugal alone, in Africa: In 14 American vessels, of 4,484; 2 French, of 463; 1 Hamburgese, of 190; 25 Brazilian, of 3,819, 3 Portuguese, of 685, and 4 Sardinian vessels, of 721 tons—in all, 49 vessels, of 10,362 tons. Exports of Brazilian produce accounted for: 70 bags of coffee; 169 cases of sugar; 80 tanned half hides; 1,872 bags of rice; 3,649 pipes of rum; 1,240 rolls of tobacco, and 6 barrels of tapioca. For the returns of all this Brazilian produce, and all these 49 vessels of 10,362 tons, to Portuguese possessions alone, we have the imports of 7 vessels of 1,491 tons only, from *all* Africa. And many important articles, such as jerked beef, the produce of Brazil, not given. It is stated as exported coastwise only.

3dly. The destination, by countries and ports, of foreign produce and merchandise re-exported in 1845, with the number of vessels and tonnage of each nation employed, &c., is not given. But under the head of:

“Foreign merchandise imported direct and coastwise, shipped coastwise and re-exported, and produce entered inwards, and cleared outwards, coastwise, in 1845,” we have:

Exports the growth, produce, and manufacture of Brazil, coastwise, in 1845:

Coffee, 8,274 bags; hides, 9,137; half hides, tanned, 5,480; jerked beef, 170,552 arrobas; rice, 16,591 bags; rum, 862 pipes; sugar, 1,565 cases, 86 boxes, 3,879 barrels, 911 bags; tobacco, 36,874 rolls.

Under this head there is no doubt a vast amount of exports goes to Africa.

Again: “Foreign merchandise, exported coastwise, in 1845:”

Alé and porter, 5,912 casks; arms, 482 packages; brandy, 122 pipes; butter, 2,568 firkins; candles, 819 boxes; candles, tallow, 1,465 boxes; cheese, 848 boxes; coals, 771 tons; codfish, 6,667 casks; copper, 66½ tons; cordage, 1,626 coils; earthenware, &c., 3,298 packages; flour, 26,339 barrels; gin, 9 pipes; 7,345 dozen

stone jugs, 1,600 demijohns, 850 cases; gunpowder, 2,525 kegs; hams, 32 casks, 135 loose; hardware, 417 packages; iron, 91 tons, 28,792 bars, 1,782 bundles; iron hoops, -20½ tons, 1,384 bundles; jerked beef, 47,805 arrobas; lard, 282 kegs; lead, 327 bars, 75 rolls; leather, curried, 296 packages; leather, wrought, 290 packages; mess beef and pork, 44 barrels; nails, 1,060 packages; oil, olive, 393,900 boxes; oil, fish, 198 casks; oil, linseed, 85 pipes, 1,162 tins; paper, 1,354 packages; pepper, 377 bags; *piece goods*, 20,605 packages; pitch, 282 barrels; raisins, 6,214 boxes; ravens duck, 1,052 pieces; rosin, 2,849 barrels; sail cloth, 3,065 pieces; salt, 433,110 alquieres; saltpetre, 310 packages; shot, 1,166 kegs; soap, 7,720 boxes; steel, 573 cases; tar, 595 barrels; tea, 1,329 packages, tin plates, 342 boxes; tobacco, 147 packages; turpentine, 4 barrels, 156 tins; vermicelli, 3,995 boxes; vinegar, 464 pipes; window glass, 671 boxes; and wine, 4,212 pipes. Of this—but what proportion, I am unable to ascertain—a large quantity is undoubtedly shipped to Africa.

Again: “Merchandise re-exported to *foreign ports*, in 1845.”

Ale and porter, 295 casks; arms, 487 packages; brandy 166½ pipes, 1,997 demijohns; butter, 431 firkins; candles, 612 boxes; cheese, 121 boxes; coals, 2,245 tons; codfish, 1,884 casks; cordage, 3 coils; deals, 605 dozen; earthenware, 147 packages; flour, 20,620 barrels; gin, 99 pipes, 787 dozen stone jugs, 700 demijohns; *gunpowder* 16,130 kegs; hams, 4 casks, 404 loose; hardware, 222 packages; hides, 101,819; iron, 240 quintals, 3,281 bars; iron, hoop, 112 quintals; 164 bundles; jerked beef, 16,419 arrobas; lard, 402 kegs; lead, 2 rolls, 5,098 bars; leather, curried, 3 packages; leather, wrought, 29 packages; lumber, 329,265 feet; mess beef and pork, 222 barrels; nails, 43 casks; oil, olive, 260 pipes, 4,279 jugs, 317 boxes; oil, fish, 41 casks; oil, linseed, 8½ pipes, 132 tins; paper, 230 packages; pepper, 176 bags; *piece goods*, 4,570 packages, pitch, 6 barrels; raisins, 852 boxes; raven duck, 14 pieces; rosin, 5 barrels; sail cloth, 606 pieces; salt, 8,910 alquieres; saltpetre, 447 bags; shot, 89 kegs; soap, 7,869 boxes; steel, 25 boxes; tar, 8 barrels; tea, 74 packages; tin plates, 4 boxes; tobacco, 39 packages; vermicelli, 1,000 boxes; vinegar, 20 pipes; wine 1,178 pipes. Except a few articles shipped to the river Plate, nearly all the exports under this head go to Africa.

Next; whence is this amount of foreign merchandise, thus re-exported from Brazil to Africa, chiefly imported into Brazil?

By table No. 3, showing the comparative importation, &c., we find that:

Out of 24,294 casks of ale and porter imported into Brazil, in 1825,	
there were from Great Britain.....	21,993
Out of 19,573 firkins butter, there were.....	15,783
31,572 quintals codfish, there were.....	27,823
302 tons copper, there were.....	302
4,228 coils cordage coir, there were.....	3,669
5,811 packages hardware, there were.....	3,840
2,452 tons iron, there were.....	2,452
175 tons hoop iron, there were.....	175
24 bundles hoop iron, there were.....	24

Manufactures of—	
31,160 packages cotton, there were.....	20,000
2,263 packages linen, there were.....	1,992
183 packages linen and cotton, there were.....	131
3,888 packages woollens, there were.....	3,161
666 packages woollen and cotton, there were..	358
9,748 boxes soap, there were.....	7,058
2,467 tin plates, there were.....	2,367

From these statements, very general and imperfect, still some important deductions may be drawn:

1st. That the number of vessels and amount of tonnage employed in the export trade from Rio to the dependencies of Portugal, alone in Africa is, in round numbers, seven times greater than the number of vessels and tonnage employed in the whole import trade from all Africa to the same place. This is apparent from what is stated, but if we could ascertain the whole amount of exports which is known, but designedly not stated, and the amount of smuggled exports, which is known only to be very great, to all Africa from all Brazil, and compare the tonnage and vessels of licit imports, we would find the excess of the former over the latter to be so immense, and to be accounted for only by the importation of slaves, and to be the most proximate measure we could arrive at, of the extent of the slave trade between Africa and Brazil.

2d. That a vast amount of foreign produce and merchandise is re-exported from Brazil to Africa, and

3d. That of the foreign produce and merchandise, thus re-exported from Brazil to Africa, the principal part is necessarily of British produce, merchandise, and manufacture.

It is known that the principal part of this foreign produce, manufacture, and merchandise, thus sent to Africa, is employed in the slave trade. I would say, a vast proportion of the cost of slaves and of the incidental expenses of the slave trade, is paid for by produce of British growth, and goods of British manufacture.

Next: how are these British products, manufactures, and merchandise paid for in Brazil?

We have seen how little of licit imports there are from Africa, to enable the purchasers here to pay for foreign or British goods. All other imports from Africa, embracing every thing except slaves, would not bear any proportion scarcely to the foreign products and merchandise re-exported to Africa. And there is no circulating medium in Brazil, which will bear taking out of the country, in payment for articles of commerce. The British manufacturers and merchants dare not take the slaves in exchange for the goods which purchase them. There is no such thing as cash, and there is *barter* only for coffee, sugar, rice, hides, hair, and horns.

But Great Britain almost totally excludes these slave-grown products of Brazil. The British merchants cannot send the coffee of Brazil home; they sell their goods to the Brazilian and Portuguese traders, who send nearly all of them, over and above the amount consumed in Brazil, to Africa, in exchange for slaves. The goods are paid for in coffee here; (on long credit for the piece goods, as

his lordship will see by the accompanying retrospect,) and the coffee is sent the United States, where it is a free article. Out of 1,208,062 bags of coffee exported from Rio in 1845, 551,276 went to the United States.

As his lordship will see by the retrospect, 630,787 bags were shipped by seven houses alone; and in only two of these seven houses, Maxwell, Wright & Co., and Charles Coleman & Co., have the Americans; as far as I am informed, any interest.

Such is the routine of trade in the quadrangle of Great Britain, Africa, Brazil, and the United States. British merchants sell the goods here which purchase the slaves in Africa, and take coffee which finds a free market in the United States.

There are certain serious corollaries from all this.

1st. His lordship cannot fail to see that the restrictions in the British market on Brazilian products, and their comparative freedom in the markets of the United States, furnish available proceeds in the markets of Brazil for the manufactures of Great Britain, in competition with, and to a great extent in exclusion of, their own manufactures.

2d. That the British purchasers of coffee in Brazil come into successful competition with the merchants of the United States, and do the much larger business in that article in their own home market.

3d. That in proportion as British goods for the coast of Africa are exchanged for coffee here, to be sent to the United States, so is the rate of exchange increased against them, as between them and Brazil.

4th. That the accumulation of Brazilian coffee, belonging to British merchants in the United States, increases the rate of exchange against them, as between them and Great Britain.

5th. That the exports of British goods, from Brazil to Africa for slaves, increases, pro tanto, the price of coffee in Brazil chiefly against the United States.

From this his lordship may see the mighty array of interests on the part of British manufacturers and merchants, and of Brazilian coffee raisers and dealers, in favor of the slave trade.

6th. The least interest of all, and the only interest which the trade of the United States has of the same sort, is the *navigation interest*; and that is lessened immensely in value by the effect of our reciprocal treaties of commerce and navigation, particularly with Sweden, the Netherlands, and Denmark. Swedish, Bremen, and Danish vessels, constantly compete with our own vessels, in carrying trade to our own markets. If the slave trade was effectually abolished, the price of Brazilian coffee would fall immensely immediately, because the African chiefs have not, except slaves, wherewith to pay for British goods, and the amount of them now required to purchase slaves would no longer find a market in Brazil. The interest which the United States have in lowering the price of coffee for their consumption, and in diminishing the double rate of exchange against them, is far greater than any navigation interest which their citizens possess in the transportation of coffee and of slaves. If the slave trade was abolished, and the United States

were to put a moderate revenue duty only, on coffee, what would become of the market in Brazil for a vast amount of British goods? And how much rate of exchange would be saved to the trade of the United States? And how much more of American manufactures than there are now, would be let into the markets of Brazil! This shows clearly that the interests of the United States, or their trade, or citizens, are not the interests which uphold the slave trade. They are rather those of the trade, and citizens of Great Britain and Brazil. Indeed, I am more than ever confirmed in the conviction that the largest interests in the world, next to those of Brazilian subjects, now favoring the slave trade, are those of a certain class of British manufacturers, merchants and capitalists. Her British Majesty's consul at this port was compelled, since my residence here, to issue the appended circular, and Sir Robert Peel himself, in the House of Commons, March 19, 1845, in debate on this very subject, admitted that there was too much reason to believe that British manufacturers and merchants were engaged, and British goods and credit were employed in the slave trade. He was, at all events, not prepared to deny the fact.

If his lordship inquires "how law is to be made (in the language of Sir Robert Peel) to reach the application of British capital to the continuance of the slave trade;" I can reply only that my purpose is, and was, to show only, whatever may be supposed or said to the contrary, the fact that there is such an application, on a large commercial scale, of British capital, to the continuance of the slave trade, in a variety of ways, directly and indirectly; and that next to the largest interest in the world is the interest of British commerce in the continuance of the slave trade. The remedy, the correction of the evil, is not for me to determine. In the connexions in which I have viewed the subject, his lordship will see a vast field opened to serious study and reflection. Great Britain sends as three to, and takes as one only from, Brazil. The United States sends as two, and takes as three, from Brazil. Great Britain taxes the products of Brazil very heavily, whilst the United States admit the chief of them duty free. Yet Brazil makes no discrimination in favor of the produce and manufactures of the United States, and the latter furnish a rich market for the available proceeds of the manufactures of Great Britain, sold to the exclusion of their own in Brazil. It is very apparent, from experience under this state of things, that the restrictions of Great Britain on Brazilian products in her markets, and the freedom from duty of the same products in the markets of the United States, do not tend to suppress the slave trade. My purpose is, and has been merely to show the fact that large British interests do exist, and operate most powerfully, to continue the slave trade, far greater, too, than any American, except Brazilian, interests. And that his lordship ought not, for one moment longer to believe only that must "sometimes happen," only "that British goods will be employed in the slave trade." They are not unavoidably nor accidentally, but designedly and systematically, and regularly, on a large scale, so employed. In these causes, too, perhaps his lordship may see why Brazil does not impose the discriminations against British goods,

authorized by the act of 1840. And though this matter is beyond the complete control of the British, or of any free government, which may be truly admitted, and though the British laws have been framed in the strongest and most comprehensive terms, to prevent British subjects from being engaged, directly or indirectly, in the slave trade, and though there cannot be a doubt of the sincere dispositions of her Majesty's government to enforce those laws; yet his lordship must, on the other hand, admit that this matter is, to a great extent, if not completely, within the control of the British government, and the British laws are not so perfect as not to be possibly still susceptible of important amendment. They may probably be made to reach cases, and classes of cases, coming within them, against which they have never as yet been enforced. I have from the beginning been confident, in justice to the motives of her Majesty's government, that if it could only be convinced of this as I am, it would, with the promptness and good faith and integrity of moral intention which have ever distinguished it on this subject, amend the frame, and force the execution of the British laws. His lordship next turns to the course which I had ventured to recommend, for securing a more cordial co-operation between Great Britain and the United States, in the suppression of the slave trade. It was wholly superfluous for him to decline the discussion of the topic of visit and search with me. I not only had no instructions to discuss that subject as an independent proposition, but I can tell his lordship that, as such, I would not consent to be "the recognised organ" to discuss or treat of that subject with any power on earth. As a citizen of the United States, I would never give my consent that the federal executive itself should ever again entertain its discussion. No discussion is necessary. It is left, where I trust it will remain forever, assimilated to the doctrine of municipal search under the British common law, the act of visit and search to be trespass or not, and to be trespass with indemnity or *damnum absque injuria* or not, according to the circumstances of the cases as they may arise. I, therefore, never intended to discuss this topic independently, but ventured to point to the fact only of the pretension as an obstacle, and a serious one, too, to the cordial co-operation of Great Britain and the United States in the suppression of the slave trade. As such, incidentally merely, did I submit it as worthy of consideration by her Majesty's government. If my suggestion was founded on a misapprehension of the rights claimed by her Majesty's government, it was certainly a misapprehension, caused in great part by the attentive perusal of his lordship's own able and perspicuous writings in 1841; and, as to the practice of the British cruisers, that is hardly to be mistaken in such glaring cases as that of the American brig *Cyrus*:

In reply to the hope expressed by his lordship that the American flag and American seamen will not long continue to cross and recross the ocean with impunity, sharing actively in the prosecution of the slave trade, &c., and that justice should not fail to reach the criminals in the cases of the *Agnes*, and the vessels associated with her, I am happy to inform him that the master and mate of the

Monte Video have been tried and convicted, and sentenced to severe fine and imprisonment; that the person who sold the Agnes was arrested and tried, and escaped only by reason of the absence of the most material witnesses; that the Sea Eagle was engaged, it appeared, in what is called by common consent, but very erroneously, *licit trade* only; that the Porpoise was seized in the harbor of Rio, even at some risk of giving great offence to national sovereignty, was sent home, and the vessel and master are now under trial; that Clapp, who sold the Gannecliff, has just been arrested in the Panther, and sent home, and the news is that his trial at Charleston, South Carolina, has eventuated in his conviction; that a number of other cases of arrests, and seizures, and trials, prove the earnestness and activity of the authorities and government of the United States to fulfil their own duties, to maintain their own jurisdiction, and to vindicate their sincere dispositions to meet all the ends of humanity, and all the desires and wishes of the good on this great subject, by a faithful execution of their own laws. The course of decisions in the courts, and the current of public sentiment in the public mind of all the States of the Union, are strongly set against the state of things so strongly deprecated by his lordship, and he may rely on the soundest state of moral feeling existing north and south, east and west, throughout the United States, on this point. In turn, may I not, without necessity of disclaiming a tone of retort, or a spirit of recrimination, in the same kind temper as that of his lordship, express the hope that the American flag and vessels, in future, may not be tempted so strongly as they have been, to ship goods to the slave trade in Africa, directly from England herself; that British goods will not long continue to cross and recross the ocean with impunity, employed actively in the uses and purposes of the slave trade, and supporting it until beyond even the moment when its miserable victims are safely stored in the vessel's hold, and the success of the infamous adventure is more than half secured? The facts which I have adduced, as to the participation in the guilt of the slave trade by British brokers, manufacturers, merchants, and seamen, are so clear, that it is scarcely possible to conceive that they can escape unpunished. Their practices, as I have traced and described them in the case of the Agnes, are becoming of more and more frequent occurrence on the coast of Africa. There is not a slave factory on that coast which may not, from time to time, be found stored with English goods.

I trust that they may in future be frequently visited, rigidly searched, and unsparingly destroyed by the armed cruisers of all nations bent upon the successful suppression of the slave trade.

In the next place, my recommendation that the ministers and consuls of Great Britain and the United States, in Brazil, should be clothed with full powers to arrest culprits, to summon witnesses, to hold examinations and to require bonds; and to send culprits and witnesses home, is not so impracticable as at first view it appeared to his lordship. The execution and sanction of these powers need not depend, so much as his lordship thinks, upon the will of the sovereign "in quo." It would be very desirable to obtain, if possi-

ble, a stipulation, by treaty or convention, of such reciprocal consular powers. But if no such stipulation can be obtained, still Great Britain and the United States have the power of creating a sanction to their respective laws for the regulation of their respective citizens and subjects abroad, which no nation on earth have to the same degree and extent. Next to their pure and sound judicaries, that which most distinguishes the mother and daughter nation from all others, is their real and sacred protection of their subjects in foreign lands. At no time of the world, in no period of Roman history, was the privilege of claiming, "I am a Roman citizen," half so precious or half so proud as that of now claiming British or United States protection, especially in all South America. It is a part of the old common law liberty which clings not so much to the force of arms as to the ermine—the civil justice of these countries. To one residing here, it appears a feeling incredibly strong, amounting to an affection, a sympathy, and a sentiment as holy as a sense itself of religion. It seems stronger in the lower and weaker, than in the higher and stronger man, for the reason that, as the one feels more humble and impotent, he needs the more some stay, support, and defence. Those who can get the protection of a British or United States consul in Rio de Janeiro are, or think they are, safe from all harm, and fear no oppression nor necessity, nor want, nor danger, because they are sure that their countries will take good care of their own children. How useful then might this principle, this pride, this glory of protection, and the dread of losing it, be made in sanctioning the powers of consuls to suppress the slave trade! Could it not be established that the citizen abroad who should take refuge under a foreign jurisdiction to oppose, thwart, and defy the powers, authority, and policy of his own government, should, for the time of his default, forfeit its protection? Could not the consuls be authorized, upon reasonable grounds of suspicion, to call upon parties to submit themselves to examination and proof, and upon witnesses to testify? And if parties and witnesses should disobey or contemn or delay to submit to the call, would it be inconsistent with the tenderest rights of civil liberty to require of consuls to record and report the defaulters and their names, and to declare that, from that time forth, until due submission, protection should be forfeited? What would become of these recreant subjects then? Claim of them all their duties to their country still, but deny to them its privileges until they should dutifully obey its laws, and let them be subject to all the impositions, until then, of the country where they may be found. In Brazil the fear of impressment in the army and navy alone would force witnesses, at all events, to come forward and testify, in lieu of incurring these risks, if not parties to submit voluntarily to consular authority, and to go home for trial. At all events, truth for the objects and ends of legislation, if not punishment, could be got at in this way without resort or offence to any foreign jurisdiction whatever. The regulations of this subject, of course, should be well guarded, and the consuls should be held to a responsibility in proportion to the extent and delicacy of their powers, for any abuse

or perversion of them. The United States, particularly, might grant powers to swear masters and owners, and even consignees, as to whether a vessel was or was not to be sold, to whom; for what trade, where to be delivered, to cause manifests to be produced, to refuse papers in all cases of reasonable suspicion of an unlawful intent, and to notify naval commanders of the sailing of vessels unlawfully, and to request them to search any upon the high seas, reasonably suspected of transporting slave cargoes. British and American consuls could be instructed to notify and inform each other of all just grounds of suspicion in order that cruisers might be on the alert—the British, the United States consul, for example, that a large amount of coast goods were just imported from Great Britain, and were in the market; to look out and see whether they were sold to those who usually chartered and purchased American vessels for the slave trade—the United States, the British consul, that such goods were sold to such persons and were shipped in a vessel, herself probably sold to the slave dealers, and that a British broker had done the business. Then the vigilance would be increased and the proofs multiplied and preserved. All this now is totally wanting, and it is even dangerous for a United States consul to act efficiently against crimes daily staring him in the face. A British merchant, at the river Plate, wants an American flag to run the Parana, or a Brazilian slave dealer wants it to run to the coast; the vessel is secretly sold, as the consul most reasonably suspects, and will be sailed contrary to our laws, yet he can do nothing but suspect. If he refuses to deliver papers, the American master defies him to do it at his peril, and threatens suit for private damages for the least delay even. The consul can administer no oath to test the ownership. This want of power aids the slave trade, and many other practices against the laws of the United States, immensely. The sanction of the foreign government is not needed for many powers and regulations which might easily be conferred and made, and which would be very efficient, whilst perfectly consistent with both international relations and the personal liberty of citizens. I regret that I cannot here go into this subject with the proper details and illustrations. Let both governments call on their foreign agents for reports on the powers needed by their officers abroad. Why cannot consuls be given magisterial powers of like nature and commensurate with those of common justices and conservators of the peace at home, “mutatis mutandis?” But I must pass on to assure his lordship that I am thoroughly convinced of the great care, attention, and wisdom with which the acts of parliament on this subject have been framed, with a view to prevent the possibility of any delinquent escaping. They deserve all the commendation bestowed upon them by Lord Stowell, and no one could have been farther than I ever was from impeaching them, as far as they have gone, or for not intending at least to go far enough. I meant only what I mean now to say, that, notwithstanding the great fitness and the broad and sweeping extent of British laws, they may be somewhat, if not much, improved, and may be safely carried, as I have shown, safely as well as con-

siderably farther than they have ever yet gone; as to the means and powers of executing them. The offences are well enough defined, but the means of reaching proofs and of executing arrests, and compelling submission to jurisdiction, are not sufficiently provided. I thank his lordship for the copies of British laws with which he has caused me to be furnished by your excellency. They are valuable to this office. I regret exceedingly that it is not supplied with sundry documents of the United States which I would desire to furnish to the foreign office of Great Britain in return. An interchange of the sort at times might prevent many misconceptions and errors on both sides. I will write to Washington and request certain documents to be forwarded, through her Britannic Majesty's minister, to the foreign office of Great Britain. Finally, his lordship proceeds to add: "Mr. Wise's last advice is, that Great Britain should, by all means, change her policy of making apprentices of the Africans taken from the slave trade." This brings me to the review which I have already said I had intended to address to your excellency, in May, 1845, of the debate in the House of Commons, March 19, 1845, of the questions then proposed by Mr. Aldam, and of Sir Robert Peel's reply thereto, respecting the message of the President of the United States, of February 20th, 1845, transmitting to the two houses of Congress copies of despatches from the American minister, at the Court of Brazil, relative to the slave trade.

My observations on the debate will reply satisfactorily, I trust, to this part of his lordship's despatch.

Mr. Aldam quoted from the message the following passages:

"The slaves, when captureed, instead of being returned back to their homes, are transferred to her colonial possessions in the West Indies, and made the means of swelling their products by a system of apprenticeship for a term of years. It must be obvious that while these large interests are enlisted in favor of its continuance, (referring to the slave trade,) it will be difficult, if not impossible, to suppress the nefarious traffic, and that its results would be, in effect, but a continuance of the slave trade in another cruel form; for it can be matter of little difference with the African whether he is torn from his country, and transferred to the West Indies as a slave in the regular course of trade, or captured by a cruiser, transported to the same place, and made to perform the same labor as an apprentice, which is at present the practical operation of the policy adopted."

The questions which he propounded were, first, whether Mr. Tyler had been correctly informed? And, second, whether he had any grounds for representing the condition of the liberated Africans as no better than that of slaves?

I must be permitted to say, that the true import of this passage of the message of President Tyler was wholly misapprehended and misapplied, both by the questions and the answers to them. It has reference, not so much, if at all, to the condition of the liberated Africans in the West Indies or other British colonies, as to the question of what disposition other than that of apprenticing them

true policy and humanity dictate. It means not to refer to the treatment of recaptured Africans, as to its severity, or its restraint, or freedom of will as compared with that of slaves, so much as to the principle whether, if Africans may be bound to servitude for one term of years, why may not the slaves be permitted to hold them for life? It complains not of the treatment of apprentices, but denies the soundness of the principle upon which apprentices at all were made of liberated Africans. It is in that sense, and that sense only, that the President asserts it can be a matter of little difference with the African, whether he be torn from his country and transferred to the West Indies, &c., for if the right exists to do that and bind him to serve for five years, the right exists to tear him away from his country and transfer him to bondage for fifty years, or any period beyond the duration of human life. Such was the true meaning of the message, and to prove this, I appeal to its history, which is as well known to your excellency as to myself. One of the first objects which met my eye on entering the harbor of Rio de Janeiro, was the British flag flying over the hulk of the Crescent. On inquiry, I was told that ship was kept here as a receiving ship for the Africans captured from the slavers. What is done with them was a material question.

“The most of them are sent to British Guiana, and the British West Indies, and other colonies, and they are there bound to serve for a term of years.” This was the information obtained from all sources. I arrived here on the 2d of August, 1844, and the first case of the slave trade calling for my action, was that of the brig Sooy, of the facts of which, by this time, I presume, both the governments of Great Britain and of the United States are fully informed. That case led to a personal interview with your excellency as early as the latter part of September, 1844. The conversation turned, of course, on the means best adapted to suppress the slave trade. I urged various obstacles to its suppression, which could be removed by Great Britain alone, whose government was anxious only, I was confident, to adopt the course best calculated to effect the ends of its own avowed policy. The claim to the right of visit and search, the bounty paid to the officers of British cruisers, the practice of apprenticing the recaptured Africans, were, among other causes of obstruction, named. The conversation assumed the fact of the apprenticing as still existing; and it was not, according to my recollection, corrected by your excellency. As early as the 11th of October, 1844, I submitted to my own government whether, under our treaty with Great Britain, some inquiry should not be instituted to elicit information as to the mode of apprenticing recaptured Africans in her colonies, stating that I considered it prejudicial to the policy of both countries for the suppression of the slave trade, on the principle I have already adverted to. It admitted the right of captivity and servitude. Soon after this, the astounding facts in the case of the Agnes were developed. Of this case, in all its details, showing the connexion of English brokers, manufacturers, and merchants, with our vessels in the African slave trade, your excellency was duly informed by my

letter of December 1, 1844. In a spirit of the most friendly counsel, I ventured to enumerate certain steps for the suppression of the slave trade, which I deemed worthy of the consideration of the British government. Among others, that Great Britain should by all means change her policy of making apprentices of the Africans captured from the slavers. I adverted to the principle I have mentioned as urged most potentially against such a policy or practice. That there was such a system, policy, or practice still pursued, was thus assumed again in my written correspondence with you. It was not mentioned in any upbraiding spirit, nor in any recriminating sense. Far from it; and your excellency did not so understand it, but on the contrary, your excellency's note of December 14, 1844, a copy of which is hereto appended, returned to me your acknowledgments for the letter, &c., and without intimating that I had committed any error either of intention or fact, in the assumption in the letter that the practice of apprenticing Africans captured by British cruizers in the British colonies still prevailed, you announced the intention of immediately forwarding my letter to your government. You certainly understood me as suggesting merely, in a tone of the most profound deference, that the abolition of the fact, or practice, or system of apprenticeship would remove all cause for imputation upon the motive or moral of the British government in liberating the Africans; that it would remove the argument involved in the question, "if a right to bind to servitude for five years, why not" a right to bind to servitude for fifty years? that it would remove the interest which individuals desirous of acquiring apprenticeships might have against the suppression of the slave trade; and, above all, it was to suggest—no matter whether Great Britain still compelled or only allowed of the system or practice of apprenticeship; no matter whether it was a system of law or of license only, still, no matter whether it prevailed or was abolished in any and every sense—that there was a better system than any which was or had been pursued, which might be adopted, and which would tend as effectually as any other one cause or course to strike at the root of the evil in Africa herself. This was to restore the Africans to their native land, there to instruct them in manual labor or other schools, and thence to send them as missionaries of light into the surrounding darkness. This would be to establish a moral power in Africa, to break up the trade there by the influences of civilization and Christianity. Such was the spirit of my letters to you and to the government at Washington, and of the President's message to Congress. There was not the remotest intention of reproaching Great Britain with the imputation of treating the liberated Africans as no better than slaves, nor of representing the condition of the liberated Africans as no better than that of slaves. You may judge of my surprise and mortification, then, when I saw the message of the President of the United States spoken against as an insidious attack upon Great Britain, and treated of in the British parliament as aspersing British policy. You will pardon me for saying in this letter—really meant to explain and justify a course not intended to be

offensive—that Mr. Aldam's questions did not rise to the moral elevation of the message, nor did Sir Robert Peel's answer respond to its true and just spirit. Why ask whether the President had any grounds for representing the condition of the liberated Africans as no better than that of slaves, when the import of this message was merely that it was urged, and might be urged with plausibility, that there was just as much right among any portion of mankind to enslave Africans for life, as there was in Great Britain to bind them to servitude for a term of years?

In commenting upon Sir Robert Peel's answer to Mr. Aldam, I have to say more than a word. He says that he "regrets the President has sent a formal message, &c., without accurately ascertaining what is the condition in the British colonies of liberated Africans." The reply to the regret is, that the presumption is, that *liberated* Africans are liberated, and that bound Africans are bound. Sir Robert Peel adds, "I must also say, that if the President of the United States should think it expedient to appoint a commission for the purpose of going to the West Indian colonies of her Majesty, and ascertaining precisely the condition in which those who were slaves now are, there will be every disposition on the part of the British government to facilitate the inquiries of that commission, &c." If this tender of facilities to a commission was meant to imply that the President or any agent of the United States had been officious or intermeddling in looking into British policy, respecting the condition of Africans in the British colonies, it is an offensive imputation, the error of which needs to be corrected. The world is witness of the fact that the United States have insisted and striven most earnestly to stand aloof from all joint jurisdiction with other powers on this question. They have demanded and insisted on nothing more strenuously than that other powers should not intermeddle with their municipal or separate and independent jurisdiction over their own citizens, vessels, and flag. They have not demanded as a right, but resisted the attempt to visit and search the vessels of other powers in time of peace. They have confined themselves to the superintendence and government of their own citizens and their own vessels and flag alone. And Sir Robert Peel is to be informed, it seems, that if the President of the United States *should* think it expedient to appoint such a commission as he proposes, it is doubtful whether he alone is not too limited in his executive powers to do so; and the entire government of the United States would not certainly disregard the settled policy of non-interference with the domestic relations of other nations, so far as to adopt the suggestion of the right honorable baronet. To do so with their consent, however, would not be to sanction an example of the British government, of which the United States have just cause to complain, I mean the instructions of the Earl of Aberdeen to the British consuls, to inquire into the condition of slavery in the United States, descending to the very inquiries of how the slaves were fed and clothed by their masters, and to report thereon, without notice to either the Federal or State governments of the Union, or to the owners and proprietors whose

very homesteads were thus invaded and it might have been endangered. But how, in fact, did my communication and the President's message, based thereon, come to be made? Did either, uncalled for, and without inducement of the British government, or opposed to "every or any disposition on its part," obtrude themselves upon British affairs, questions, or interests? I appeal to you, sir, to attest to the truth of the denial of any such imputation. Again and again, at various times and in almost every form, the British government, its officers, and agents, most justly and truly complained that citizens of the United States, and foreigners, were using and abusing their flag for the purpose of the infamous traffic.

Your excellency had recently, when I arrived here, notified in writing, my immediate predecessor, Mr. Proffit, of this abuse. The truth and justice of the complaint, in spite of my wishes to the contrary, presented themselves so forcibly to my own observation, that no honest mind could resist their admission. There is no government, there are no officers of any government, who regret the truth and justice of this complaint more than the government and officers of the United States. They pretend not to palliate, nor to justify, nor to deny it. The authorities of the United States at Rio de Janeiro earnestly and honestly, as your excellency can vouch, set themselves to the task of correcting the abuse. Upon tracing and examining its true nature and secret history, they found certain existing causes for it, in which, to a very great extent, British subjects and British interests were involved. They found that certain British manufacturers and merchants and capitalists and brokers, and certain British interests besides, were all concerned in holding out such temptations to enlist the vessels and flag of the United States in the slave trade as to make it extremely difficult, if not impossible, for the United States, by their own separate laws and efforts, to restrain the evil and wipe off the reproach. They found obstacles to the performance of what they were requested to do by the British authorities which, as belonging to its sole jurisdiction, the British government alone could remove. Was it not fair, was it not in good faith then to say, "We admit the justice of your complaint." It is true that United States merchant vessels are chartered and sold, and their flag is used in this trade made piracy by their laws. This should be prevented and prohibited. But we find that your citizens at home, subjects abroad, and capital and labor at home and abroad, are, to a great extent, employed in enhancing and paying a price for this crime against both our policy and laws and your own. Now will you please to aid us in complying with your own reasonable and humane request, and with our own philanthropic desires, by restraining your subjects from aiding and abetting and tempting our citizens in the commission of these very offenses and wrongs? And will you please destroy certain interests which are allowed by either law or license to exist within your jurisdiction, and which are arrayed against the whole policy of suppressing the slave trade? Among other interests, will you please destroy the interest which masters have in the services of liberated or recaptured Africans?

Will you please remove the argument from the lips of slavers, that slavery itself stands on the very principle of the right of apprenticeship? Not that you treat your apprentices like slaves, or treat them badly at all, but that they are made captive like slaves. The comparative severity and "denial of free will" is not in the issue; but it is the comparative right of captivity which is involved. Aye, not that it is not even humane and politic and proper to hold these captives in some state of pupilage. It is wise, politic, and humane to do so. It is what ought to be done. The question is, in what state of pupilage? The state of apprenticeship, or of service for years in the British colonies, is not the proper state, and if they are retained by authority in no state of pupilage they ought to be. The new negroes are savages untutored, uncivilized, torn from their tribes, taught nothing but "man's inhumanity to man." They are unfit to be perfectly free, and they are utterly incapable of appreciating or enjoying all the rights of freedom. They must be trained to liberty, fitted for its arduous duties, and be made duly responsible for their performance. How? Restore them to Africa, not to their native tribes nor their native state, but to emancipated colonies, to Sierra Leone, to Liberia, to the Cape of Good Hope, any where in Africa where they can be protected from a second capture by slavers, and where they may be educated and taught the arts of civilized life, and be made captives only to "the glorious liberty of the light of the gospel," and whereby they may be made, in the hands of Providence, the chief instruments of restoring the land to which they are restored, and of subserving more efficiently than navies can, the wise and humane policy of suppressing the slave trade.

This would remove all shadow of imputation upon your motives by those who interestedly alledge your philanthropy to be but commerce, and your humanity but dollars and cents; and this would destroy one interest, at least, which would make commerce and dollars and cents out of your philanthropy and humanity, and criminals of our citizens, and an agent of mischief of our flag. Was this not a fair and friendly response? How inapt, then, to its good faith and good feeling, the implied taunt of officiousness against those who thus merely responded to a complaint and did not make one; and how ill sorted to the dignity of the subject, and to the propriety of its treatment, was the apparent spirit of recrimination which *cheered* that taunt in the house of commons. The only justification for either the taunt or the spirit is, that they both proceeded from mistake. But how strange, that with the message quoted by Mr. Aldam, he should have mistaken it so wide as to put his second illogical interrogatory, and that the right honorable baronet should have fallen into the same error, and followed its sequence in his answer! and that the latter should, in the face of the message, have said, "The message to which the honorable gentleman refers, announces that on the capture of a negro intended for slavery, that negro is sent to the West India colonies, is subject to an apprenticeship for a term of years, during which he is

treated pretty nearly with the same severity and denial of free will as in the state of slavery!"

I have thus far merely followed the debate in the commons, and by doing so am fully aware that I may be told that in all I have said thus far respecting apprenticeships, I am myself illogical, inasmuch as the right honorable baronet in the next sentence said, "Now in point of fact, the state of apprenticeship is altogether abolished in the West India colonies." Now, I say that is the very point on which, by seeking a little further information than the right honorable baronet has given, I wish to set myself right. The terms here used are very broad and general; "the state of apprenticeship is altogether abolished in the West India colonies." Is that the fact? Is there no state of apprenticeship in the British West India colonies? Am I right in inferring that Sir Robert Peel does not mean to say that there is no state of apprenticeship there, but that the apprenticeship, under the special acts of emancipation in the British West India colonies, is "altogether abolished?" That was a special apprenticeship, and that is abolished. Well, what becomes of his reply thus far, when he is told that neither I in my official communications, nor the President, I presume, in his message, had particular reference to that special state of apprenticeship—certainly I had not—but to any state of apprenticeship which exists in the British West India colonies under the English common or statute law, other than the special laws referred to? Does not the old English law of apprenticeship still exist in the British West India colonies? May not persons be either compulsorily or voluntarily bound there under that system? May not persons be still bound there as *servants* under that system? May not persons without known business, occupation or calling in life, (and what may liberated Africans be known to have?) still be compulsorily bound there for that reason? If not, the laws of those British colonies are very different from what the laws of England herself once were. In speaking of "a system of apprenticeship," the word system was used, not in any special or technical sense, but in the practical sense, or in the sense of usage, practice or custom. And in referring to the practice or system, in that sense, of apprenticeship, the object was not so much to condemn that system, as to recommend another system much better than that, and far better than leaving liberated Africans perfectly free in the British colonies. But am I to be told that there is no practical apprenticeship in the British West India colonies? It would seem so when Sir Robert Peel says, "No negro, whether going there voluntarily as an emigrant, or sent there as a captured negro, is placed in a state of apprenticeship." And yet, though so sweeping, apparently, to me the answer is still special, "No negro, &c., is placed in a state of apprenticeship." Let us scrutinize this a little more.

He says that the negroes captured by British cruisers in Spanish vessels under the treaty of Great Britain with Spain in 1835, were to be sent to the British colonies and placed on the same footing as an apprentice, and that Great Britain has "a vessel at the Ha-

Havana which in general receives the slaves captured in the neighborhood of Cuba." He states further, that though it was provided by the British treaty with Brazil that the captured slaves should be delivered to the country on the coasts of which they were captured, or to which the captured vessel belonged, yet, as Brazil insisted on keeping them in a state of slavery, and declined to keep the engagements of the treaty with respect to the future disposition of the slaves, Great Britain keeps a vessel at Rio de Janeiro to receive the slaves captured on that coast, instead of delivering them up to Brazil, to be afterwards sent, as they may prefer, to the West India colonies or back to Africa. He states further, that the slaves captured on the coast of Africa are, generally speaking, taken to Sierra Leone.

Thus we have clearly stated *where* the captured slaves are received.

1st. Those captured on the coast of Africa, *generally speaking*, are taken to Sierra Leone.

2d. Those captured on the coast of Brazil are placed in the British receiving vessel at Rio de Janeiro.

3d. Those captured in the neighborhood of Cuba are placed in the receiving vessel at the Havana.

The question remains—What then becomes of these captured negroes?

Sir Robert Peel, speaking as to the course pursued by the British government, seems to be explicit in saying:

1st. Those taken to Sierra Leone are perfectly at liberty to determine for themselves, whether they will go or not to the West India colonies, or whether they will go to the country of which they may be natives.

2d. Of those taken near Cuba he says: "It is true that individual slaves may not always be sent to Africa; it is quite impossible at all times to provide means to send them thither;" and he leaves us to infer that they are sent to the West Indies from necessity, but adds, they are subject to no compulsion, and *although they may voluntarily enter into contracts, there is no apprenticeship whatever.*

3d. Those received at Rio de Janeiro are to be afterward sent, as they may prefer, to the West India colonies or back to Africa.

Thus, then, we have stated—

1st. The places where they are received.

2d. The places to which they are sent; and;

3d. Apparently, but apparently only, the condition on which they are placed.

Those sent to Sierra Leone have, it seems, perfect liberty to go to the West Indies or to their native lands; no choice said to exist as to remaining in Sierra Leone, or in any other British colony in Africa.

2d. Those captured near Cuba and sent from the Havana to the British West Indies are not said to have any choice as to the place where they shall be sent, but if they are sent to the West Indies

they are subject to no compulsion, and although they may voluntarily enter into contracts, there is no apprenticeship whatever.

3d. Those received at Rio de Janeiro are to be sent afterward to the West India colonies or back to Africa.

Now, sir, I beg leave to seek the information from you if it is in your power to give it to me:

1st. What number of captured slaves are there annually sent to Sierra Leone; and what proportion of them elect to go to the West Indies? and what proportion to "the country of which they are natives?"

2d. What is the number of those received annually at Rio? what proportion of that number are sent to the British West Indies? what proportion back to Africa?

3d. What is the proportion, out of the whole number taken, sent to the British West Indies? of those sent there, what proportion is sent back to Africa? of those who remain in the British West Indies, what proportion voluntarily enter into contracts? and what description of "*voluntary contracts*" is here alluded to by Sir Robert Peel?

I shall be very grateful for answers as full and complete as possible to these interrogatories, for on them will depend, in a great measure, the decision of all the questions of *mistake* which may have been made on this subject.

Sir Robert Peel has alleged mistake on the part of the President in his message, and has endeavored to account for it by explanation of the course of the British government under the Spanish treaty. He has widely mistaken in accounting for the mistake if any has been made. There is another and a better mode of accounting for it, which I regret very much to have escaped Sir Robert Peel entirely.

Neither the President nor the undersigned ever meant, as I have said, to allude to the system of apprenticeship under the emancipation act of the British West Indies, or under the Spanish treaty. The words "system of apprenticeship" were, perhaps, used loosely in the vernacular and not in the technical sense. What the undersigned alluded to is embraced in the ideas of a regular system to procure laborers for the British West India colonies, from Africa and elsewhere, to supply the places of emancipated slaves, pursued not only by individuals, but encouraged by the policy of her Majesty's government. This system is aided by sending thither the Africans captured by British cruisers, and by ordinances of immigration, by the laws allowing voluntary contracts for service for years, and by the orders and instructions of her Majesty's government to its officers, and by its encouragement of individuals to procure such laborers, and of the latter to form contracts for service.

Is this in substance a true statement of the facts? If so, it is to be regretted that Sir Robert Peel did not depart from the letter of the mistake, and fully enlighten us as to the real truth of the case; for, then, the substance of the President's message, and of the information given to him by the undersigned, would have been proved to be correct after all, and the error would have turned out to be

one of the words only and not of facts. Sir Robert Peel may say this is "no apprenticeship whatever." True, but it is something worse for the Africans, and the system of apprenticeship was less assailable than this state of "perfect freedom." Technically it is no apprenticeship, and *protectively and parentally and guardianly* it is no apprenticeship.

Apprenticeship, under statute or common law, is a system made for the protection and guardianship, maintenance and instruction, of a favored class of servants under the English laws; infants or persons under age either voluntary or involuntary apprentices who are incapable of contracting and providing for themselves, and who are to be saved from idle and dissolute habits, and to be made useful to society and to themselves by being instructed in some art, mystery, trade, or business of life. Apprentices are, *ex vi termini*, to be taught some art, mystery, trade, or business. They are, in every class, under the especial protection of a court as "*parens patrie*," and are "indented," or bound by deed, to serve their masters, and their consideration is maintenance and instruction. They are of a much higher order of servants under the English law than the first class "*intra moenia*," or the third class of daily laborers, or such as do not live "*intra moenia*," and are second only to the class of stewards, factors, and bailiffs. To what class of servants under the English law these captured Africans, "perfectly free," who "voluntarily enter into contracts" in the British West Indies, belong, I am not precisely informed. They cannot be special wards of law-like parish apprentices, for I am left to infer that the government has nothing to do with their contracts. They are not, I presume, servants "*intra moenia*," for though their contracts must arise upon the hiring, as in case of menial servants, for a term, and to serve for less than the pay or consideration of an apprentice by its better half of instruction. These voluntary contracts of perfectly free captured Africans, then, constitute a peculiar and nondescript class of servants under either the British imperial or the British West India colonial laws, and Sir Robert Peel was, perhaps, right in the letter of asserting that they are not apprentices either under special treaties or statutes, or at common law. But this in all candor admitted, it still does not satisfy the issue upon the point of policy.

The objection to the apprentice system so called, was—

1st. That it created an interest in fact favorable to the slave trade for the sake of procuring laborers in the West Indies.

Are these voluntarily bound servants not more valuable to masters than apprentices would be?

2d. That it did not make the least provision for the captured Africans.

It did not restore them to Africa and place them there in schools of instruction and labor. Does the system of "voluntarily" bound servants remove that objection?

3d. It prevents the establishment of a moral influence in Africa by means of these manual labor and christianizing schools, which would, through enlightened African missionaries, shed abroad the

light of civilization in that dark land, and which would be the most effectual agency for the suppression of wars and captures and the slave trade. Does not this voluntary system of servitude as effectually hinder these moral means, and prevent their establishment and exertion as the system of apprenticeship did or would? Aye, more.

Now, my dear sir, the undersigned ventures to appeal to the experience and knowledge of yourself and of the most worthy British consul, Mr. Hesketh, to bear him witness to certain truths on this subject.

In the first place, I rely on the information I have received that nearly all of the slaves or captives are brought from far in the interior of Africa. The chiefs or headmen on the coast, receive merely a tax in transitu through kingdoms. The captives pass through the hands of several purchasers before they arrive at the slave factory, or the shore where the slave ship awaits them. Many of them are bought by the first purchasers, (African dealers who purchase from the captors in war,) at from 500 to 1,000 miles from the coast, and they are sold from dealer to dealer, and are sold and resold many times before they are shipped. They are perfect *strangers* (and that word means enemies among the barbarous African tribes) to most of the tribes intermediate between their shipping port and their native countries. When, then, they once reach the coast, or are once sent to Sierra Leone, it is hopeless to think of their returning or being sent to their "native countries." They would be sure to be recaptured, and to be resold to the slave dealers.

In speaking, therefore, of being restored to their native land, I intended to be understood to mean Africa, or some civilized colony in Africa, not the localities in Africa where they were born.

Sir Robert Peel seems to mean these localities when he speaks of their native countries; for, in my sense of native land, they are in it already when they are at Sierra Leone. But when there, he says they are allowed a choice to be sent to the British West Indies or to their native countries, as they may prefer. To give them this choice, therefore, in his sense, is to give them no choice at all. It is to allow them to elect either to run the certain hazard of new bondage, or to accept the terms of a contract of service in the British West India colonies.

I am further informed that the masters in the British West India colonies seek them as servants under contract for a term of years, and agents are often employed to engage the captured Africans in these contracts. That the captured Africans look upon their deliverers from the slavers as friends and benefactors, and generally do whatever they suggest and advise, and nothing is easier than to induce them to go or be sent any where and to engage to serve any person. That they are universally unfit to decide for themselves, are utterly incapable of appreciating or comprehending their true condition as liberated persons, and will, when told to do so by those who have freed them, contract for almost any term of service, thinking it a good bargain in lieu of perpetual bondage. This especially I know to have been the case with those captured

by American cruisers and coming under the care of American officers at this place. The two boys taken in this harbor from the Porpoise, were exceedingly sprightly and intelligent, had been bought and branded young, had been living some time on the coast, and could speak the Portuguese language quite intelligibly; with clearness they could describe the manner of their purchase, by whom the arts practised to prevent them from being deemed slaves until they could be once landed in Brazil, the price paid for them, &c., &c., and yet so grateful were they to Captain Gregory, of the Raritan, the officer who had them in charge, and so little did they comprehend any thing else than that he was their friend, and that the Brazilian passengers on board the Porpoise desired to make them slaves and to get them on shore for that purpose, that they would passively and implicitly do whatever they were told. They remained on board the United States frigate Raritan until the Porpoise was released and re-delivered to Commodore Turner, when they were sent in her to the United States, as witnesses of the unlawful crime of that vessel. They would have gone any where, or done any thing, implicitly, which they were advised by their deliverers to do. They were under no compulsion, and yet had no will whatever of their own. That is the true condition of all captured Africans, with scarcely an exception. To speak, then, of their being perfectly free, is to speak wholly at points with their real condition, and their total unfitness for free will or freedom in any enlightened sense. Their freedom at Sierra Leone, or at Rio de Janeiro, or at the Havana, to be sent to the British West India colonies or to their native countries, as they may prefer, and their perfect freedom in the British West India colonies to voluntarily enter or not enter into contracts, therefore, is in name and not in substance :

Where only what they needs must do appeared ;
Not what they would. What praise could they receive ?

When will and reason, (*reason also is choice*)
Useless and vain, of freedom both despoil'd,
Made passive both, had served necessity.

On this point, I cannot forbear to refer your excellency to the appended slips from papers in the United States. The article from the New York Enquirer, of May 30, 1845, excepting, of course, all imputation upon the British government contained in it, is believed to be well worthy of notice on this branch of the subject.

But I cite a portion of the remarks of Lord John Russell, made in the House of Commons, Wednesday, the 26th day of February, 1845, on the question of the sugar duties, to prove not only the fact that a vast number of Africans have been sent to the British West India colonies, but their immigration has been caused by settled plans of policy on the part of the British government, and with the leading motive of admitting a great number of laborers into the West Indies, that there might be a sufficiency of labor to supply sugar to Great Britain.

According to the report of the Morning Chronicle, February 27, 1845, he said "that the discrimination between sugar pro-

duced by free, and sugar produced by slave labor, was, if at all, required for the protection of Jamaica, Trinidad, and Demarara, where there was a *deficiency of labor*. What has taken place in the West Indies has been this: there have been great plans for immigration and for the admission of a great number of laborers into the West Indies, that there might be a sufficiency of labor to supply sugar to this country. But the way in which that scheme has operated has been this: taxes have been imposed under this immigration ordinance, which have borne with great severity on the laborers. In proof of this, I hold in my hand a letter from a person who is a most remarkable man, who took an active part in the colonies upon the subject of slavery, and who now has a most extraordinary influence over the minds of a great part of the population of Jamaica. The person to whom I allude is Mr. Knibb, the Baptist missionary. This letter was dated December 23, 1844. Mr. Knibb says: "I do not believe that there is a laboring population on the face of the earth who have so patiently borne a reduction of wages as they have, and this, too, connected with an increased price of provisions, by a cruel and abominable tax on the necessaries of life, imposed for the avowed purpose of raising money to increase the number of laborers, and thereby still further to curtail their comforts, and still further to reduce their wages." Lord John Russell proceeded: "I believe that the admission of laborers from Africa to the West Indies, if conducted under regulations and allowed to take place in small numbers, would be for the advantage both of the West Indies and of Africa. But, I own, I look with very great dread to the scheme proposed for *taking a great number of people from Africa to the West Indies.*"

* * * * * "But, if you are now to introduce vast numbers of Africans from the shores of Africa, if you are to take them from places where they are still in a state of barbarism, and are to transplant them by wholesale to the West Indies, and turn them at once to labor, I cannot but foresee that in no long course of time you would have a population whom it would be very difficult to bring into a state of civilization which your present negro population of the West Indies are in. *And yet this is the attempt you are now making.* It is an attempt I hardly think will succeed, &c. But still the attempt is making in this way, by making large loans in Trinidad and Demarara, and taxing the people, and especially taxing the admission of their food, for the purpose of raising means to *bring great numbers of people from Africa to the West Indies.*"

After testimony like this, which came forth since the date of the President's message, I do not think that it could be fairly denied that vast numbers of laborers, less favored than apprentices, if not apprentices, are procured and sent from Africa to the British West Indies under a regular and legalized policy, either imperial or colonial, or both. And in these immigration ordinances and plans, spoken of by Lord John Russell, we may find, perhaps, grounds for some justice in the allegation of the indifference of British cruisers to capture the slave vessels until they have shipped their cargoes of negroes, notwithstanding the greater allowance of ton-

nage bounty paid on the one than the other, with or without captives. And I see nothing in the despatch of the Earl of Aberdeen, on this branch of the subject, to contradict this evidence, or to cause me to change the views, either of principles or of facts, in substance, which I have heretofore presented. On the contrary, his admissions rather confirm both the evidence and the views based upon it. Perhaps, the only controverted fact in issue between his lordship and myself, would be, whether at the end of the twelve months, the period for which he admits British officers have been instructed to execute contracts for the Africans, the latter are in any cases but those forming exceptions merely, found capable of making their own turns for their daily labor, and whether they then ought to be left to provide for themselves. From the fairest opportunities of judging of the capacities of the new negroes in Brazil, I would doubt any report by any officers to the effect stated by his lordship, respecting the most intelligent immigrants into the British West Indies from Africa.

The recaptured Africans, I repeat, ought to be restored, under some well regulated and humane system of pupillage and education, to the colonies in Africa herself. They ought there to be prepared for the enjoyment of freedom, and ought to be made instruments fit to serve mankind, and especially their own kind, by being enlightened to become in Africa the missionaries of the great christian influence of God's own power to prevent the slave trade. Their labor ought not to be left to the cupidity of sugar planters in the West Indies. The suppression of the slave trade ought to be secondary only to the civilization of Africa. The accumulation of new negroes in the West Indies, may reproduce the scenes of the cock-pits of Jamaica; and Great Britain may have again, in time, to force, by treaty and by arms, another emigration from the West Indies back to Africa.

In connexion with the debate in the House of Commons on the message of the President of the United States, it was my intention to have noticed a piece hereto appended, published in the Evening Mail from Friday, March 28, to Monday, March 31, 1845, under the signature of "A British Merchant." It is anonymous, and it would be improper to refer to it in a paper like this, except to show his lordship:

1st. That there is an interest which has a representative in London, feelingly touched by the exposures of the message respecting the connexion of British merchants and manufacturers with the slave trade; and secondly, the bold effrontry, artful falsehood and eagerness, with which attempts are made in England to deceive the public mind on that subject. This writer, for example, denies positively and peremptorily that any such transactions ever took place, as is proved beyond doubt to have taken place, both by the "Agnes and the Janet."

The reason assigned is, that none but slave clippers are employed in the transportation of slaves, and none such, he says, were ever seen from the United States loading a cargo in England for Cuba or Brazil, or any where else, previous to her capture and condem-

nation as a slaver. This error, that none but clippers are employed in the slave trade, is most industriously propagated and kept current for the mere purpose of deception. Nothing that I know of has done more, immediately, to aid the slave trader in escaping search or pursuit than this error. So far from its being true, the heavy, round, merchant-looking vessel is now, and has been for some years past, preferred for the trade, because it is comparatively free from suspicion. Take, for example, the "Sooy," the vessel captured on this coast by the Racer. Previous to her landing her cargo of slaves, one would as soon have suspected a quaker gentleman to be a bucaneer, as her to have been a slaver. It would be well for the cruisers of all nations to remember this fact, whilst on the duty of suppressing the slave trade.

I believe that I have now noticed all, and more than all, the points embraced in his lordship's despatch.

In conclusion, you will please assure him that, although I have not been convinced of any material inaccuracies or misapprehensions in the letter addressed to your excellency, and although I have been compelled to correct certain inaccuracies and misapprehensions on his part, yet I have endeavored to offer my explanations in a firm and feeling, towards his lordship and yourself, of the most profound respect. The appreciation by her Majesty's government of "the zeal and success with which I have traced and exposed the devices of the criminal traffic, by which the *flag of the United States* has been polluted, and of the motives which have actuated me in making public the result of my researches," is a compliment which I esteem next to the approbation of my own government. And in return for this meed of praise, his lordship must allow me to present to her Majesty's government an honest feeling honestly expressed. Both British and American guilt were alike exposed by me without fear, favor or affection.

Her Majesty's government has expressed its high appreciation of the zeal and success with which I have exposed American guilt only. I would have been prouder still of a like acknowledgment from the same source respecting my exposure of British participation of the slave trade.

It is one of the chief glories of Great Britain that at all times, at home and in the remotest corners of the earth, she protects her subjects with the anxious care of the fondest of parents. Certainly no children of any parent could have been better protected than are all British subjects in the despatch of his lordship. This is worthy of the British nation, its constitution, and its laws. But may not an over fond parent be too partial? You tell your neighbor, "your children are exceedingly bad." The neighbor, hurt and mortified, but candid and just as human nature allows, replies: "True, they are bad, as you say. I have, upon inquiry, found it so; but, really, I regret to say that your own children prompt and pay their iniquities, and participate in their guilt to the utmost. Restrain your own, and then I can better govern mine." Is it right, while you are daily complaining of your neighbor's family, to be blind to the faults of your own? To thank him for publish-

ing the blame of his fellow citizens, without thanking him also for making known to yourself the truth respecting the guilt of your own subjects.

Certainly it is that his lordship's despatch, in all its parts, but especially in its thanks, confirms, in my mind, the wisdom of the saying of one of the very best governors who ever lived, perhaps of British bad boys. "It is idle to speculate in aliena republica, but to reform one's own is a business which nearly concerns us."

With the highest personal and official regard, &c., &c.,
HENRY A. WISE.

Mr. Slacum to Mr. Wise.

RIO DE JANEIRO, January 20, 1845.

Mr DEAR SIR: The letter from which the enclosed extract was taken, was addressed to his imperial Majesty's minister, by Mr. Hamilton, in consequence of an assertion made by Senator Vasconullos, in his place, that no slaves had been imported into Brazil for a year, and that the trade had entirely ceased. He also challenged the production of the names of persons engaged in the trade. Upon this assertion and challenge, Mr. Hamilton furnished the list of persons contained in this extract *directly to this government*, and it has never been denied or questioned. A member of the "Vergueiro" family is, I think, a senator. The entire letter of Mr. Hamilton may be found in the British parliamentary reports now before me. You will perceive Mr. "Fonseca" to be one of the leading slave dealers, denounced as such, to his own government. And yet American merchants, long resident here, and who are intimate with him, under oath, do not know his occupation. The extract may be useful to you, and I therefore send it.

Yours, truly,
G. W. SLACUM.

Extract from a letter addressed to his imperial Majesty's minister for foreign affairs, by Mr. Hamilton, her Britannic Majesty's minister near the court of Rio de Janeiro, under date April, 1845.

With regard to the names of leading individuals engaged in the odious commerce, (slave trade,) the subjoined list may, in part, supply the desired information. It is sufficiently numerous, perhaps, to satisfy the illustrious senator; if not, other names can be given.

- The Comendador (a title) José Bernardino da Sa; Antonio José Moreira Pinto; Manoel Pinto da Fonseca; Genes José de Souza; José Antonio dos Santos Xavier; Franco e Moreira; Barbosa e Costa; Rocha Parbecco; Antonio Ferreira de Amerem; José Bastos; Barbosa e Guimarães; Francisco Fernandes Guimarães; clerk of this Antonio e Ferreira; Vergueiro e Brothers.

Memorandum of the statement of Mr. J. S. Wright.

Mr. Jno. S. Wright, lately—the day I do not remember—informed me that Mr. Weetman told him, that he wished Mr. Hamilton, the minister of Great Britain, would call on him for information concerning the business in which he was engaged as a broker in negotiating charters for vessels to the coast of Africa, &c.; and if he would, he (Weetman) would justify himself and his business by stating that he, though fully acquainted himself with the laws of Great Britain on the subject, had been careful to submit his business, and the mode of conducting it, to the counsel, opinion, and advice of Mr. Hesketh, the British consul, who had given the opinion that the negotiation of charters of vessels for the coast of Africa was lawful, and there was no harm in it. And I understood Mr. Wright to express the wish, on the part of Mr. Weetman, that Mr. Hamilton should be informed of this, and of his wish to make this statement to him when called on: I accordingly mentioned these facts freely to several persons, and among others, I believe, to Mr. Slacum. I give the substance, generally, of what was said to me.

HENRY A. WISE.

RIO DE JANEIRO, January 24, 1845.

Circular of her Britannic Majesty's consul.

BRITISH CONSULATE, RIO DE JANEIRO.

Whereas, it is notorious that ships and vessels in this port of Rio de Janeiro, and in other places of the empire of Brazil, are openly and undisguisedly prepared, loaded, equipped, and otherwise supplied for voyages undertaken and destined for carrying on the African slave trade, and it being desirable to prevent and enjoin all *British* subjects residing within the limits of this consulate from participating or being concerned, either directly or indirectly, in any such disgraceful purposes or engagements, and to warn all such subjects that they do abstain from all such illegal practices, or from aiding, abetting, or assisting any person or persons engaged therein, and to make known the penalties which are denounced by law against all *British* subjects, wheresoever residing, who shall infringe the provisions of the slave abolition acts of Great Britain, her Majesty's consul deems it his duty to publish the following:

Caution.

Whereas, there has been exhibited at this consulate, by orders of her Majesty's government, a recent act of parliament, entitled "An act for the more effectual suppression of the slave trade," wherein it is declared that all the several matters and things prohibited by the consolidated slave trade acts, and by the said last mentioned act shall be dealt with and punished according to the several provisions of the said act and of the British Statute entitled

“ An act to amend and consolidate the laws relating to the abolition of the slave trade,” passed in the fifth year of the reign of King George the Fourth, and that all British subjects wheresoever residing, should be made cognizant that such interdicted proceedings are highly penal by the above mentioned enactment: The annexed seven sections of the said statute, (5th Geo. IV, chap. 113,) are hereby re-published for general information, and the careful attention thereto of all whom it may concern is earnestly solicited, and likewise to the perusal of the statutes mentioned, copies of which may be seen at this consulate during the usual hours of public business.

ROBERT HESKETH,

Her Britannic Majesty's Consul.

RIO DE JANEIRO, January 23, 1845.

Seven sections of the act George IV., chap. 113:

II. *And be it further enacted,* That it shall not be lawful (except in such special cases as are hereinafter mentioned) for any persons to deal or trade in, purchase, sell, barter, or transfer, or to contract for the dealing or trading in, purchase, sale, barter, or transfer of slaves, or persons intended to be dealt with as slaves; or to carry away or remove, or to contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves; or to import or bring, or to contract for the importing or bringing into any place whatsoever, slaves or other persons, as or in order to their being dealt with as slaves; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transhipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being imported or brought into any place whatsoever, as or in order to their being dealt with as slaves; or to fit out, man, navigate, equip, despatch, use, employ, let, or take to freight or on hire, or to contract for the fitting out, manning, navigating, equipping, despatching, using, employing, letting, or taking to freight or on hire, any ship, vessel, or boat, in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or to lend or advance, or become security for the loan or advance, or to contract for the lending or advancing, or becoming security for the loan or advance of money, goods, or effects, employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or to become guarantee or security, or to contract for the becoming guarantee or security for agents employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or in any other manner to engage or to contract to engage, di-

rectly or indirectly, therein as a partner, agent, or otherwise, or to ship, tranship, lade, receive, or put on board, or to contract for the shipping, transshipping, lading, receiving, or putting on board of any ship, vessel, or boat, money, goods, or effects, to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or to take the charge or command, or to navigate or enter and embark on board, or to contract for the taking the charge or command, or for the navigating or entering and embarking on board of any ship, vessel, or boat, as captain, master, mate, petty officer, surgeon, supercargo, seaman, marine, or servant, or in any other capacity, knowing that such ship, vessel, or boat is actually employed, or is in the same voyage, or upon the same occasion in respect of which they shall so take the charge or command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or to insure or to contract for the insuring of any slaves, or any property, or other subject matter, engaged or employed, or intended to be engaged or employed, in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful.

IV. *And be it further enacted*, That (except in such special cases or for such special purposes as are in and by this act permitted) if any persons shall fit out, man, navigate, equip, despatch, use, employ, let or take to freight or on hire, or contract for the fitting out, manning, navigating, equipping, despatching, using, employing, letting or taking to freight or on hire, any ship, vessel, or boat, in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; such ship, vessel, or boat, together with all her boats, guns, tackle, apparel, and furniture, and together likewise with all property, goods, or effects found on board, belonging to the owner or owners, part owner or part owners of any such ship, vessel, or boat, shall become forfeited, and may and shall be seized and prosecuted as hereinafter is mentioned and provided.

V. *And be it further enacted*, That (except in such special cases or for such special purposes as are in and by this act permitted) if any persons shall knowingly and wilfully lend or advance, or become security for, the loan or advance, or shall contract for the lending or advancing, or becoming security for the loan or advance of money, goods, or effects, employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; then, and in every such case, the persons so offending, and their prosecutors, counsellors, aiders, and abettors, shall be liable and pay for every such offence double the value of all the money, goods, and effects, so lent, advanced, or secured, or so

contracted for as aforesaid, to be recovered and applied as is hereinafter mentioned and provided.

VI. *And be it further enacted,* That (except in such special cases or for such special purposes as are in or by this act permitted) if any persons shall knowingly or wilfully become guarantee or security, or contract for the becoming guarantee or security for agents, employed, or to be employed, in accomplishing any of the objects or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful, or shall in any other manner engage, or contract to engage, directly or indirectly therein, as a partner, agent, or otherwise, then and in every such case the person so offending, and their procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence, double the value of all the money, goods, and effects so by them secured, or contracted so to be as aforesaid, to be recovered and applied as hereinafter mentioned and provided.

VII. *And be it further enacted,* That (except in such special cases or for such special purposes as are in and by this act permitted) if any person shall knowingly and wilfully ship, tranship, lade, receive, or put on board, or contract for the shipping, transshipping, lading, receiving, or putting on board of any ship, vessel, or boat, any money, goods, or effects, to be employed in accomplishing any of the objects, or contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful, then and in every such case the persons so offending, and their procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence, double the value of all the money, goods, and effects so shipped, transhipped, laden, received, or put on board, or contracted so to be as aforesaid, to be recovered and applied as is hereinafter mentioned and provided.

VIII. *And be it further enacted,* That (except in such special cases or for such special purposes as are in and by this act permitted) if any persons shall knowingly and wilfully insure or contract for the insuring of any slaves, or any property or other subject matter engaged or employed, or intended to be engaged or employed, in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful, then and in every such case the person so offending, and their procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence the sum of one hundred pounds of lawful money of Great Britain for every such insurance or contract for the same, and also treble the amount of the premium of any such insurance or contract for the same, the one moiety thereof to the use of his Majesty, his heirs and successors, and the other moiety to the use of any person who shall inform, sue, and prosecute for the same, and every such insurance shall be absolutely null and void.

IX. *And be it further enacted,* That (except in such special cases as are in and by this act permitted or otherwise provided for) if any person shall deal or trade in, purchase, sell, barter, or transfer, or contract for the dealing or trading in, purchase, sale,

barter, or transfer of slaves, or persons intended to be dealt with as slaves, or shall, otherwise than as aforesaid, carry away or remove, or contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves; or shall import or bring, or contract for the importing or bringing, into any place whatsoever, slaves or other persons, as or in order to their being dealt with as slaves; or shall, otherwise than as aforesaid, ship, tranship, embark, receive, detain, or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being carried away or removed, as or in order to their being dealt with as slaves; or shall ship, tranship, embark, receive, detain, or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being imported or brought into any place whatsoever, as or in order to their being dealt with as slaves; or shall fit out, man, navigate, equip, despatch, use, employ, let, or take to freight or on hire, or contract for the fitting out, manning, navigating, equipping, despatching, using, employing, letting, or taking to freight or on hire, any ship, vessel, or boat, in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or shall knowingly and wilfully lend or advance, or become the security for the loan or advance, or contract for the lending or advancing, or becoming security for the loan or advance of money, goods, or effects, employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or shall knowingly and wilfully become guarantee or security, or contract for the becoming guarantee or security, for agents employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful, or in any other manner to engage, or to contract to engage, directly or indirectly therein, as a partner, agent, or otherwise; or shall knowingly and wilfully ship, tranship, load, receive, or put on board, or contract for the shipping, transshipping, loading, receiving, or putting on board of any ship, vessel, or boat, money, goods, or effects to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or shall take the charge, or command, or navigate, or enter and embark on board, or contract for the taking the charge or command, or for the navigating or entering and embarking on board of any ship, vessel, or boat, as captain, master, mate, surgeon, or supercargo, knowing that such ship, vessel, or boat, is actually employed, or is in the same voyage, or upon the same occasion, in respect of which they shall so take the charge or command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the objects, or the

contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or shall knowingly and wilfully insure, or contract for the insuring of any slaves, or any property or other subject matter engaged or employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have hereinbefore been declared unlawful; or shall wilfully or fraudulently forge or counterfeit any certificate, certificate of valuation, sentence, or decree of condemnation or restitution, copy of sentence or decree of condemnation or restitution, or any receipt, (such receipts being required by this act,) or any part of such certificate, certificate of valuation, sentence or decree of condemnation or restitution, copy of sentence or decree of condemnation or restitution, or receipt as aforesaid; or shall knowingly and wilfully utter or publish the same, knowing it to be forged or counterfeited, with intent to defraud his Majesty, his heirs or successors, or any other person or persons whatsoever, or any body politic or corporate; then and in every such case the person or persons so offending, and their procurers, counsellors, aiders, and abettors, shall be and are hereby declared to be felons, and shall be transported beyond seas for a term not exceeding fourteen years, or shall be confined and kept to hard labor for a term not exceeding five years, nor less than three years, at the discretion of the court before whom such offender or offenders shall be tried and convicted.

Mr. Wise to Mr. Buchanan.

LEGATION UNITED STATES,
Rio de Janeiro, March 7, 1846.

SIR: Since sealing my accompanying despatch, No. 41, Mr. Parks has kindly furnished me the deposition of Mr. Boyle as to the cases of the Kentucky, &c., and requested me to forward the same to the department. He has forwarded another copy, also, to the United States district attorney, at Portland, Maine.

Your obedient servant,

HENRY A. WISE.

HON. JAMES BUCHANAN,
Secretary of State.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro, February 16, 1846.

Personally appeared before the undersigned, consul of the United States of America, Thos. H. Boyle, jr., who, being duly sworn upon the Holy Evangelists of Almighty God, deposed as follows: That he is a naturalized citizen of the United States of America, of Boston, in the Commonwealth of Massachusetts, and 24 years of age. That, in October, 1843, he shipped on board the

brig "Kentucky," of which Eli K. Hart and H. H. Willis were owners; the latter of whom was master. Deponent was shipped as second mate of the vessel. She came out to Brazil to be sold, as was said. She sailed from New York to Pernambuco, with flour and some duck on board; laid at Pernambuco one day, and sailed thence for Rio de Janeiro, where arrived in the month of December; laid in this port, in "fronquia," for a few days, and then proceeded to Monte Video; Willis still master of the "Kentucky." At Monte Video disposed of the cargo, and returned to Rio in ballast. At this port, arrived about the latter end of January, 1844, and, after being in the discharging ground, went up and anchored in the loading ground. The "Kentucky" was afterwards chartered by a broker, named Weetman, to Manoel Pinto da Fonseca. Deponent's impression then was, and now is, that the vessel was sold before she left this port. Deponent then asked Captain Willis what voyage he was going on? He read the charter-party, to satisfy deponent; but did not say then whether she was sold or not. But the night before the "Kentucky" sailed, he said to deponent that he expected he (deponent) should come home in the "Porpoise;" from which deponent understood that the "Kentucky" had been sold. He also said that she was to go to the east coast of Africa, and that nothing illegal was to be done. The "Kentucky" had been to the coast of Africa on a charter-party the voyage before. A man named John Ankers was then master of her. Captain Willis called deponent into Mr. Gardner's and settled for the time he had served as second mate; this was the latter end of March; he paid up to 27th February, at which time deponent's pay as chief mate commenced. All the crew were discharged, except two men, and these became dissatisfied on account of the pay; and, furthermore, Mr. Ankers, who had been first mate, left the vessel because Captain Willis would not pay enough for him to go over to the coast, and claimed from the consul two months' pay because the vessel had been sold; and the consul declined to allow him the two months' pay, as Mr. Ankers told deponent, because he could not prove she had been sold; thereupon, Mr. Ankers told deponent that it was useless for him (deponent) to object to going in her, as he would be compelled to go. The captain had told Ankers, confidentially, the nature of his voyage, and all about it. Mr. Ankers told deponent the vessel was to go to the west coast of Africa; but Captain Douglass, after he joined the vessel, said the voyage was changed to the east coast, and that Manoel Pinto was to pay more in consequence thereof. When Mr. Ankers left the vessel, he told the two men that they were to be left on the coast of Africa; and the men said that the principal reason for complaining to the consul, in addition to the trouble about pay, was the being left on the coast. Mr. Ankers, immediately after the confidential conversation with Captain Willis, above alluded to, called deponent into the cabin, and told him, as he was going mate, that it was necessary that he (deponent) should know that the whole crew was to be discharged on the coast of Africa, and that a vessel was to be sent there to bring them and deponent back again. The

same day that this occurred, the captain called up these two men, who had wished to be discharged, and wanted to know if they wished to be discharged, as the vessel was going to the coast of Africa. They answered "yes"; thereupon they were discharged, that day, before the consul, and then three Portuguese, who had been at work on board the vessel, were shipped. One of them acted as second mate during the voyage; he could not speak a word of English. Two of these Portuguese, and Page, an Englishman, composed part of the crew of the "Kentucky" when she brought over a cargo of slaves. The other Portuguese was turned on shore at Quillimane.

Frequently before the "Kentucky" sailed, deponent warned Captain Willis, as he was told by several of his friends, that Captain Douglass was too dissipated a man to command a vessel, and would get her into difficulty. Captain George H. Douglass had been made master of the vessel about the 1st of March; he had not been on board two days before he became dissipated. Captain Willis, before the "Kentucky" sailed, showed deponent one charter party, and after we got to sea Captain Douglass showed another and different one. By the first, it was provided that the vessel should go from this place to the coast of Africa with a lawful cargo, and to receive eighteen centos of reis, or about \$9,000 for the voyage there and back, and after waiting thirty days on the coast of Africa, and going wheresoever the charter pleased, he was to pay thirty dollars for each day's demurrage on the coast; the thirty days had expired. There was something which deponent does not recollect about taking the vessel, and Fonseca was to send the officers and crew home and furnish everything necessary for the voyage without expense. Any time after arrival on the coast they were at liberty to take the vessel, and, if they took her, the American crew were to be furnished a free passage back. The second charter party differed from the first, in that it made no provision for the passage back of the officers and crew. Such passengers were to be taken as the charterer put on board, he furnishing provisions, &c., according to the terms of each charter party. Two cabin passengers went over in the Kentucky; the supercargo was named Luis de Souza Fonseca, the other was named Pedro de Sa Pereira. The former returned as captain and the latter as mate when the vessel came back with the slaves. Deponent thinks he has still a list of the cargo put on board, which, if found, he will produce hereafter; but he cannot recollect what were the principal articles. She took first 80 or 90 casks, empty, for water, and seven or eight launches of fire wood. Water was scarce in Rio when the empty casks were taken in, but afterwards they were filled with water—the bungs were covered with tins, with air holes through them—60 pipes of water were then taken in. Deponent had understood that this part of her cargo was to have been aguar-de-nte, but when it came alongside the lighter, deponent knocked the bung out of one of them and found it to be water, he cried out that it was water, and one of the Portuguese, whom if he was proving it, Next were taken 200 sacks of fish, black beans,

and farinha; some jerked beef, drums of cod fish, half barrels of flour, cases of cheese, and one box of copper, which afterwards turned out to be a copper for cooking; some barrels of wine and aguardente; some bales of goods; some boards and scantling came on board. Fonseca, afterwards captain, came off and made a rigid examination of the vessel to see what was wanting; and they measured her carefully—they asked deponent for compasses—took an account of the anchors, rigging, &c. Deponent has no doubt in his mind that the admeasurement was to fit a slave deck over the water casks; for a slave deck was afterwards fitted to her on the coast, from the boards and scantling that were put on board here, while the deponent was on board, before she was delivered up, and while she was on demurrage. Captain Willis left the "Kentucky" as captain about a month before she sailed, but, of course, knew all about what was going on on board of her here. Tin tubes to suck water out of casks were put on board; also, a large dipper to dig up beans, farinha, &c.; also, a large lot of tin pans, out of which deponent saw the slaves eating. We also took in a lot of canvas to make sails, of which were ready cut out, and spare ropes, anchors, and cable, and every thing to fit her for a voyage. Captain Willis came on board the morning the "Kentucky" sailed in a shore boat, stopped a few minutes and went away. The morning she sailed, there were on board 16 persons, besides the crew, who had been working in the vessel; they were carried over as forward passengers, and did duty all the time. When abreast of the last guard boat in the harbor, they were all put below in the hold until the visit had been passed. These men were put on board to navigate the vessel back with the slaves, and all did come back in the vessel except four—one of them died, two were put on shore, and one, a white man, was taken on shore and flogged by negroes with 400 lashes by order of Fonseca. This man and another were afterwards taken on board of the Porpoise as passengers, and were left at Quillimane.

The "Kentucky" sailed from Rio de Janeiro on the last day of March, for De Lagon bay, where she arrived on the 12th of May, 1844. During the voyage, Captain Douglass, the cook, Patterson, and Page were frequently intoxicated; Captain Douglass was intoxicated or sick nearly all the way. Deponent was off duty twenty-two hours; for when Captain Douglass was intoxicated he did everything to disturb him in his duty. During the time he was off-duty, on orders of Captain Douglass, one of the Portuguese forward passengers had command a part of the time, and the remainder a contramestre. When arrived on the coast, Captain Douglass and supercargo went on shore, about twenty-one miles from where the vessel lay, to a place called Lomenço Marques. The captain was absent about ten days, and then returned on board the "Porpoise," Captain Libby. Previous to this seven days the supercargo returned; the supercargo gave orders to the man who acted as second mate, or contramestre, as he was called, to have the long boat caulked, and make sails for her. Deponent forgot to mention that one Paulo Rodrigues, that went out as supercargo of the Por-

poise, an agent of Manoel Pinto da Fonseca, came down to us in company with Captain Fonseca. There was another brig belonging to the same concern lying there at the time, which was formerly an American vessel called the Seventeenth March. Nothing particular occurred until the "Porpoise" came down, when deponent understood they were to run down to Inhambane as soon as the moon was large enough to enable them to run over the bar; Inhambane is about two days' sail from where they lay. Certain Portuguese came on board to see us off, who landed at an island called Imyack, where a negro king kept a depot of blacks for slaves, sent down to him from Lomenço Marques. The "Porpoise" and "Kentucky" sailed in company on the 24th May, for Inhambane; off the harbor of which place arrived on the 27th May; there Fonseca and Paulo Rodrigues went up to the town for a pilot: In coming back, Fonseca lost the long boat in the surf. Rodrigues remained on shore. The vessels went over the bar on the 5th of June, and there the "Kentucky" discharged a part of the cargo into the "Porpoise," consisting of the wine, aguardente, and a few other articles; leaving on board the wood, lumber for slave deck, water, rice, beans, farinha, copper, &c. Deponent saw the box, said to contain copper, open, and a copper caldeira or pot on the deck filling with water to see if it was water tight. They told deponent it came off from the shore that night; but he is confident, in his own mind, it came from the box said to contain copper. The "Kentucky" discharged no cargo there. About the 10th or 11th of June, the lay days of the "Kentucky" were out. Captain Douglass then addressed to Fonseca a letter, (the supercargo, who, with all the passengers, still remained on board,) warning him that the lay days would be out, and wishing to know whether he intended to take the vessel, or pay demurrage. Captain Fonseca then said, in deponent's hearing, that he was not ready to take the vessel; but that if Captain Douglass was in a hurry to give her up, he would give him an order for demurrage, provided he would allow deponent to remain on board to protect the vessel, as he could not change the colors there. Deponent interpreted to Captain Douglass what Fonseca said; and Douglass told him to stop on board; and that if he got tired, he, Douglass, would stop. Captain Douglass and deponent not being on good terms, the latter preferred remaining on board the "Kentucky," to going on board the "Porpoise" with Douglass.

Several times after this, when deponent went on board the "Porpoise," Captain Douglass, in order to blind the crew, would upbraid him for staying on board the "Kentucky," asking him what he meant by exposing himself before so many persons; and then privately told deponent that, if he were tired of staying there, he would go on board and take deponent's place. Deponent was ignorant of this ruse to blind the crew at the time, and replied that he was not afraid of remaining on board the "Kentucky," as Captain Douglass had ordered him to do so, and as Captain Libby and others knew. Captain Douglass, Patterson, the cook, Page, Hanson, and Muller had removed to the "Porpoise," and deponent remained with Fonseca, and all the rest of the crew on board. Paulo

Rodrigues proposed to deponent to go over in the "Kentucky" as mate, but he did not come over in her. Deponent told Captain Libby about this offer, but he declined giving any advice in the matter, that in case of being taken, deponent should not blame him. Douglass had Page and Patterson punished for running off with the "Porpoise's" boat; the last flogged, the first put in irons. Laid there 84 days, after deponent was left on board the "Kentucky," during all which time, from 12th June, all the expenses of the vessel were paid by Fonseca, or his agent, as will be seen by a slip of statement herunto annexed, showing that the charter party was all a sham, the vessel having been sold long before. In fact Captain Douglass told the deponent that the demurrage was solely for himself, and that he did not intend his owners should lose anything about it, and after return to Rio de Janeiro, Manoel Pinto refused to pay the demurrage, but paid all the expenses after the 12th June, as Manoel Pinto da Fonseca told deponent. The American colors were kept flying all the time the "Kentucky" lay there, but were not hoisted when the slaves were taken on board. A few days after, Captain Douglass left, three or four little boys were taken on board the "Kentucky" for the purpose of waiting on the cabin and sick; one of them deponent has seen since in Rio, and supposes he came over in the "Kentucky" as a slave. Captain Douglass was frequently on board the "Kentucky" while these boys were on board, and the American colors kept flying by his orders. The governor general of the Portuguese provinces in Africa came there, in a brig from Mozambique, and last from Lomence Marques, and in deponent's presence, said he had told the governor president that the vessel had no right to trade there, because there was no custom-house, and made much difficulty, until a purse of 3,000 dollars, \$1,500 of which were paid by Rodrigues, the agent of Manoel Pinto da Fonseca, was made up for him, when he went quietly away to sea without causing further disturbance. This brig from Mozambique was soon after wrecked, and deponent heard Rodrigues laughing and saying that his 1,500 dollars had gone to the bottom with the gold sword of the governor general, which he had got from the Sultan of Zanzibar. About a month after the governor general sailed, deponent went on board the "Porpoise," as they were making preparations on board the "Kentucky" to take in slaves; the slave deck was laid before deponent left. Captain Douglass went on board and saw the slave deck, and made no objections to it, but said it was no worse to lay the deck than carrying the boards, they barely lay across the joists, and then lay the boards on them; it was done in a very short time, but it is unnecessary to lay a slave deck as frequently mats are laid on the water casks. Deponent left the "Kentucky" on the 7th or 8th of September, on the Saturday night following, the slaves were put on board in number about 500. Deponent went on board of her from curiosity, with Mr. Libby, the mate of the "Porpoise," to see them. Douglass was on board on Sunday morning, when she had most of her slaves on board; the American colors were left on board, the name of the

vessel then was "Kentucky, of New York," painted on white letters on black ground. Deponent rubbed over one letter with a white brush; others were painted, and painted over her name with black paint; she also had her name on the house, on deck. Deponent is positive that the same vessel is now lying in this harbor with the name "Franklyn, of Salem," on her stern; he knows her by her house on deck; by the two stars on her stern; and by several other marks; among which is the manner in which her wheel is put on; they are altering the wheel now, and making several other alterations; but deponent would always know her under any circumstances. Page went back voluntarily from the "Porpoise" to the "Kentucky," and helped to navigate her back with her cargo of slaves. Deponent has seen Captain Fonseca since the return of the "Kentucky," and he confessed that 27 of the slaves were killed by firing shot down the hatchway while in the act of rising. Deponent also saw another man of the crew who said that 46 were killed; that they tied garnets round their necks and hung them up to the house; and the mate told deponent that he had killed two negroes with the pistols he, deponent, sold him in Africa. Deponent came back to this port with Captain Libby, in the "Porpoise," where he was arrested, as is known to the American authorities. Deponent has received all his money, except 100 dollars, at the rate of 30 dollars per month. Captain Willis deposited the money with Maxwell, Wright & Co. Captain Douglass returned 100 dollars, under the pretext of having paid lawyer's fees after the arrest. After deponent being discharged, slipped on board the Caspian, Captain Peabody, Captain Willis's deponent is informed, was in this port lately as master of the "Helen M. Fielder," does not know what has become of Captain Douglass. Ulrich, he is told, is master of some American vessel. Deponent has voluntarily made this deposition, in order that the government of this country may know the whole truth; and, if he has done wrong, it was in obedience, and under the impression that the command of his superior officers he was compelled to obey. If, therefore, he has erred, it has been through misapprehension of his duty; and, for it, deponent throws himself on the lenity of the American government, with the promise and understanding that he will engage in no such transactions in future.

THOS. H. BOYLE, JR.

Sworn at Rio de Janeiro, on this the 17th day of February, 1847, and executed before me.

GORHAM PARKS,
United States Consul.

JOHN HENRY KAGEL

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify

the foregoing to be a correct copy of the original on file at this consulate.

[L. S.] Given under my hand and seal of office this 4th day of March, 1846.

GORHAM PARKS,
United States Consul.

I, John Henry Kagel, citizen of Brazil, (by favor of his imperial and constitutional Majesty of the empire of Brazil, sworn public translator and interpreter of the nation, residing in the city of Rio de Janeiro, do hereby certify, that by the American consul, Mr. Gorham Parks, an account of the crew of the American brig "Kentucky," written in the Portuguese language, was presented to me, which, literally translated into the English, declares the following:

Translation.

Account of the crew of the American brig "Kentucky," viz:

Captain G. H. Douglass, from the 31st March, 1844,	
till 23d January, 1845, at \$100 per month.....	\$1,000 00
Mate T. H. Boyle, from the 31st March, 1844, till 23d	
January, 1845, at \$48 per month.....	480 00
W. Paterson, from the 31st March, 1844, till 23d Jan-	
uary, 1845, at \$24 per month.....	240 00
Seaman Hans Hanson, from the 31st, say, 12th June,	
1844, till 23d January, 1845, at \$10 per month....	73 67
Seaman T. Muller, from the 12th June, 1844, till 23d	
January, 1845, at \$10 per month.....	73 67
Seaman William Page, from the 12th June, 1844, till	
23d January, 1845, at \$10 per month.....	73 67
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And nothing else more contained in the said account of the crew of the American brig "Kentucky," which I have faithfully translated from the original written in the Portuguese language to which I refer, and after having conferred it with this present, I delivered it again to the party from whom I received it.

In witness whereof, I have signed this present with my hand, and sealed with the seal of my office, in this very loyal and heroic city of Rio de Janeiro, this second day of March, in the year of our Saviour one thousand eight hundred and forty-six.

JOHN HENRY KAGEL.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro,

I, the undersigned, consul of the United States of America at this city, hereby certify the above signature, John Henry Kagel, to be the true and proper hand writing of the public sworn translator at this city, to which faith and credit are due.

Given under my hand and seal of office, on this 3d day of [L.S.] March, 1846.

GORHAM PARKS, U. S. Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office on 7th March, [L.S.] 1846.

GORHAM PARKS, U. S. Consul.

Mrs. Wise to Mr. Buchanan.

No. 43.

LEGATION UNITED STATES,
Rio de Janeiro, March 21, 1846.

SIR: The enclosed is a copy of the evidence taken before Mr. Consul Parks, in the case of the Enterprise, an American vessel lately sold in this port for the purposes of, and actually employed in, the slave trade.

I have the honor to be, sir, very respectfully, your obedient servant,

HENRY A. WISE.

Hon. J. BUCHANAN,
Secretary of State.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro, February 12, 1846.

Personally appeared before the undersigned, consul of the United States of America, at this city, Thomas Shanton, of New York, who being duly sworn upon the Holy Evangelists of Almighty God, deposeth as follows: That he was a mate of the schooner "Enterprise," of Boston, of which Charles Nicholson was master, and Thomas M. Cutler, of Charleston, was owner, as appears by her registry; that said vessel sailed from Boston for the Cape de Verd islands, on the 8th day of December, in the year 1844, at which islands she arrived after a passage of 25 days; she entered at Port Praya, thence went to Brava, and discharged part of the cargo,

chiefly lumber, thence went to Fago, where part of the cargo was discharged; thence went back to Port Praya, where, at the request of Commodore Perry, the "Enterprise" was searched by the "authorities" of the island, and a certificate was obtained clearing her from all suspicion; the vessel was suspected, deponent supposes, owing to having been a man-of-war, and the raking of her masts gave her a rōbustish look; another part of the cargo was discharged at this place. From Port Praya, the vessel touched at the Isle of Man, but did not anchor, and being unable to trade to satisfaction, proceeded to the Isle of May, where sufficient cargo was discharged to buy some salt, and then went again to Port Praya, having the remainder of the lumber on deck. There the remainder of the outward cargo was sold, and the vessel was cleared for Pernambuco with a cargo of salt; at Pernambuco the vessel arrived about the first of March. On the first of April the "Enterprise" left Pernambuco, for Buenos Ayres, with a cargo of sugar, and laid at Buenos Ayres more than three months, from which place sailed for and arrived at Rio de Janeiro, about the middle of August, after a passage of about 16 days. Laid at this port till the vessel was chartered. And deponent further said that he has been master's mate on board the "Columbus," for the whole cruise of that vessel, and for more than eleven months on the Brazil station. Deponent left this harbor in the "Columbus" on the 15th of April, 1844, and his letters, and application for a gunner's appointment in the United States navy, are now on file at the Navy Department at Washington; Charles Nicholson was master of the "Enterprise" until the 10th day of October, 1845, on which day the papers were transferred to deponent, and on the 12th she sailed under deponent's command for the coast of Africa. Captain Nicholson transferred the command of the vessel to deponent on account of his sickness, after the charter of the vessel. On deponent's appointment as master, Kennedy, one of the crew, was made mate; the cook was discharged, and a foreigner substituted in his place, and two hands, foreigners, were added to the crew. All on board, except the captain and mate, were foreigners. Captain Nicholson chartered the vessel to Manpel Pinto da Fonseca, and deponent has a copy of the charter party now in his possession; Captain Nicholson gave deponent written instructions, the originals of which, as well as a copy of the charter party, will be furnished, to be appended to this deposition.

The cargo on board the "Enterprise," for the coast of Africa, consisted of bale goods, aguardente, muskets, powder, rice, some black beans, farinha, and a few boards of lumber; there were, deponent thinks, from 150 to 200 barrels of aguardente, and from 25 to 30 boxes of muskets, and 1,500 kegs of powder. There were four passengers that were taken on board in conformity with the charter party. The charter party put on board a man named Pereira, who was supercargo, and who directed the movements of the vessel within the limits of the charter party, which were from 16 north to 25 south. Deponent had nothing to do with the trading on the coast, it was all under the direction of the supercargo, and

was also the destination of the vessel. Deponent knew nothing, of his own knowledge, of any contract or agreement of Captain Nicholson with any person whomsoever, for the sale of the "Enterprise," before she sailed from this port to be delivered on the coast of Africa or elsewhere; he was led to believe it was merely a charter, and in confirmation of this, the cook, who was afterwards discharged, started a rumor that the vessel was actually sold here. This made deponent angry with Captain Nicholson on account of his being, as he supposed, deceived as to the voyage, and deponent had a dispute with Captain Nicholson, occasioned by this rumor; it was settled by his taking the cook face to face before the person whom he gave up as author, who denied having told him any such thing; this was the chief cause of Captain Nicholson's consenting to the discharge of the cook at his own request. And deponent further said, that Captain Nicholson's instructions to him were to sell the vessel, if he could, for 12,000 dollars, and as much more as deponent could get, in case an offer was made on the coast, as will appear by said instructions hereunto annexed. He did not inform the deponent whether he expected an offer would be made him or not, nor did deponent infer so from any thing he said. The "Enterprise" sailed from Rio on the 12th, as aforesaid, and made Cape Palmas on the 7th November following; thence ran down to Almira, to the eastward of Cape St. Pauls. At that place the supercargo sold a part of the cargo, about one-fifth, consisting of aguardente, muskets, and powder, and other articles. There are two or three castles at that place, to whom deponent had to report; the part of the cargo sold was taken off in canoes; thence went about 30 miles further to the leeward, to a place called Annamaboe, at which place the supercargo sold 2,000 dollars worth of cargo, being about a sixth part of what remained; thence went to Lagos or Onin; the day before making Lagos, were boarded by the British man-of-war brig "Albatross." While at Lagos the "Enterprise" was often boarded without any suspicion being excited. At Lagos discharged more of the cargo, consisting of bales, the boards, farinha, and beans; there, a man by the name of Salvi, deponent thinks Gregoria Salvi, proposed to buy the vessel, and offered 10,000 dollars for her, but deponent would not sell for less than 12,000 dollars; then he, Salvi, wished the vessel to go to the windward to dispose of the rest of the cargo, and he and the supercargo wanted the vessel to go first to a place called "Soo Soo," to the windward, about ten miles from Lagos; the vessel went up there, and after having discharged ten or twelve barrels, Salvi came on board and said he would take her at 12,000 dollars, and gave drafts on Manoel Pinto da Fonseca, which have been paid by him to Captain Nicholson since deponent's arrival at this place, he having brought the drafts with him. The vessel was sold on the 21st December, with the remainder of the cargo left on board, with the consent of the supercargo, whom Manoel Pinto da Fonseca had put on board, which remainder was about one-third of the original cargo put on board.

Deponent had a power of attorney to sell the vessel, from Charles M. Cutter to Captain Nicholson, the latter of whom

transferred it to him, deponent. The vessel was delivered without any bill of sale being given. The power of attorney was returned by deponent to Captain Nicholson, who now has it. The "Enterprise" was chartered for 1,000 dollars per month; 2,500 were paid in advance to Captain Nicholson. The charter party was from the 5th of September, 1845, and ended on the 21st December following, making three and a half months in all; so that when she was sold, there were 1,000 dollars due on the charter party, which has been paid by Manoel Pinto da Fonseca to Captain Nicholson since, making in all paid to Captain Nicholson, since deponent's return, 13,000 dollars. For the vessel and charter party the gross amount paid him being 15,000 dollars. Deponent took away the American flag and papers, and took the name of the place where the vessel belonged from off her stern. Captain Nicholson said that Fonseca had two agents on the coast, and named Salvi as one of them, and told deponent that if the vessel were sold to either of them, he might take bills on Fonseca, but if sold to any one else, must have the cash down. All the foreigners of the crew chose to remain with the vessel; all the Americans, being Kennedy and deponent, left her when sold; the supercargo remained on board; the four passengers landed at Onin. Deponent left Onin on the 24th December, in a Genoese vessel, for Bahia, at which port, on the 20th of January, she arrived. Left Bahia on the 29th January, and arrived at this port on the 8th of the present month.

And deponent further said, that he now remembers the name of the person who purchased the "Enterprise" is Jeronimo Salvi, not Gregorio, as before stated, and that no regular bill of sale was made out on the delivery of the vessel; but on receiving the drafts from the purchaser, Salvi, a receipt was passed to him for them, in which receipt deponent mentioned said drafts to be for the value of the "Enterprise." And further deponent said not.

THOMAS SHANTON.

Sworn to and executed in duplicate, on the 12th February, 1846, before me.

GORHAM PARKS,
U. S. Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro,

I, the undersigned, consul of the United States of America at this city, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. S.] Given under my hand and seal of office, on this, the 20th day of March, 1846.

GORHAM PARKS,
U. S. Consul.

A.

To all people to whom this present bill of sale shall come: I, Thomas M. Cutter, of Charlestown, county of Middlesex, State of Massachusetts, send greeting:

Know ye, that I, the said Thomas M. Cutter, for and in consideration of the sum of twenty-five hundred dollars, to me in hand well and truly paid, at or before the ensembling and delivery of these presents, by Charles Nicholson, of Fitchburg, State and county aforesaid, the receipt whereof I do hereby acknowledge, and am therewith fully and entirely satisfied and contented, have granted, bargained, and sold, and by these presents do grant, bargain, and sell, unto the said Charles Nicholson, one-half of all the hull, or body, of the good schooner "Enterprise," together with one-half of all and singular her appurtenances, now lying at Charlestown, and registered at the port of Boston and Charlestown, the certificate of whose registry is as follows, to wit:

Permanent, No. 315.

SEAL OF THE }
 UNITED STATES. } "In pursuance of an act of the Congress of the United States of America, entitled, "An act concerning the registering and recording of ships, or vessels," Thomas M. Cutter, of Charlestown, State of Massachusetts, having taken or subscribed the oath required by the said act, and having sworn that he is the only owner of the ship or vessel called the "Enterprise," of Boston, whereof Charles Nicholson is at present master, and is a citizen of the United States, as he hath sworn, and, that the said ship or vessel was built at the United States navy yard, Brooklyn, State of New York, in the year eighteen hundred and thirty-one, as per certificate of S. M. Pook, naval constructor; vessel sold by order of the navy agent. And, Joseph Grafton, surveyor for this district, having certified that the said ship or vessel has one deck and two masts, and that her length is ninety feet, her breadth twenty-four feet one inch, her depth ten feet, and, that she measures one hundred ninety-one $\frac{1}{2}$ tons, that she is a schooner, has a square stern, no galleries, and a billet head. And the said Thomas M. Cutter having agreed to the description and admeasurement above specified, and security having been given, according to the said act, the said schooner has been duly registered at the port of Boston.

Given under our hands and seals, at the port of Boston, this sixth day of December, in the year one thousand eight hundred and forty-four.

T. SMITH, Register. [SEAL.]
 ADAMS BAILEY, Dy. Collector.
 GEORGE ROBERTS, Naval Officer.

To have and to hold the said granted and bargained one-half of said schooner and premises, with the appurtenances, unto the said Charles Nicholson, his heirs, executors, administrators, or assigns, or to his and their only proper use, benefit, and behoof, forever.

And I, the said Thomas M. Cutter, do avouch myself to be the true and lawful owner of the said half of said schooner and her appurtenances, and have in me full power, good right, and lawful authority, to dispose of the said half of said schooner, and her appurtenances, in manner aforesaid. And furthermore, I, the said Thomas M. Cutter, do hereby covenant and agree to warrant and defend the said schooner and appurtenances against the lawful claims and demands of all persons whatsoever, unto him, the said Charles Nicholson, his heirs and executors, forever.

In witness whereof, I, the said Thomas M. Cutter, have hereunto set my hand and seal, the seventh day of December, in the year of our Lord one thousand eight hundred and forty-four.

THOMAS M. CUTTER. [SEAL.]

Signed, sealed, and delivered, in the presence of us,

OAKES BRADBURY;

GEORGE W. TURNER.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States of America at this city, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. s.] Given under my hand and seal of office, on this, the 17th day [of] March, 1846.

GORHAM PARKS,
U. S. Consul.

B.

Know all men by these presents, that I, Thomas M. Cutter, of Charlestown, in the county of Middlesex, State of Massachusetts, do hereby constitute and appoint Charles Nicholson, of Fitchburg, in said county and State, master mariner, my true and lawful attorney, for me, and in my name, to sell in any foreign port, where he may judge it for my interest so to do, one-half of the schooner "Enterprise," of 191½ tons burthen, and registered in the custom-house at Boston, unto such person or persons, and for such price or prices as he may think proper, and for me, and in my name, to sign and deliver such instrument of transfer as may be necessary to complete said sale.

Giving and granting to my said attorney, by these presents, the power and authority to act in the premises in as full and ample a manner as I might do, if personally present. And I hereby ratify and confirm all that my said attorney may lawfully do by virtue hereof.

In witness whereof I have hereunto set my hand and seal, this,

the seventh day of December, in the year eighteen hundred and forty-four.

THOMAS M. CUTTER, [SEAL]

Executed in presence of,
OAKES BRADBURY,
GEORGE W. TURNER.

COMMONWEALTH OF MASSACHUSETTS,
United States of America,
Middlesex ss., December 7, 1844.

There personally appeared, Thomas M. Cutter, and acknowledged this instrument, by him signed, to be his free act and deed.
Before me:

NATH'L AUSTIN,
Justice of the Peace.

Transferred to Captain Thomas Shanton, Rio de Janeiro, October 11, 1845.

Executed in presence of,
JOHN STAFFORD,
CHARLES NICHOLSON.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States of America, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. S.] Given under my hand and seal of office, this 17th day of March, 1846.

GORHAM PARKS,
U. S. Consul.

C.

Charter Party.

It is this day mutually agreed between Mr. Nicholson, captain of the American schooner Enterprise, at present anchored in this port, and Mr. Manoel Pinto da Fonseca, merchant of this city, viz: That the said schooner being staunch, strong, and every way fitted for a voyage, shall receive in this port, from the charterer or his agent, a full cargo of goods, or any lawful merchandise, at the ap-

tion of the charterer, not exceeding what she can stow over and above her tackle, apparel, provisions, &c.

The captain reserves for himself the right to open and examine any package which he may suspect, and of rejecting those which may contain any articles forbidden or illicit.

After being loaded, the vessel will proceed from this port to any of the ports on the coast of Africa, from the latitude 25° south to 15° north, which the charterer, or his supercargo on board, may point out, and where the vessel may arrive with safety to perform her discharge.

The vessel shall not be obliged to proceed further up in any river, except the Congo, at its mouth, if it is necessary.

From the coast of Africa the vessel will return to any port of Brazil, where her voyage terminates.

The charterer is bound to pay the captain, or his agent here, the freight of one thousand Spanish dollars per month, which freight is to be counted from the 5th instant, until she returns to any port of Brazil, and is cleared of the cargo or ballast she may have on board.

As soon as the vessel is ready, and before her departure from this port, the charterer shall pay to the captain or his agents two months' freight, and the rest shall be paid after her returning to this or any other port in Brazil.

All the expenses of loading the vessel in this port, discharging and again loading at any port or ports where she may be ordered, are on the account of the charterer.

The vessel will carry from this port to that where she may be ordered, any free passengers which the charterer may designate, he furnishing at his expenses all the necessary articles for their food, the captain only supplying his cook, water and fuel.

The crew of the vessel will not be obliged to work on shore or lighter.

The captain will sign bills of lading which will be presented to him for the cargo received on board, without reference to the freight therein mentioned, this being for the account of the charterer.

The charterer or his agents on the coast of Africa, shall not detain the vessel at any of the ports for a space of time longer than two months.

All the risks of navigation and accidents of the seas are excepted.

Either of the contracting parties who may fail to fulfil the obligations specified in this charter party in the whole or in part, is bound to pay the other the sum of three thousand Spanish dollars:

And both persons, being entirely agreed to the stipulations herein mentioned, have signed this charter party. Rio de Janeiro, 4 de Setembro, 1845.

MANOEL PINTO DA FONSECA.

CHARLES NICHOLSON.

The vessel to go to no other river than the mouth of the Congo river.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States at this city, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. s.] Given under my hand and seal of office, on this the 17th day of March, 1846.

GORMAN PARKS,
United States Consul.

D.

RIO DE JANEIRO,
October 4, 1845.

SIR: My instructions to you are, to take charge of the schooner "Enterprise," of Boston, now in the harbor of Rio de Janeiro, and proceed on a lawful voyage to the coast of Africa, and with a legal cargo. When there you are to be guided in most cases by the charter party. Should the vessel return to Rio de Janeiro, you are to apply to Mr. Charles Warner for further instructions; but if you return to any other port in the Brazil, you are to re-charter the vessel, if you can get from one thousand to one thousand four hundred Spanish dollars per month; and you can charter the schooner as low as eight hundred dollars per month, or from four to five thousand dollars for the voyage; but you must, in all cases, get all you can, not allowing them more than from forty to fifty lay days on the voyage. But, if you cannot get a charter, you can sell the "Enterprise" on the Brazil coast for eight thousand Spanish dollars, if you can get it; and you are particularly cautioned against taking on board of your vessel any black men on any conditions, either from one port on the coast to another, or on your passage back, those black men that comes on board for the purpose of discharging the vessel, watering or ballasting the vessel, or other ship duty you can let them come alongside only. You are also authorized to sell the schooner "Enterprise," if an offer should be made you of twelve thousand dollars Spanish or upwards, for good bills or cash; if the vessel should be sold you are to take passage in an American vessel if possible, and bring back the officers and crew, whose pay will go on till their arrival at any port of the Brazil coast; but if they wish to be discharged on the coast of Africa you may discharge them if you please, and pay them one month's pay over and above their wages due them at the time. If the vessel should be sold, the purchaser or his agent are to sign you a guarantee by which he obliges himself not to employ the vessel illegally, and that she is purchased for lawful business only; and the purchaser will oblige himself to provide the captain, his officers and crew, with a free passage back to the Brazil, or the United States of North America, on board of a

vessel engaged in lawful trade; the purchaser or agent in Africa, if they draw a bill, must draw at three days' sight for the above sum of twelve thousand dollars Spanish - against any substantial house in the Brazil, adding to the said sum the amount of freight due the vessel up to that date, at the rate of one thousand Spanish dollars per month, commencing on the fifth of September, 1845. And in cases of re-chartering the vessel, if you should do so, you are to get as much of the charter money as you can, and the whole if possible, and advise with Mr. Maxwell as to the best manner of remitting the money to the owners, unless you receive further orders about it. And I hope you will not let any opportunity pass of writing to inform the owners of your proceedings, as we shall always be anxious to hear from you and the vessel. And I hope you will be careful in running for any land, as the vessel may not be insured.

I wish you a safe and pleasant voyage.

I remain yours, with respect,

CHARLES NICHOLSON.

Captain THOMAS SHANTON.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned consul of the United States at this city, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[SEAL.] Given under my hand and seal of office, on this the 17th March, 1846.

GORHAM PARKS,
United States Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro, February 14, 1846.

Personally appeared before the undersigned, consul of the United States at this city, Charles Nicholson, who, being duly sworn upon the Holy Evangelists of Almighty God, deposed as follows: That he is a native of France, and a naturalized citizen of the United States of America; a resident in the town of Fitchburg, in the commonwealth of Massachusetts; that he was master of the schooner "Enterprise," of Boston, and sailed from Boston on the 8th December, 1844, for the Cape de Verd islands. The "Enterprise" was owned by Thomas M. Cutter, of Charlestown, in the State of Massachusetts, and deponent, in equal moieties. Deponent purchased one-half of the vessel after her register was taken out of the custom-house, and herewith deponent produces a bill of sale received from Thomas M. Cutter, which bill of sale is annexed to this deposition, marked A. This document was handed to deponent by said Cutter, who, on the 7th day of December, 1844, also

gave him the power of attorney to sell said vessel, which is hereunto annexed, and marked B, which power was certified by "Nathaniel Austin," a justice of the peace, and transferred by deponent to Captain Thomas Shanton, at Rio de Janeiro, on the 11th October, 1845, in the presence of John Stafford, as appears by the endorsements on the said power of attorney. This is the only power of attorney given deponent by said Cutter. The intentions of Mr. Cutter and deponent, when the latter left home, were to sell the vessel if a satisfactory price could be obtained; and deponent was in hopes of being able to have disposed of her to General Rosas, but he would not buy her. Deponent had also some thoughts of going round the Horn, or to China. The "Enterprise" sailed from Boston for the Cape de Verds; there salt was taken in, and thence went to Pernambuco and took in sugar, with which proceeded to Buenos Ayres, whence she sailed, in ballast, for Rio de Janeiro, where she arrived the 22d of August last. At this port, the vessel lay ten or twelve days, after which deponent made a charter party with Manoel Pinto da Fonseca, she having in the meantime been offered for sale, freight, or charter, by Hobkirk, Westman & Co., brokers of this city. Deponent never spoke about the matter, except with Westman. The said charter party was entered into on the 4th September, 1845, as that document purports, the original of which, entered into with Fonseca, is hereunto annexed, marked C. Deponent cannot say that he saw Fonseca sign it. At that time he, deponent, intended to go in the vessel himself. Among the cargo that came on board, deponent objected to carrying four barrels, which had the plugs taken out, and contained, as could be seen, small chains, about the size of a ship's topsail sheet chain. These four barrels were taken out by Fonseca. Deponent thinks the "Enterprise" had on board from 100 to 120 barrels of rum; from 30 to 40 cases of muskets; 1,500 kegs of powder. These, with dry goods, composed the principal part of her cargo. There were also about 30 mats of jerked beef on board. The vessel was first to touch at the island of St. Thomas. The charterer put a supercargo on board, who had the direction of the voyage, and the care and control of the cargo. The charter party bound the vessel to return to a port in Brazil, where her voyage was to terminate. Deponent authorized Captain Shanton to sell the vessel, if an offer were made to him of \$12,000, in good bills or cash, and to reconcile the sale, in case it should be made, with the charter party.

Deponent saw Manoel Pinto da Fonseca, and agreed with him, verbally, that in case the vessel was sold the charter party should cease. The manner in which deponent gave Captain Shanton directions, as to how he was to know whose bills might be taken, was this: Deponent named to Captain S. several houses on whom bills would be good, but the name of Fonseca was not one of them as he remembers. Nor does he remember that he, deponent, gave him the names in writing of any agents of Fonseca, whose bills on him he might take; nor that he, deponent, named to him verbally any such men. Deponent himself took no pains to ascertain whose

bills in Africa would be good; he might have given to Captain Shanton the names of two men, whose bills he might take. He, deponent, thinks he did make some inquiry as to whose bills in Africa would be honored, and was told that certain two men, whose names he has forgotten, could give good bills on this place; does not remember of whom inquired. Deponent never made any agreement, or arrangement, or any other understanding, with any one here as to the sale of the vessel on the coast of Africa, previous to the sailing of the "Enterprise." The charter party commenced on the 5th September, and terminated on or about the 20th December. Deponent was paid two and a half months' charter party in advance, and, when the vessel was sold, one month's charter money was due. The vessel was sold for \$12,000, and bills were taken for that sum and \$1,000, or one month's charter money, making \$15,500 which deponent received for the sale of the vessel, and three and a half month's charter. The bills were drawn by a man, whose name sounded like Salvi, on Manoel Pinto da Fonseca, who has paid them.

At this stage of the deposition, the consul put the following question: How happened it, that the purchaser in Africa came to include in his bills on Fonseca, for the purchase of the vessel, the amount of charter money due from Fonseca to you, or the charter party? Deponent answers, that he does not know.

The next paper, marked "D," is the original instructions given by deponent to Captain Shanton. Captain S. gave no bill of sale for the vessel, but receipted for the bills. Deponent has not executed any bill of sale or transfer; he signed a document, receipting for the amount of the charter party, as well as for the sale of the vessels. It was a receipt in full. The reason deponent did not take the barrels with chains, was that he did not know but that the vessel might be overhauled by an American man-of-war, and suspicions might be excited that she was connected with the slave trade. Fonseca urged deponent to take them, saying they were only chains for launches; but deponent refused. Further deponent said not.

CHARLES NICHOLSON.

Sworn to, on this the 14th day of February, 1846, before me,
 GORHAM PARKS,
U. S. Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States at this city, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. S.] Given under my hand and seal of office, on this the 17th day of March, 1846.

GORHAM PARKS,
United States Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

Personally appeared before the undersigned, consul of the United States of America at the city of Rio de Janeiro, John Graham, who being duly sworn upon the Holy Evangelists of Almighty God, deposed as follows:

That he is of the city of Philadelphia, in the United States of America; is thirty-four years of age; that when the barque *Pons*, of Philadelphia, sailed from the city of New York, in the year one thousand eight hundred and forty-four, deponent was master and sole owner of her, although her register was in the name of two other persons. Deponent sailed in that vessel from New York, in the month of July of said year, and after touching at various ports in Europe, came to Rio de Janeiro, where he arrived from Madeira on the twenty-seventh day of December, in the same year. The "*Pons*" at this time brought passengers and salt; the salt was taken in at the Cape de Verd islands, where the vessel touched for that purpose; the passengers were emigrants from the island of Madeira to Brazil; the passengers entered into an obligation to pay their passage on their arrival here, but in what manner was not stated. Deponent had the right to detain them on board until their passage was paid, by the contract; two of the passengers remained as part of the crew of the "*Pons*," with their own consent. Before entering further into this deposition, deponent wishes to explain what is meant where he stated above that he was sole owner of the "*Pons*." The vessel stood in the names of two other persons, as security for money advanced to deponent by them; and whenever deponent paid them the debt, the vessel was to become his property. That debt has been paid, and the vessel has been transferred to deponent by them, according to agreement. The bill of sale to deponent was dated in September, in the year 1845.

The debt having been paid some time since, and deponent being absent from the United States, he wrote for the bill of sale, which was received by the barque "*Lydia Ann*," Captain Garwood, on the third day of November last past. When deponent arrived at Rio de Janeiro from Madeira, four of the persons who were taken on board at the latter place, to wit: Manoel Pereira, Tiburcio Vieira, Izidoro Mendes, and Jozé Antonio Pereira were shipped as part of the crew. When the "*Pons*" sailed under deponent's command, on the twenty-sixth day of March, 1845, for Ambriz, on the coast of Africa; and when she arrived at Rio de Janeiro from Cabinda, on the coast of Africa; and when she again sailed from Rio de Janeiro for the coast of Africa, on the twenty-first day of July, 1845, under the command of Captain Perry, the same four persons continued as a part of the crew of that vessel. For the voyage on the twenty-sixth of March, 1845, the "*Pons*" was chartered by José Bernardino de Sá, to go to the coast of Africa and back. At this time two passengers were carried over in the "*Pons*," one of whom was supercargo for the charterers; his name, deponent thinks, was Machado; two-thirds of the cargo was landed at Ambriz, and delivered to the supercargo, Machado; the other third was delivered

at Cabinda, to a man named Rezende, who returned to Rio in the barque "Pons" as a passenger. The cargo out, consisted of pipes of liquor aguardente, deponent thinks two hundred pipes; also, bales, boxes, and bags of merchandise; also, muskets, in boxes, ten boxes of which were lost overboard on the voyage. At the time of entering into the charter, the deponent did not know the character of José Bernardino de Sá; but on the voyage out, learned that the character and reputation of his business to be, that he was extensively engaged, both in licit and illicit trade; in the latter deponent intends to include the slave trade. The "Pons," Pilot, and Herschel were chartered at about the same time, and during the period the public mind was so much excited in consequence of the seizure of the brig "Porpoise," as it was said, for connexion in the slave trade; and deponent believes that the charter of the "Pons" was enhanced in consequence of that excitement. Deponent was absent on the voyage eighty-eight days, and touched at Ambriz and Cabinda alone, for which he got eight thousand dollars. The charter was negotiated for deponent by Weetman, of the firm of Hobkirk, Weetman & Co.

While deponent was in Africa he went into the interior and visited an interior king, near Ambriz, seven leagues from the coast. Deponent was one month on the coast during that voyage, and returned to Rio de Janeiro on the 24th June, 1845. On the 5th day of July, of the same year, entered into the charter party with José Antonio de Miranda, the original of which is hereunto annexed, and made a part of this deposition, and marked A.

Miranda is a merchant of this city. At the time deponent chartered his vessel, the "Pons," to him he was only aware of his being a merchant; but, since that time, deponent has learned that he, Miranda, belongs to a company which is concerned in the slave trade. Deponent does not know whether that company consists of many or few individuals. Manoel Pinto da Fonseca is reputed to be one of the company. Deponent does not know who shipped the cargo of the "Pons" in this port, whether Miranda or his agents. The captain did not, to deponent's knowledge, open any of the packages under the authority given him by the second article of the charter party. He supposed the articles shipped corresponded with the bills of lading, and also with the despatches of the custom-house; the bills of lading included pipes and merchandise. Deponent thinks the "Pons" had no muskets on board. The pipes contained liquor aguardente. By the words in the charter party, "any ports in the Atlantic ocean," deponent understood that ports on the coast of Africa were meant; such was the understanding. At the time of entering into this charter party, deponent did not understand the object in sending over the passengers referred to in the fourth article of the charter party. He knew that sometimes the passengers taken over to Africa became the agents of men here to receive the goods sent over, but he did not know for what purpose the passengers went out. Three or four days before the sailing of the vessel, deponent met a person on change, who told him he intended to go out as passenger on board the "Pons." Depo-

ment told him he had nothing to do with the passengers, and referred him to the charterers. Deponent believes his name was Galiano; but, at the time, he neither knew his name nor his character, or his business. This same person went out in the vessel, for deponent found him on board on the morning she sailed; but he knows he was not the person to whom the cargo was to be delivered, nor had he the charge of the cargo. The reason the deponent knows this is by the bills of lading. Deponent here presents the original bill of sale from Messrs. Welsh to him of the barque "Pons," a copy of which is hereunto annexed, marked E.

And deponent further said, that the passengers who are carried over to the coast generally are carried out to act as agents for people here; that he is informed that the whole of the crew of the "Pons" were paid off by Captain Berry, at Cabinda, and the four Portuguese, already named as part of the crew, shipped on board of her there after she was sold. Deponent believes that the oldest of the four Portuguese was not over fifteen or sixteen years of age. He is informed that Galiano, the passenger carried over in the "Pons," took command of her after she was sold; has not been informed whether the other passengers became a part of the ship's company or not. The port where the vessel was expected to finish her discharge was undecided and appeared indefinite. The charterer did not go out in the vessel, and was to exercise the right of again loading her with any lawful merchandise through his agent. That agent was the consignee on shore, who is named in deponent's letter of instructions, to wit: at river Lagos, Jeronimo Carlos Silva, or, in his absence, Miguel da Sa Pereira. The agent at Cabinda was whoever the agent at Lagos should appoint. The first agent or agents named always appoints the sub-agents at other places, either by orders or endorsement on the bills of lading, or by letters of instruction. The voyage was to terminate at Rio de Janeiro, unless the charter party was cancelled by mutual consent. Deponent expected the vessel to go to Lagos in the first instance, and there to be governed by the orders of the consignee. The vessel was finally discharged by the crew at Cabinda. Deponent considered the discharge to be finished there. His freight actually commenced on the 5th day of July, as named in the sixth article of the charter party. Deponent was paid thirteen hundred and fifty dollars per month for four months and twenty-two days, from the 5th July to the 27th of November, including one of the days named.

Before the vessel sailed from this port, deponent was paid five thousand four hundred dollars by the clerk of the charterer. On the 5th of November, A. D. 1846, he, deponent, received from Manoel Pinto da Fonseca, or rather from his clerk, the sum of two months' instalments, on account of the earnings of the barque "Pons," then on a voyage to Africa as per deponent's receipt of that date, subjoined to the charter party, hereunto annexed; and on the 12th of January, A. D. 1846, deponent further received two months' instalments, on account of the earnings of the said barque on the same voyage. This last sum deponent received from Miranda's clerk. From the last named amount, four hundred dol-

lars were deducted at this place, being the amount of Captain Berry's order on deponent, dated at Onin, or Lagos. Including what was paid by Captain Berry, at Onin, deponent had received, on the 12th day of January last past, ten thousand eight hundred dollars, as appears by the receipts on the charter party. On Monday, the 19th day of January, deponent received the letter from Captain Berry, dated Cabinda, December 21, 1845, informing him that the vessel was sold on the 27th day of November last past; deponent, therefore, on the following day, paid back to the charterer four thousand four hundred and nine dollars, being the amount over paid him in consequence of the vessel not being employed for more than four months and twenty-two days. This money was actually paid back by an order on Manoel Pinto da Fonseca, upon whom the bills of exchange were drawn for the purchase money of the vessel. Deponent took no receipt for that money from Miranda, the charterer, or any one else. On the day of settlement (deponent does not recollect the day, but probably the 19th or 20th) deponent was indebted to the charterer four thousand four hundred and nine dollars, for moneys over paid on account of the advance as per charter party; and the purchaser of the vessel was indebted to him in the sum of thirteen thousand dollars, for which bills had been drawn on Manoel Pinto da Fonseca, as deponent understood from him, and who honored the bill drawn on him by deponent in favor of the charterer Miranda alone. Deponent was not informed whether Miranda chartered the vessel for himself alone, or for himself and others. The first three lines of writing and figures, subjoined to the charter party, deponent knows nothing about, being made by some other person, and not by deponent; but deponent was, as by charter, to receive five thousand four hundred dollars, and did receive that sum, and if that be a credit for that amount, advanced on account of the charter, it is correct. The words and figures of the two receipts following the foregoing—one dated the 5th November, 1845, and the other dated January 12, 1846—are in deponent's own handwriting, and signed by him when they were written, that is, as late as 12th January, 1846; there was no erasure in either of them. The charter party did not remain in deponent's hands, and when he got it from Miranda, for the purpose of showing it to Mr. Wise and Mr. Parks, (which was on the 29th ultimo,) the first receipt was erased in the first, second, third, and fourth lines, as it now appears. When deponent wrote it, it read as follows: "Received, Rio de Janeiro, 5th November, 1845, from Manoel Pinto da Fonseca, two months' instalments, paid on account of the earnings of the barque 'Pons,' now on a voyage to Africa.

"JOHN GRAHAM."

The other words and figures, both in ink and pencil marks, commencing with the words "encontrei," and ending with the words "Cabinda," are not in deponent's hand writing, and deponent knows not by whom they were written; nor did he know they were written until he called for the charter party, as before stated. The annexed paper, marked B, purporting to be a copy of deponent's in-

structions to Captain Berry, dated July 19, 1845, is a true copy of the original and only instructions given him by deponent, and are in his own handwriting. Manoel Pinto da Fonseca, after the charter of the "Pons," and before she sailed from this port, proposed to deponent to purchase the "Pons" on the coast of Africa, in case his agent there desired to purchase her; and deponent agreed with him; in case his agent desired to purchase her on that coast, to take for her twelve thousand Spanish dollars there, or thirteen thousand Spanish dollars in bills on this place, endorsed by the agent of Captain Berry. She was for sale, and he being the first to propose to buy, provided his agent wished to do so, the refusal was given to him, and deponent did not consider himself at liberty to sell her at that price, or any price, to another, provided Pinto's agent would give that price, and the captain's agent was willing to annul the charter party; but should the agent of Fonseca refuse to purchase the vessel on these terms, then Captain Berry was at liberty, deponent considered, to sell her to any one else according to his instructions. Fonseca, since the arrival of the "Jeune Gabrielle," has informed deponent that the bills for the purchase money of the "Pons" had been drawn, and that he was prepared to pay them. What became of the bills is accounted for in Captain Berry's letter to deponent from Cabinda, dated December 21, 1845, the original of which is hereunto annexed, marked C.

In making the settlement the other day with Fonseca, he would not pay the full amount of the vessel, but reserved two thousand dollars until the bills should arrive, and until he should ascertain what amount of money the purchaser had advanced to Captain Berry at Cabinda. He, Fonseca, said that two thousand dollars would remain for the payment of expenses that may have been incurred by Captain Berry at Cabinda, as appears by a note in the Portuguese language at the bottom of the last page of the charter party. Deponent does not remember whether he informed Captain Berry verbally, or in any other way, that possibly or probably an offer would be made on the coast of Africa to him, as deponent's agent, for the purchase of the "Pons." Deponent is not informed, further than by the letter of Captain Berry of the 21st December, 1845, whether his written instructions marked D, and his letter marked C, hereunto annexed, were complied with or not. The two sailors, Littlefield and George Neit, have, in the presence of the consul, said that everything was done legally and right.

The paper marked D is the copy of a letter dated July 19, 1845, which deponent addressed to Captain Berry, and delivered to him before he sailed from this port. The words, "River Lagos, latitude 6° 26' north, longitude 3° 22' east," were placed on the head of the letter as the first port of his destination on the coast. Deponent's interpretation of the first part of this letter is, that the cargo was to be delivered to Jeronimo Carlos Silva, if at Lagos, and in case of his absence, that it was to be delivered to Miguel de la Pereira; and that, if delivered to the first named person, it should be delivered as he directed, or if to the second named person, as he directed; and that by the words "as the agent may di-

rect," deponent did not mean to be understood that there was any third person who should direct who the cargo should be delivered to either of them. Either the one or the other of these two persons at Lagos was to name the agent of the vessel at the next port to which the vessel was to proceed, under their orders. Whom they named as agent at Cabinda, deponent is not informed. If deponent had not been sick, he should have gone to the coast of Africa in the barque "Pons" as master; and he was not influenced in remaining by the expectation that the vessel was to be, or might be, sold. Deponent informed Mr. Wise, that he would charter his vessel for the coast of Africa, or sell her deliverable there; if he got his price, and could do so legally; and deponent enquired of Mr. Wise more than once, whether vessels could not be lawfully chartered for the coast, or sold deliverable there; and he replied, in substance, that he had already given a written opinion on that subject to Maxwell, Wright & Co.; that it was lawful to charter a vessel for the coast trade, and to sell an American vessel deliverable there, provided it was done with lawful intent, and not to aid and abet in the slave trade. Mr. Wise cautioned deponent not to do anything unlawful, and to avoid all contact with the slave trade. He said that his object was not to interrupt the lawful trade in any manner, but was desirous to protect and promote it by all the means in his power. Deponent never knew Manoel Pinto da Fonseca, nor anything about him, until his first trip to Africa, and then and since learned that he was a man engaged in licit and illicit trade, both along this coast, and along the coast of Africa, and between Africa and Brazil, and that he is a man of immense wealth. When deponent returned in the "Pons," on the 24th June, 1845, he brought over two passengers, one of whom was Manoel José de Rezende, who was an agent of Bernardino de Sá, and who was deponent's consignee at Cabinda. When deponent was at Cabinda, in the first voyage of the "Pons," he knew a man there by the name of Cunha, who was reputed to be an agent of Manoel Pinto da Fonseca, and both he and Rezende were reputed to be concerned in the slave trade. Deponent does not know the names of any of the agents excepting these two. And deponent further said, that while he was on the coast of Africa, in May last, he was offered thirty thousand dollars for the "Pons," provided deponent would proceed with her to the river Congo, and there allow her to be fitted for the reception of slaves before the transfer took place, the whole of which could have been done in a few days, and in such a manner that evidence could never have been brought against deponent; but he, knowing the purposes for which she was then wanted, and that it was illegal for him to allow any preparation for such purpose to be made, rejected the offer, and returned to this port. Deponent is told that many vessels are owned on the western coast of Africa, and there engaged in lawful trade, and many of which trade between Cabinda, Ambriz, Benguela, Angola, and Brazil.

And deponent further said, that it is his opinion, formed during his residence in Brazil, that part of the trade between this and the

coast of Africa partakes, directly or indirectly, of the slave trade, and also that he entertains the opinion that trade between all ports of the world and Africa equally partakes, directly or indirectly, in the slave trade. And that it is reported Manoel Pinto da Fonseca is connected with the line of traders herein referred to.

On arrival of the French barque "Jeune Gabrielle" from Cabinda, deponent was informed by Manoel Pinto da Fonseca, that the "Pons" had been sold, and bills drawn on him by the purchaser, for thirteen thousand dollars; the correctness of which information deponent believes, such agreeing with his instructions given to Captain Berry. And deponent further says, in reference to that part of this deposition, in which mention is made of a bill drawn by him, deponent, in favor of Miranda, and honored by Manoel Pinto da Fonseca, that he means that that bill was for the balance of the monthly instalments overpaid by deponent on account of Miranda, and that amount was deducted by Manoel Pinto da Fonseca from the thirteen thousand dollars paid by him for the purchase of the "Pons." And further the deponent said not.

JOHN GRAHAM.

Taken at the request of Captain John Graham, the deponent, in the presence of his excellency, Henry A. Wise, minister plenipotentiary of the United States at this court, and myself; Mr. Wise assisting the examination at the request, and with the assent of said Graham.

Sworn at Rio de Janeiro, on this the sixth day of February, in the year of our Lord 1846, before me.

GORHAM PARKS, U. S. Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office on 7th March,
[L. s.] 1846.

GORHAM PARKS, U. S. Consul.

A.

Charter party.

It is this day mutually agreed, between John Graham, captain of the American barque "Pons," which at present is anchored in this port, and Mr. Joao Antonio de Miranda, of this city, merchant, viz:

1. That the said barque being staunch, strong, and every way fitted for a voyage, shall receive in this port, from the charterer, or his agents, a full cargo of goods, or any lawful merchandise, at the op-

tion of the charterer, not exceeding what she can stow over and above her tackle, apparel, provisions, &c.

2. The captain reserves for himself the right to open and examine any package which he may suspect, and of rejecting those which may contain any articles forbidden or illicit; and if, notwithstanding the charterer may ship, or consent to be shipped, any unlawful article, he shall be obliged to pay the fine stipulated in this charter party for its non-fulfilment.

3. The vessel will proceed from this port to any of the ports in the Atlantic ocean, at the option of the charterer.

4. The vessel will carry from this port to that where she may be ordered, six passengers, on account of the charterer, he furnishing, at his expense, all the necessary articles of food, the captain only supplying his cook, water and fuel.

5. From the port where the vessel may finish her discharge, the charterer will have the right of again loading her with any lawful merchandise, and being so loaded, she will return to this port of Rio de Janeiro, where her voyage terminates.

6. The charterer is bound to pay the captain, or his agents here, the freight of one thousand three hundred and fifty Spanish dollars per month, for a term not less than four months, nor more than eight months, which freight is to be counted from the 5th day of July, until she returns to this port and is cleared of the cargo or ballast she may have on board.

7. Before the departure of the vessel from this port, the charterer shall pay to the captain, or his agents, four months' instalments, and at the end of the four months, if the vessel has not yet returned to this port, the charterer is bound to pay two months instalments, and continue doing so until the vessel arrives in this port.

8. All the expenses of loading the vessel in this port, stowing, discharging, and again loading at the port or ports, where she may be ordered, are on account of the charterer.

9. All the risks of navigation, and accidents of the seas, are excepted.

10. Either of the contracting parties, who may fail to fulfil the obligations specified in this charter party, in the whole or in part, is bound to pay the other the sum of six thousand Spanish dollars.

And both parties being entirely agreed to the stipulations herein mentioned have signed the charter party.

JOAO ANTONIO DE MIRANDA,
JOHN GRAHAM.

RIO DE JANEIRO, 5 *Jutho*, 1845.

Paguei 4 mos. 5,400 pezos como do recibo que passon no contrato traduzido—e foi pa Unim. Received, Rio Janeiro, 5th November, 1845, (here an erasure and blotted over,) two months' instalment on account of the earnings of the barque Pons, now on a voyage to Africa.

JOHN GRAHAM.

Received, Rio Janeiro, January 12, 1846, two months' instalments on account of the earnings of barque Pons, now on a voyage to Africa.

ENCONTREI, 400 pezos de suprimto.

4 mes. e 22 dias.....	7,100	
Navio.....	15,000	
	<hr/>	22,100
Recebe.....	10,400	
Suprimto. em Onim.....	400	
	<hr/>	10,800
		<hr/>
		11,300
Fica per centa dos suprimtos.....		2,000
		<hr/>
	9,300	9,300
	2,100	2,100
	<hr/>	<hr/>
	930,000	
	18,600	
	<hr/>	
	19,530,000	

12,613

4,000

16,613

2,917

19,530

Pageier em 22 de Janro de 1845; \$19,530

[These figures are in pencil.]

Figuei restando 2,000 pezos pa pagam to os despesors que ouver feito em Cabinda.

CONSULATE OF THE UNITED STATES, *Rio de Janeiro.*

I, the undersigned, consul of the United States at this city, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office, on this, the 7th day of [L. s.] March, 1846.

GORHAM PARKS,
U. S. Consul.

I, John Henry Kagel; citizen of Brazil, by favor of his imperial and constitutional majesty of the empire of Brazil, sworn public translator and interpreter of the nation, residing in the city of Rio de Janeiro, do hereby certify that by the American consul at this

city, Mr. Gorham Parks, was presented to me a charter party, subscribed by Joao Antonio de Miranda and John Graham, under which signatures and in the following page are several Portuguese paragraphs; which, being literally translated into English, read as follows:

Translation.

I paid (4) months 5,400 dollars, as per receipt, that was passed on the translated contract, and went to Onin debted 400 dollars for supplies.

4 months and 22 days.....	\$7,100	
Vessel.....	15,000	
	<hr/>	22,100
Received	10,400	
Advanced for supplies in Onin.....	400	
	<hr/>	10,800
		<hr/>
		11,300
Remain for account of supplies or advances.....		2,000
		<hr/>
		9,300

9,300
 2,100

 930,000
 18,600

 19,530,000

I paid on the 23d January, Rs. 19,530.

I remained owing 2,000 dollars for payment of expenses that may have been paid in Cabinda. And nothing further contained in the said paragraphs on said charter party, which I have faithfully translated from the originals written in the Portuguese language, to which I refer; and, after having conferred it with this present, I delivered it again to the party from whom I received it.

In witness, whereof, I have signed this present with my hand, and sealed with the seal of my office, in this very loyal and heroic city of Rio de Janeiro, this sixth day of March, [L. s.] in the year of our Saviour, one thousand eight hundred and forty-six.

JOHN HENRY KAGEL.

CONSULATE OF THE UNITED STATES, *Rio de Janeiro.*

I, the undersigned, consul of the United States of America at this city, hereby certify the above signature, "John Henry Kagel,"

to be the proper handwriting of the public sworn interpreter, residing in this city, and that faith and credit are due to the same.

[L. s.] Given under my hand and seal of office, on this the 6th day of March, 1846.

GORHAM PARKS,
U. S. Consul.

CONSULATE OF THE UNITED STATES, *Rio de Janeiro.*

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. s.] Given under my hand and seal of office, on the 7th day of March, 1846.

GORHAM PARKS,
U. S. Consul.

B.

RIO DE JANEIRO, *
July 19, 1845.

At the final port of discharge on the coast, should a purchaser appear for the "Pons," and your agent being willing to cancel the charter party, I hereby authorize you to sell the "Pons," and sign a bill of sale as my agent, on the following conditions, viz:

1st. That the purchaser will pay for the vessel twelve thousand Spanish dollars there, or thirteen thousand Spanish dollars in bills on this place, endorsed by your agent.

2d. And that three declarations will be given by the purchasers, to the effect that the vessel shall not be illegally employed, and that she is purchased solely for lawful purposes.

3d. And that the purchaser will also furnish yourself, officers and crew, with a free passage back to Brazil, or to the United States, if an opportunity offers and you prefer it.

4th. If a sale is effected, and you receive payment in bills on this place, request the purchaser to give you three receipts for the delivery of the vessel, which must also be endorsed by your agent. And they must specify where you delivered the vessel, and the mode in which you received payment for her, and if in bills as above stated, send first and second of exchange to me here, by two safe conveyances, and also two of the receipts, as soon as possible; the third of exchange and third receipt bring with you, or if you go to the United States, send them here in charge of Mr. Garwood. Take care of the vessel's register, Mediterranean pass, and crew list, which are to be deposited at this consulate, if you come here, but should you go to the United States, the papers must be deposited at the New York custom house, whence the vessel cleared when last in the United States.

5th. If a sale is effected where there is no United States consul, pay your crew, in the presence of witnesses, the amount of wages due them.

And to the citizens of the United States, as specified in the shipping articles, pay to each three months' extra pay, for which take their receipts, and also their promissory notes, to the effect that they will promise to deposite at the first United States consulate where they may arrive, the three months' extra pay, which is to be disposed of as the law directs.

Wishing you a pleasant voyage and safe return, yours, respectfully,

JOHN GRAHAM.

Capt. J. BERRY,
Barque Pons.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L.S.] Given under my hand and seal of office, on the 7th of
March, 1846.

GORHAM PARKS,
U. S. Consul.

C.

CABINDA, December 21, 1845.

DEAR SIR: I take this opportunity to write you a few lines. This has been the first chance since we arrived in Cabinda. The barque was sold on the 27th of November. I delivered the barque as near your orders as possible. She sailed from here to Rio Janeiro; four days out, she was taken by the U. S. corvette Yorktown. The corvette came in here and landed some of the prisoners. I wrote a letter to you, enclosing the first and second of exchange, and first and second of receipts, and gave it to the captain of the American ship Panther. She was then expecting to sail for Rio the next day, but the next day she was made prisoner of, by the U. S. ship Yorktown, before she started out of the harbor, and she is to be sent to the United States. No communication can be had with her and the shore. I have got the third of exchange and receipt, which I hope to deliver to you soon. In case you leave before I arrive, I wish you to leave me a letter at Maxwells, informing me how to proceed. There are all sorts of stories told here; which, of course, you will hear. I beg you will suspend your judgment until you see me and the mates. I dont think it is best for me to write any more. We are all well at the present.

Yours, with respect,

J. BERRY.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. S.] Given under my hand and seal of office, on the 7th of
March, 1846.

GORHAM PARKS,
U. S. Consul.

D.

River Lagos, latitude 6.26 north, longitude 3.22 east.

RIO DE JANEIRO, July 19, 1845.

Proceed to the river Lagos, call on Jeronimo Carlos Salvi, or in his absence on Miguel du Sa Pereira, to whom deliver the whole or any part of the cargo as the agent may direct, and then take on board whatever lawful cargo which they may give you, and proceed with it to port or ports that is navigable between the latitude of 30 north and 30 south, in the Atlantic ocean, that the agent may point out agreeable to the charter party; and at the final port of discharge take on board whatever lawful cargo they may furnish and return to this port—the charterer has the privilege of a free passage for six passengers out and back, he furnishing them, with all stores and necessaries for the voyage—but you must not take on board any black or colored persons, even if they produce free papers and all other documents that may appear necessary to prove their freedom; you must not take them on board. Be careful of your crew—keep them out of the sun during the day, and out of the dews of the night; and as the charterer furnishes all labor for loading and discharging and reloading on the coast, you will have little or no business to transact on shore, therefore you and your officers and crew must avoid going on shore, and only go when absolute business requires you to do so. The “Pons” is now in fine order, and you must endeavor to keep her so; and on your return voyage, give the deck, from the knees and stringers, a coat of bright varnish and yellow ochre, for which purpose the same has been bought and is now on board.

I have such confidence in you and Mr. Garwood, that I do not doubt you will be careful to avoid engaging in any business at all questionable; but should the mere circumstance of your carrying legal and lawful cargoes from one part of the coast to the other bring you under suspicion of our cruisers, if you should meet any, and your vessel be attacked, you must not abandon your vessel, but yourself and officers remain on board and protest against all proceedings that may be instituted against yourself and vessel; and should they determine to send the vessel to the United States, your—

self and officers must go in her as passengers (in irons) if they wish it, and advise me of all the particulars. Treat with courtesy all commanders of vessels of war or their officers that may board you on the coast, and pursue the course that *this* letter and the charter party points out, and I am confident that all things will go well with you. The Pons is insured and valued at twelve thousand dollars. In the event of accident or loss, send me the protest, survey, sale of materials, &c., signed by the American consul, if any, but-if none, it must be signed by yourself and your officers and crew soon as possible, and copies by the next conveyance, and reserve copies for yourself, which must be certified at the first American consul that you may arrive at, or if you should proceed direct to the United States, at a notary public, and send the same to my friends S. & W. Welsh, of Philadelphia; if a leak or damage occurs, it may be for the interest of all concerned, to throw over sufficient cargo to make her safe, in preference to putting in for repairs, which always cause detention and more loss than the articles taken out. If a vessel is condemned for being unsound or rotten the underwriters are not bound, therefore the whole loss falls on the owners. The best course from this will be to steer northeast or northeast by north and cross the equator in longitude between 25 and 15 west, and when north of the equator, if you have light winds, steer north until in the latitude of 3 or 4 north; and then steer east until you make the land, which must be done well to the windward of your port, as there is a very strong current setting to the eastward.

Wishing you a pleasant voyage and safe return,

Yours, respectfully,

JOHN GRAHAM.

Captain JAMES BERRY,
Barque Pons.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, certify the foregoing to be a correct copy of the original on file at this consulate.
[L. S.] Given under my hand and seal of office on 7th March, 1846.

GORHAM PARKS,
United States Consul.

E.

Know all men by these presents, that we, John Welsh, jr., William Welsh, and Samuel Welsh, all of Philadelphia, State of Pennsylvania, for and in consideration of the balance due the barque Pons to us, together with the sum of one dollar to us in hand paid

by Captain John Graham, the receipt whereof is hereby acknowledged, have, and by these present do grant, bargain, sell, assign, transfer, and set over unto the said Captain Graham, the whole of the "barque" called the "Pons," of Philadelphia, together with all of her masts, yards, sails, rigging, anchors, cables, boats, tackle, and appurtenances; which said vessel is registered in the port of Philadelphia, in the words following, to wit:

Permanent, No. 157 (one hundred and fifty-seven.)

"In pursuance of an act of the Congress of the United States of America, entitled an act concerning the registering and recording of ships or vessels."

John Welsh, jr., of the city of Philadelphia, in the State of Pennsylvania, have taken or subscribed the affirmation required by the said act, and having affirmed that he, the said John Welsh, jr., together with William Welsh and Samuel Welsh, all of the city of Philadelphia, are the only owners of the ship or vessel called the "Pons," of Philadelphia, whereof John Graham is at present master, and is a citizen of the United States, as he hath sworn, and that the said ship or vessel was built at Allowaystown, in the State of New Jersey, in the year eighteen hundred and forty-two, (1842,) as per former register, No. 10, issued at Philadelphia, 28th January, 1842, now surrendered. New owners and said register having certified that the said ship or vessel has one deck and three masts, and that her length is ninety-five feet, her breadth twenty-three feet, her depth ten feet, and that she measures one hundred and ninety-six $\frac{2}{3}$ th tons; that she is a barque, has a square stern and a scroll head; and the said John Welsh, jr., having agreed to the description and admeasurement above specified, and sufficient security having been given according to the said act, the said barque has been duly registered at the port of Philadelphia.

SEAL OF THE } Given under our hands and seals, at the port
CUSTOM-HOUSE. } of Philadelphia, this twentieth day of Decem-
ber, in the year one thousand eight hundred
and forty-three

CHARLES TRESHELL,
Deputy Collector.
J. D. GEORGE,
Deputy Naval Officer.

To have and to hold the said barque and appurtenances unto the said Captain John Graham, his heirs, executors, administrators, and assigns, forever; and we, the said John Welsh, jr., William Welsh, and Samuel Welsh, for ourselves, our heirs, executors, and administrators, do hereby covenant and agree to and with the said Captain John Graham, his heirs, executors, administrators, and assigns, that at the execution of these presents we are the true and lawful owners of the said barque Pons, of Philadelphia, and appurtenances, and that we have now full right and authority to sell and

dispose of the same, freed from and cleared of all claims, incumbrances, or demands whatever.

In witness whereof we have hereunto set our hands and seals, the — day of September, in the year of our Lord one thousand eight hundred and forty-five.

JNO. WELSH, JR., [SEAL.]
 WM. WELSH, [SEAL.]
 SAMUEL WELSH, [SEAL.]

Signed, sealed, and delivered in the presence of

E. B. CROWELL, JR.

P. N. S. ACIA.

CONSULATE OF THE UNITED STATES, *Rio de Janeiro.*

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of our original document, presented by John Graham, late master of the barque Pons, of Philadelphia.

[L. s.] Given under my hand and seal of office, this 5th day
 February, 1846.

GORHAM PARKS,
United States Consul.

CONSULATE OF THE UNITED STATES, *Rio de Janeiro.*

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office, on the 7th of March, 1846.

GORHAM PARKS,
U. S. Consul.

I, Charles Raynsford, jr., hereby declare that, from the fact of having, on more than one occasion, been in the presence of Manoel Pinto da Fonseca when he has been writing, and having frequently seen his writing, I verily believe that the writing of the words in the Portuguese language, in the annexed charter party, between said Fonseca and Joao Fonseca de Miranda, commencing with "Paguei," and ending with "Cabinda," was done by Manoel Pinto da Fonseca.

In testimony whereof, I have hereunto set my hand, at Rio de Janeiro, on this, the 10th day of February, in the year of our Lord one thousand eight hundred and forty-six.

CHARLES RAYNSFORD,

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office, on the 7th of March, 1846.

GORHAM PARKS,
U. S. Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro, February 3, 1846.

Personally appeared before the undersigned, consul of the United States of America at the city of Rio de Janeiro, George Neat, who, being duly sworn upon the Holy Evangelists of Almighty God, deposed as follows: That he is of the State of Michigan, United States of America, eighteen years of age; that he shipped on board the barque "Pons," of Philadelphia, at this port, above five or six months ago, John Graham being master of said barque, to go to the coast of Africa; that he does not remember the day she sailed; she had pipes and merchandise on board. Deponent does not know how many pipes she had on board, nor what was in them; the vessel was about half full of pipes. At the time she sailed, Captain Berry was master. She first went to Lagos, on the coast of Africa, there discharged part of her cargo, including a portion of the pipes—how many, deponent does not know. Deponent had no conversation with Captain Graham, or the officers, excepting that he was to go to Africa, and that Captain Graham said that he had given Berry leave to sell the vessel, if he could get his price for her; he did not say whether he expected to sell the vessel. When deponent left this port, he expected to come back in her if she was not sold; otherwise he was to come home some other way. (Memorandum.—At this stage of the deposition, deponent stated that he had been hurt on his head, and cannot remember when he sailed, and when he arrived on the coast; in consequence, and of his weak state from weakness, the deposition was postponed.)

Resumed on the 4th of February, 1846. And deponent said the "Pons" sailed about the latter part of July, but cannot remember the day. She took out four or five passengers; cannot say what nation they were, did not talk deponent's language; the name of one of the passengers was Galiano, or something like it; two of the passengers lived in the cabin; the one deponent has called Galiano lived in the cabin; all but these two lived forward. Deponent did not notice, going over, that either of the passengers had any control over the cargo; the mate was the only one he noticed as taking account of the cargo when delivered in Africa; Galiano, too, seemed to have something to say about the cargo, and seemed to have a care over it, and take an interest in it. Deponent can-

not say whether he was supercargo or not. The Pons was about forty days in going over to Lagos, on the coast, as near as deponent can recollect; heard no conversation on the passage as to the object of the voyage. When the vessel arrived at Lagos, discharged a part of the cargo, about sixty or seventy casks, and a considerable number of bales and boxes; these goods were put into canoes about three miles from the shore. Deponent heard nothing about a factory; took in pipes and merchandise. Galiano and the mate were both at the gangway when the cargo was taken out. Galiano gave little orders to the negroes; hurried them along. The pipes were tinned over at the bung, and deponent supposed contained rum or other liquors; water casks are not tinned over at the bung; the vessel lay at Lagos a little over a week or so. Two Genoese vessels and an American schooner, and an English man-of-war steamboat, and man-of-war, were at Lagos while the "Pons" was there. She went to Cabinda from Lagos, and was about twenty-five days going there, and lay at Cabinda for three or four days before we began to discharge cargo; pipes and bales were discharged; all that was discharged was discharged in one day; should think about fifty pipes. Galiano was at the hatch at the same time, as at the other place, giving orders, &c., in conjunction with the mate; no black beans were discharged, nor pork, nor farinha, nothing but pipes and bales. Deponent does not know whether there were any pork, black beans, or farinha, or carne secca on board at any time; did not see the vessel loaded here; no carne secca was discharged; saw the pipes and bales discharged. Deponent was on board the vessel when she was loaded at Rio de Janeiro; cannot say whether he was on board when she was loading or not; he now remembers he was on when she took in part of her cargo, but does not remember what it was; thinks some wooden hampers or crates were discharged at Cabinda; does not know what they contained. (Memorandum.—At this stage the deponent requested the deposition to be again postponed, in consequence of his continued weakness.)

Resumed on the morning of the 7th of February. And the deponent further said that the pipes were laid fore and aft in the hold; they were laid in the usual way. Deponent saw no matting on board. After the vessel was discharged, deponent found out she was sold; does not know whether all the cargo was discharged out of the vessel or not; there was a part of the cargo in the vessel's hold when deponent last saw the hold. The captain told deponent the vessel was sold about twenty hours after he looked into the vessel's hold. No cargo was taken out of the "Pons" between the time deponent last looked into her hold and the time he left the vessel; it was about half an hour after the captain told the crew the vessel was sold that we left. All the Americans left together. Deponent never saw any cargo taken out of the vessel after he and the others left her, and does not know whether the captain took away the American flag when he left the vessel. Deponent did not see the captain deliver up possession of the vessel to any one. At the time deponent and others left, there were on board the passen-

gers and those of the crew who were not Americans. No one else was on board the vessel, except a white man who steered the boat the captain came in, and who went away in the boat. The captain came on board and told deponent and Littlefield that the vessel was sold, and that they must pack up their things and go on shore with him. By the expression a "swept hold" is meant that all cargo is out, and that the hold has been swept clean. When deponent and the others went ashore, they went to a house hired by a Mr. Cunha of a black man. Deponent paid no bills while at this house, and does not know who did pay them; was told that Mr. Cunha hired the house; this Mr. Cunha was never there to deponent's knowledge, or looked after them. Deponent did not see the man called Galiano after he left the vessel. A cooper that was to work in the yard told the deponent that Cunha was to pay the board bills; never heard Captain Berry or either of the mates say that Cunha was to pay the bills. Deponent was paid his wages the day after he went on shore. The only reason why he knew he was not to pay his board was, because it was not taken out of deponent's wages. He knew he was not to pay his board after his wages were paid him, deponent, because it was not taken out of his wages. Captain Berry promised deponent a passage to any port of America, without expense, and also agreed to pay his board bill while at Cabinda; this was promised when on shore, and while he was paying off deponent and the others. Deponent does not know who provided the passage for himself and Littlefield; he was sick and in bed at the time. Deponent came over in a French barque; he never saw any of the crew or passengers left on board the "Pons," after coming on shore; never heard Captain Berry or any of the officers say what kind of trade the "Pons" was going into, and never saw the "Pons" after the day deponent came on shore. Deponent does not know whether the vessel's name was taken off the stern; no colors were flying when he and the others went on shore, and does not know what became of the colors. And deponent further said, that he saw no slaves apparently prepared for exportation, and heard no one at Cabinda say that the "Pons" was going into the slave trade. Further deponent said not.

GEORGE NEAT.

Sworn to, at Rio de Janeiro, before me.

GORHAM PARKS,
United States Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

[L. s.] Given under my hand and seal of office, on 7th March,
1846.

GORHAM PARKS,
United States Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro, February 3, 1846.

Personally appeared before the undersigned, consul of the United States of America at this city, James Littlefield, who, being duly sworn on the Holy Evangelists of Almighty God, deposed as follows:

That he is of the city of Boston, of the United States of America, aged twenty-two years, and shipped on board the barque "Pons," of Philadelphia, John Graham, master, at Rio de Janeiro, in the month of July last, to go on a voyage to the coast of Africa. At the time he shipped, deponent was not told by Captain Graham that the vessel was to be sold. Deponent was in the presence and hearing of Geo. Neat when shipped, and never heard anything said at the time, or any other time, by Captain Graham, about the vessel being sold; and deponent expected to return in the vessel when she sailed. Nothing was ever said to deponent of the kind of voyage he was to make; it was deponent's first voyage to the coast. When the vessel went to sea James Berry was master. There were five Americans on board—the captain, first mate, second mate, George Neat, and deponent. Deponent does not know of what nation the others were, nor did he know their language; thinks they were Portuguese and Spaniards. The "Pons" sailed in July. The cargo consisted of pipes and bales. Deponent does not know what was in the pipes; was told it was rum. There were more than one hundred pipes; near two hundred; should think there were two hundred.

The vessel was about one month running across from Rio de Janeiro to Lagos, where she arrived about the last of August, and laid there about six weeks. A part of the cargo was taken out at Lagos and other cargo taken in. Deponent does not know with whom business was done there. The goods were delivered at a place called the Factory. At that place were discharged pipes, sugar, rice, black beans, and some of all kinds of the cargo; nearly all of it; canoes came off after it. Cannot tell whether the cargo was sold or delivered on account of the shipper. Deponent saw nothing paid; saw no ships at the factory, nor any slave ships at Lagos.

Two American schooners were there; don't know their names; there was also an English man-of-war and a Portuguese merchantman. The pipes were taken out and put into the boats without the liquor being drawn off. Some of the pipes were brought back on board, and the crew were told that rum was in them. Deponent believed it was rum, because the officers told the crew so; but he did not taste it. The bungs of the pipes were tinned over. Some bales were also brought back on board. About the middle of September the "Pons" started for Cabinda. The vessel was not so full when she started from Lagos as when she arrived. She took in no ivory, bees wax, or gold dust, or other African merchandise. Deponent does not know who was supercargo. Some passengers were carried over to the coast from Rio. There was a man on

board, a Portuguese, as passenger, who took charge of the goods, the hatchés, &c. Deponent does not know his name. The number of passengers was five; two were in the cabin; one of these died, and three lived forward of the mast. The survivor of the two who lived in the cabin had control of the cargo. None of the Americans on board had control of the cargo. The "Pons" was about a month going down to Cabinda. The passengers went in the vessel to Cabinda, and the same man was in charge of the cargo. She arrived at Cabinda from the 1st to the middle of November. Nothing happened on the voyage. When the vessel first arrived she was anchored about a mile from the town, where she lay about a week before any cargo was discharged; were repairing sails and unbending them. In about a week after arrival at Cabinda, commenced discharging cargo; discharged pipes, bales, and boxes, or about one-fourth of the cargo. No pork, black beans, or farinha was discharged there.

Found the "Panther," an American ship, lying at Cabinda. This vessel was afterwards captured by an English man-of-war brig, and was kept about a week, and then released; after which she went to Congo river, and, after her return to Cabinda, was again captured by an American man-of-war that came in under English colors, and hoisted American colors afterwards.

Deponent does not know her name. And deponent further deposed, that the goods from the "Pons" were discharged on the beach, and that he believes that the passenger before referred to was master of the cargo and superintended its discharge. The person who received the goods on shore, was a man by the name of Cunha, as deponent understood, and was the consignee. The goods were delivered alongside and put into boats, which were towed on shore by negroes, by ropes.

What was taken off from alongside was taken in one day, after which the captain sold the vessel. Deponent never heard to whom she was sold, nor for how much. About one o'clock, deponent does not know on what day of week or month, the captain came on board and told the crew to take their things out and go on shore. No one, however, left the vessel except the captain, the two mates, George Neat, and deponent. The remainder of the crew and the passengers remained on board, and were on board when deponent and the others above named left the vessel. The American colors were taken down before deponent left, but deponent does not know whether the name of the vessel was taken off the stern, but believes it was not taken off. A portion of the cargo was on board when deponent, the captain, two mates, George Neat, (who left the vessel together,) left the vessel, including about one hundred pipes; does not know whether any black beans, or farinha, or pork, was left on board. The pipes were laid fore and aft in the hold. Deponent did not see any mats taken on board by any one, nor any pipes, after he left the vessel. When the captain, mates, George Neat, and deponent, left the vessel, the Portuguese passenger, who had acted as supercargo, appeared to take command of her; he had issued no orders before deponent left, but he seemed

to order the men, which made deponent think he took command of her. Just before deponent and others left, Captain Berry was talking to that man, but deponent does not know what he said. Deponent, Captain Berry, the two mates, and George Neat, were taken ashore, in town, to a house kept by a black man, who kept a house for other people. Deponent shipped for twelve dollars a month, and received eighty dollars, which sum included three months' extra pay. And deponent further said, that Cunha paid for the house of the black man for the accommodation of Captain Berry, deponent and others, that left the "Pons," who used to eat with Cunha. The second mate told deponent that we need not spend our own money, as Cunha was to pay the bills; so, likewise, Captain Berry told deponent and the others. Captain Cunha also provided passages for deponent and others, on board a French vessel, to come to this port. Deponent and the others paid nothing for the passage.

The French vessel, which was called the "Gabrielle," brought over one hundred and ten passengers; all white men excepting one. Deponent never saw any of the crew or passengers that were left on board the "Pons" on shore, after he left that vessel, and believes they sailed from "Cabinda" in the "Pons." Deponent did not see the "Pons" take any cargo on board after he left. She sailed the following morning about seven o'clock. Neither did he see any slaves put on board, nor does he know whether any slaves were taken on board or not. Deponent saw no preparations made for the reception of slaves while he was on board; had no suspicion what she was going to do, and had no thought about it afterwards. A man-of-war came into Cabinda about eight days after the "Pons" sailed. Deponent remained in Cabinda three weeks, and saw no one there that could speak English except the Americans. Deponent left Captain Berry and the two mates at Cabinda when he sailed in the "Gabrielle" for Rio, which vessel arrived at this port about a fortnight ago. The American colors of the "Pons" were taken down when deponent left her, but deponent does not know whether they were taken ashore or not; he carried the captain's chronometer on shore, but knows nothing further about the colors. Further this deponent saith not.

his
 JAMES × LITTLEFIELD.
 mark.

Witness:
 CHARLES RAYNSFORD, JR.

Sworn to, Rio de Janeiro, on this, the third day of February, in the year of our Lord one thousand eight hundred and forty six, before me.

[L. s.]

GORHAM PARKS,
 U. S. Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office, on the 7th of March, 1846.

GORHAM PARKS,
U. S. Consul.

List of crew on board the barque "Pons," of Philadelphia; John Graham, master; entered (Cabinda,) 27th June, 1845.

Names.	Place of birth.	Age.	Height.		Complexion.	Hair.
			Ft.	In.		
John Berry.....	U. S. A.	26	5	8	Light	Brown.
M. T. Garwood.....	U. S. A.	24	5	8	Light	Brown.
Nicholas Burns, D.....	England	34	5	6	Dark	Dark.
John Martins.....	Portugal	19	5	7	Light	Brown.
E. B. Perry, D.....	U. S. A.	38	5	7	Dark	Brown.
Thomas Barker, D.....						
Robert Thompson, D.....	U. S. A.	39	5	9	Dark	Dark.
Mancel Pereira.....						
Tiburcio Vieira.....						
Izidoro Mendes.....						
Jozé A. Pereira.....						
Francisco Pereira, R.....						

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the above to be a correct copy of the inward crew list of the barque "Pons," of Philadelphia, as on a record at this consulate.

[L. S.] Given under my hand and seal of office, on this the 6th day of March, 1846.

GORHAM PARKS,
United States Consul.

List of crew on board the barque "Pons," of Philadelphia, James Berry, (late Graham,) master; cleared for the coast of Africa, July 19th, 1845.

Names.	Country.
M. T. Garwood, mate.....	
John Martins	
James Littlefield	
George Neat.....	
Manoel Pereira.....	} Foreigners.
Tiburcio Vieira	
Izidoro Mendes	
Jozé A. Pereira	
Pedro Victor Morales.....	
Antonio Pinto Levanaga.....	
Luciano Herreira.....	

JAMES BERRY.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the above to be a correct copy of the original crew list, on a record in this office, as signed by James Berry, master of the barque "Pons," of Philadelphia.

[L. s.] Given under my hand and seal of office, on this, the 3d day of March, 1846.

GORHAM PARKS,
United States Consul.

I, John Henry Kagel, citizen of Brazil, by favor of his imperial and constitutional Majesty of the empire of Brazil, sworn public translator and interpreter of the nation, residing in the city of Rio de Janeiro, do hereby certify that, by the American consul at this city, Mr. Gorham Parks, was presented to me a charter party, subscribed by Joaño Antonia de Miranda and John Graham, under which signatures, and in the following page, are several Portuguese paragraphs, which, being literally translated into English, read as follows:

[Translation.]

I paid four (4) months \$5,400, as per receipt that was passed on the translated contract, and went to Onin debted \$400 dollars for supplies.

Four months and 22 days.....	\$7,100	
Vessel.....	15,000	
	<hr/>	22,100
Receives.....	10,400	
Advanced for supplies in Onin.....	400	
	<hr/>	10,800
		<hr/>
		11,300
Remains for account of supplies or advances...		2,000
		<hr/>
		9,300
		<hr/>

9,300
2,100

9,300,000
18,600

19,530,000

I paid on the 23d January, \$19,530. I remained owing \$,2000 for payment of expenses that may have been paid in Cabinda.

And nothing further contained in the said paragraph on said charter party, which I have faithfully translated from the originals, written in the Portuguese language, to which I refer. And after having conferred it with this present, I delivered it again to the party from whom I received it.

In witness whereof, I have signed this present with my hand, and sealed with the seal of my office, in this very loyal and heroic city of Rio de Janeiro, this sixth day of March, in the year of our Saviour, one thousand eight hundred and forty-six.

[L. s.]

JOHN HENRY KAGEL.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States of America, at this city, hereby certify the above signature, "John Henry Kagel," to be the proper hand writing of the public sworn interpreter residing in this city, and that faith and credit are due to the same.

Given under my hand and seal of office, on this the 6th day of March, 1846.

GORHAM PARKS,
United States Consul.

CONSULATE OF THE UNITED STATES,
Rio de Janeiro.

I, the undersigned, consul of the United States, hereby certify the foregoing to be a correct copy of the original on file at this consulate.

Given under my hand and seal of office on the 7th of March, 1846.

GORHAM PARKS,
United States Consul.

Mr. Hamilton to Mr. Wise.

BRITISH LEGATION,
Rio de Janeiro, December 14, 1844.

SIR: I have had the honor to receive, and I beg to return my acknowledgements for, the letter which your excellency addressed to me on the 1st instant, relating to matters connected with the African slave trade.

It is my intention to forward this very important document to my government by the packet which is to sail for Falmouth tomorrow morning.

I have the honor to be, &c.,

HAMILTON HAMILTON.

His excellency HENRY A. WISE, &c.

Descriptions of cargoes exported from Rio de Janeiro to Africa in American vessels, from the 24th of June, 1845, to the 7th of August, 1846, inclusive.

Arrivals on the 24th of June, 1845.

Cabinda—American barque Pilot, Swift, master; crew 9; in ballast. Passengers, Domingos Rozendo de Souza, José Martins Louis Kraft, (Frenchman,) Carlos Dupuy, (Spaniard,) Carlo Rossi and Antonio Pascal Fourgone, (Italians,) Rufino Antonio Rodrigues, Alexandro José Alves, Carlos Marinho, Manoel Francisco, José Maria Henriques, and José Maria da Silva, (Portuguese.)

Africa—American barque Pons, 277 tons, John Graham, master; crew 12; in ballast. Passengers, Manoel José de Rezende and Manoel Lourenço.

Despatches of exportation on the 10th of July, 1845.

Africa—In the American barque Pons, J. S. Pinto, 20 barrels of biscuit, 12 sacks of meal.

Despatches of exportation on the 11th of July, 1845.

Africa—In the American barque Pons, J. F. Rodrigues da Silva, 51 pipes of brandy.

Despatches of exportation on the 13th of July, 1845.

Africa—In the American barque Pons, J. F. Rodrigues da Silva, 92 pipes of brandy.

Despatches of exportation on the 15th of July, 1845.

Africa—In the barque Pons, F. A. de Andrade, jr., 3 barrels of bacon; J. C. Gomes & Brothers, 4 barrels of sugar; P. G. and Aquino, 160 sacks of meal, 100 do. of black beans, 20 do. of rice.

Despatches of exportation on the 16th of July, 1845.

Africa—In the American barque Pons, J. C. R. Silveira, 2 baskets of potatoes, 4 boxes of sugar, 1 barrel of coffee, 1 large bottle of tapioca, 2 barrels of cheese, 1 case of preserves; J. C. de Castro, various articles and medicinal drugs; J. R. Purdal, 2 cases of copper, 12 arrobes of cakes, 3,000 biscuits; J. A. R., 50 packages of dried meat; A. F. de Sá, 4 half pipes of vinegar, 16 large empty bottles.

Vessels despatched on the 19th July, 1845.

Africa—American barque Pons, of 264 tons; consignee, J. Graham; manifest 180 pipes of brandy, 3 barrels of bacon, 4 barrels and 4 boxes sugar, 12 baskets potatoes, 1 barrel coffee, 1 large bottle tapioca, 2 barrels minas cheese, 1 case sweetmeats, 20 barrels biscuit, 12 sacks meal, 50 packages dried meat, 160 sacks meal, 100 do. black beans, 20 do. rice, 200 empty bottles, 62 packages of merchandise and various articles.

Departures on the 21st of July, 1845.

Africa—American barque Pons, 264 tons, John Graham, master; crew 11; cargo various articles. Passengers, Francisco José de Almeida, (Portuguese,) and Joao Baptista Galiano, (Sardinian.)

Vessels despatched on the 13th of August, 1845.

Bahia and coast of Africa—American barque Pilot, of 245 tons; consignee T. C. Ramos; manifest 20 pipes brandy, 80 sacks black beans and meal, 3 barrels dried meat, 100 large empty bottles, 11 barrels hardware, 3 bundles rod iron, 5 dozen boards and 8 pine planks, 5 cases musical boxes and various toys. Re-exported 90 packages foreign dry goods.

Departures on the 13th of August, 1845.

Africa, via Bahia—American barque Pilot, 245 tons, J. Swift, master; crew 10; cargo various articles.

Vessels despatched on the 5th August, 1845.

Cape Verd, via Africa—American barque Panther, of 597 tons; consignee J. M. Clapp; manifest 100 pipes brandy, 100 empty pipes, 2 barrels bacon, 250 sacks meal, 100 do. black beans, 50 do. rice, 1 case toys, 14 barrels do., 4 cases biscuit and cakes, 5,000 logs of wood, 200 ar robes of dried meat.

Departures on the 7th August, 1845.

Africa, via Cape Verd—American ship Panther, 597 tons, J. M. Clapp, master; crew 18; cargo various articles. Passenger, Antonio Rodrigues Chaves; (Portuguese.)

Despatches of exportation on 19th September, 1845.

Africa—In the American barque Z. D., J. T. R. da Silva, 50 pipes brandy.

Despatches of exportation on 24th September, 1845.

Africa—In the American barque Z. D., J. R. Mendes re-exported 94 kegs gunpowder, M. M. de Rigo re-exported 6 bales dry goods.

Despatches of exportation on 25th September, 1845.

Africa—In the American barque Z. D., Manoel Luiz Teixeira da Silva re-exported 142 packages of foreign merchandise.

Despatches of exportation on 29th September, 1845.

Africa—In the American barque Z. D., J. F. Rodrigues da Silva, 51 pipes brandy.

Despatches of exportation on 30th September, 1845.

Africa—In the American barque Z. D., J. José Mendes re-exported 2,000 muskets.

Despatches of exportation, October 1, 1845.

Africa—In the American barque Z. D., J. A. Lopez, 250 sacks meal.

Despatches of exportation, October 6, 1845.

Africa—In the American barque Z. D., J. J. Mendes re-exported 4 packages foreign dry goods.

Despatches of exportation, October 9, 1845.

Africa—In the American barque Z. D., J. F. R. da Silva, 51 pipes brandy.

Departures, October 12, 1845.

Africa—American schooner Enterprise, 212 tons; master, Chanton; crew 10; cargo various articles. Passenger José Gregorio Peireirá.

Despatches of exportation, October 20, 1845.

Africa—In the American barque Z. D., F. J. Pacheco, 50 half bottles cologne water.

Despatches of exportation, October 21, 1845.

Africa—In the American barque Z. D., J. José Mendes re-exported 81 bales foreign merchandise.

Despatches of exportation, October 22, 1845.

Africa—In the American barque Z. D., José dos Santos re-exported 14 packages foreign merchandise.

Despatches of exportation, October 24, 1845.

Africa—In the American barque Z. D., M. M. Reges re-exported 40 packages foreign merchandise.

Departures, November 2, 1845.

Africa—American brig Harriet, 257 tons, S. M. Jarvis, master; crew 9; cargo various articles. Passengers, Luis da Costa-Ferreira, and Jean Mariott, Jean Legrand, Jean Pierre François Blot, (Frenchmen.)

Despatches of exportation, November 3, 1845.

Benguella—In the American barque Beulah, A. de Souza, 78 pipes brandy; R. Antonio Rodrigues, 8 pipes brandy.

Despatches of exportation, November 4, 1845.

Africa—In the American barque Z. D., J. J. Mendes re-exported 12 cases crockery.

Despatches of exportation, November 6, 1845.

Africa—In the American barque Z. D., J. J. Mendes re-exported 200 kegs gunpowder.

Benguella—In the American barque Beulah, B. & Castro re-exported 10 barrels flour.

Despatches of exportation, November 7, 1845.

Africa—In the American barque Z. D., J. J. Mendes re-exported 4 sacks of rice, 8 boxes 1 barrel sugar, 150 medicine bottles, 4,400 biscuits.

Benguella—In the American barque Beulah, M. S. Teixeira dos Santos, 58 packages foreign merchandise.

Despatches of exportation, November 10, 1844.

Benguella—In the American barque Beulah, C. Rochas, 6 barrels sugar; M. A. Rodrigues, 10,000 segars; J. Victor, 1 bag coffee, 2 boxes sugar; A. de Souza, 10 pipes brandy; F. A. Guimaraes, 10 parcels sugar.

Despatches of exportation, November 11, 1845.

Benguella—In the American barque Beulah, Angostinho de Souza, 5 pipes brandy; J. A. O. Bastos, 150 boxes soap; R. A. Rodrigues, 10 pipes brandy; S. D. & Benjamin, 20 barrels sugar.

Despatches of exportation, November 12, 1845.

Benguella—In the American barque Beulah, A. P. dos S. Sabrosa Porto, 40 cases sugar.

Despatches of exportation, November 13, 1845.

Benguella—In the American barque Beulah, J. M. P. Fontes, 10 barrels sugar, 30 sacks rice; Neves Brothers, 15 cases sugar; M. M. Broom, 15 do. do.; J. Victor, 20 sacks rice; M. Antonio Rodrigues, 318 chamber sticks.

Vessels despatched, November 13, 1845.

Cabinda—American barque Z. D., 459 tons; consignee, the captain; manifest 150 pipes brandy, 250 sacks meal, 4 do rice, 1 barrel and 8 cases sugar, 3,124 kegs gunpowder, foreign dry goods, groceries and hardware.

Despatches of exportation, November 14, 1845.

Benguella—In the American barque Beulah, A. de Souza, 20 pipes brandy; A. F. F. Lima re-exported 240 packages dry goods.

Departures, December 15, 1845.

Africa—American barque Z. D., 459 tons, Z. D. Bassett, master; crew 10; cargo various articles. Passengers, Mathias Quintino de Andrade, and Manuel José de Rezende, Joao José Mendes, and Joao Maria da Silva, with one servant, (Portuguese.)

Despatches of exportation, November 17, 1845.

Benguella—In the American barque Beulah, F. T. Pinto Saraiva, 8 barrels sugar; Barros Leopoldino, 10 bags coffee.

Africa, via Bahia—In the American barque Cuba, A. J. Fernandes Lima, re-exported 500 *nadapotoes*.

Despatches of exportation, November 18, 1845.

Africa—In the American brig Reawer, J. F. Rodrigues da Silva, 51 pipes brandy.

Benguella—In the American brig Beulah, Oliveira Guimaraes, 10 barrels sugar, 30 sacks rice; Agostinho de Souza, 4 pipes brandy.

Despatches of exportation, November 19, 1845.

Bengal—In the American brig Beulah, J. José de Souza, 50 bottles aniseed.

Despatches of exportation, November 20, 1845.

Angola—In the American brig Beulah, J. P. Maques, 50,000 segars, 1 case blank books; D. G. da Rocha, 15 rolls tobacco.

Departures, November 21, 1845.

Africa and Bahia—American barque Cuba, 354 tons, S. Blanchard, master; crew 8; cargo various articles.

Arrivals, November 22, 1845.

Cabinda—American brig Janet, 213 tons, George Charpon, master; crew 9; in ballast, to Maxwell & Co.; brings 53 passengers; remains in quarantine.

Despatches of exportation, November 22, 1845.

Angola—In the American brig Beulah, J. M. Corea re-exported 3 bales foreign dry goods.

Despatches of exportation, November 23, 1845.

Benguella—In the American brig Beulah, G. J. G. Pereira Bastos, 50 rolls tobacco, 4 arrobes beef; D. J. Pereira Bastos, 18,000

segars; A. J. Campo Grande, 600 segars; F. T. Pinto Saraiva, 8 barrels sugar; J. A. Lopes Conto, 200 sacks and 2 barrels meal, 30 sacks rice, 50 do. black beans; A. P. dos Santos Lobrosa Porto, 28 rolls tobacco; José dos Santos Teixeira, 80 rolls tobacco, 4 barrels bacon; M. M. da Silva, 10 do.; J. J. da Silva Fontes, 8,000 segars; Iacomo Victor, 500 bricks, 32 pounds hair powder, and 2 seives.

Despatches of exportation, November 26, 1845.

Africa—In the American brig Beulah, J. M. Pereira Fontes, 4,000 segars; F. J. Pacheco, 20,000 do.; J. A. de Magalhães, 20,000 do.

Journals of November 28, 29 and 30, and of December 1, missing.

Vessels despatched, December 3, 1845.

Cabinda—American brig Beulah, 279 tons, consignee, the captain; manifests 153 pipes brandy, 62 barrels and 140 boxes sugar, 110 sacks rice, 208 rolls tobacco, 8 barrels bacon, 23 boxes segars, 11 bags coffee, 25 do. black beans, 150 do. and 4 barrels meal, 150 boxes soap, 318 chamber sticks, 56 bottles aniseed, 8 rolls leather, 137 packages foreign dry goods; re-exported 30 barrels flour, 113 various packages.

Despatches of exportation, December 3, 1845.

Africa—In the American schooner Ravenwood, A. F. de Sa re-exported 60 bales foreign dry goods.

Departures, December 6, 1845.

Cabinda—American brig Beulah, 279 tons, M. L. W. Morrell; crew 10; cargo dry goods and other articles. Passengers, Joao Antonio Magalhaes, Joao Francisco de Madureira, the Portuguese Joaquim Paulina da Rocha, Joaquim José Peixoto, Joao Pedro Marques, and the Neapolitan Iacomo Vido.

Despatches of exportation, December 9, 1845.

Africa—In the American schooner Roarer, J. M. de Almeida, Lima, 40 sacks meal, 3 half barrels do., 1 half barrel coffee, 8 sacks rice.

Vessels despatched, December 15, 1845.

Africa—American brig Roarer, 128 tons, consignee R. G. Auchinloss; manifests 50 pipes and 2 barrels brandy, 40 sacks meal, 8 sacks rice, 1 bag coffee, 5 cases crockery; re-exported 200 kegs powder and 161 packages foreign dry goods.

Despatches of exportation, December 15, 1845.

Africa—In the American schooner Roarer, Gabriel S. Pereira, 36 cheeses.

Departures, December 20, 1845.

Africa—American schooner Roarer, 128 tons, R. G. Auchinloss, master; crew 7; cargo various articles. Passengers, Maximiano José da Costa, and the Portuguese José da Costa Lima Vianna.

Vessels despatched, December 26, 1845.

Cape Verd, via coast of Africa—American barque Lucy Penniman, 300 tons; consignee, the captain, Matthew H. Cowper; manifests 50 barrels brandy, 500 sacks meal, 16 and 16 dozen of planks, 3 barrels black beans, 12 barrels biscuits, 5½ barrels and 6 boxes sugar, 6 bags potatoes; re-exported 500 arrobes beef, 40 kegs powder, and 15 casks wine.

Despatches of exportation, December 22, 1845.

Africa—In the American barque Ann Pilot, Amaral & Bastos re-exported 162 packages foreign dry goods.

Vessels despatched, December 31, 1845.

Coast of Africa—American barque Pilot, 245 tons; consignee, the captain; J. Swift re-exported 162 packages foreign dry goods, 3 boxes nails and toys.

Departures, January 4, 1846.

Coast of Africa—American barque Pilot, 245 tons, Swift, master; crew 12; cargo various articles. Passengers, Domingos José Martins, the Portuguese Joao José Peixoto, and two free blacks.

Despatches of exportation, January 30, 1846.

Africa—In the American brig Malaga, Joaquim de Souza Pinto, 53 arrobes cakes, 70 measures meal, and 16,500 biscuits.

Despatches of exportation, January 29, 1846.

Africa—In the American brig Malaga, Pinto Guimaraés Aquino, 30 sacks rice.

Despatches of exportation, February 3, 1846.

Africa—In the American brig Malaga, J. F. Rodrigues da Silva, 64 pipes brandy; Manoel Joaquim Pinto, 80 rolls tobacco; Manoel

da Costa Rocha, 12 barrels sugar; José Maria de Freitas, 20 boxes do.

Despatches of exportation, February 4, 1846.

Africa—In the American brig Malaga, Francisco Alves de Andrade, 46 arrobas bacon; Joaquim Rocha Souza, 5 bundles leather; Bernardino P. Ribeiro Peiloto & Co., 6 pipes brandy.

Despatches of exportation, February 5, 1846.

Africa—In the American brig Malaga, Joao Nunes Barbosa, 50 pounds snuff and 500 rockets; José Gomes Vianna, 4,000 biscuits; J. F. Rodrigues da Silva; 11 pipes brandy.

Despatches of exportation, February 6, 1846.

Africa—In the American brig Malaga, Manoel da Costa Rocha, 19 barrels sugar; José Maria de Freitas, 4,000 segars.

Despatches of exportation, February 7, 1846.

Africa—In the American brig Malaga, Joao José Ribeiro, 15,000 biscuits, 1 barrel meal, and 1 sack rice; José Maria de Freitas, 250 pair wooden shoes.

Despatches of exportation, February 9, 1846.

Africa—In the American brig Malaga, Manoel da Costa Rocha, 2 barrels sugar; José Ferreira da Silva, 65 pair shoes.

Despatches of exportation, February 10, 1846.

Africa—In the American brig Malaga, Joao Ferreira da Silva, 3,000 segars; Pinto, Guimaraes & Aquino, 500 sacks meal.

Despatches of exportation, February 12, 1846.

Africa—In the American brig Vintage, J. F. Rodrigues da Silva, 50 pipes brandy.

Despatches of exportation, February 13, 1846.

Africa—In the American brig Malaga, Gabriel de Souza Pereira, 12 cheeses.

Vessels despatched, February 13, 1846.

St. Thomas and ports of Africa—American brig Malaga, 210 tons; consignee, C. J. Lovett; manifests 72 pipes, 40 casks, and 28

demijohns brandy, 29 barrels sugar, 31 sacks rice, 30 barrels cakes, 42 barrels biscuit, 500 sacks meal, 80 rolls tobacco, 3 barrels coffee, 3 boxes segars, 2 packages wooden shoes, various articles of clothing, different toys, and 90 packages dry goods; and re-exported 57 packages foreign dry goods, 27 barrels salt beef, and 80 kegs powder.

Departures, February 14, 1846.

St. Thomas and Africa—American brig Malaga, 210 tons; master C. J. Lovett; crew 9; cargo various articles. Passengers, the Portuguese José Gomes Vianna and one servant, and José Maria de Freitas.

Despatches of exportation, February 16, 1846.

Africa—In the American brig Vintage, J. F. Rodrigues da Silva, 54 pipes brandy.

Despatches of exportation, February 20, 1846.

Africa—In the American brig Vintage, J. F. Rodrigues da Silva, 51 pipes brandy.

Despatches of exportation, February 28, 1846.

Africa—In the American brig Vintage, J. F. Rodrigues da Silva, 31 pipes brandy.

Despatches of exportation, March 2, 1846.

Africa—In the American brig Vintage, J. F. Rodrigues da Silva, 21 pipes brandy.

Despatches of exportation, March 3, 1846.

Africa—In the American brig Vintage, J. S. Imenes, 200 arrobas dried beef; Manoel Goncaloes Pereira Braga, 200 sacks meal.

Despatches of exportation, March 4, 1846.

Africa—In the American brig Vintage, C. Coleman & Co., 18,500 segars; Antonio Gomes Neto, 300 gold coins of \$3 50.

Despatches of exportation, March 5, 1846.

Africa—In the American brig Vintage, Joaquim José Pacheco, 1 bundle of whips, 9 boxes soap, 4,000 segars, and 24 cheeses.

Arrivals, March 7, 1846.

Coast of Africa—26 days—American barque Z. D., 342 tons; Bassett, master; crew 9; in ballast to Maxwell. Passengers, 47; remains in quarantine.

Despatches of exportation, March 7, 1846.

Africa—In the American brig Vintage, C. Coleman & Co., 340 coins of \$3 50.

Vessels despatched, March 7, 1846.

Africa—American brig Vintage, 237 tons; consignees, C. Coleman & Co.; manifests 190 pipes brandy, 45 barrels and 30 parals dried beef, 74 boxes segars, 20 boxes refined sugar, 20 sacks meal, 640 coins of \$3 50; and re-exported 98 barrels flour, 1,600 kegs powder, 35 do, and various toys.

Departures, March 10, 1846.

Loanda—American brig Vintage, 237 tons, M. N. Augustus Foye; master; crew 10; cargo various articles. Passengers, Joao Gomes de Lima, the Portuguese Antonio Borges de Lacorda, Maria Magdelena, José Joaquim Pacheco and one servant.

Arrivals, April 1, 1846.

Quilongo, (coast of Africa)—31 days—American brig Harriet, 225 tons, Jervis, master; crew 16; in ballast to Birkhead; remains in quarantine.

Arrivals, April 7, 1846.

Onim—35 days—American barque Cuba, 233 tons, S. Blanchard, master; crew 10; in ballast to order; in the custody of the police.

Arrivals, May 5, 1846.

Loanda—30 days—American brig Beulah, 198 tons, L. W. Merrill, master; crew 10; in ballast to the master; taken charge of by the police, in order to undergo examination by the sub-delegate of Santa Rita.

Despatches of exportation, May 6, 1846.

Africa—In the American schooner Frances Ann, Fonseca Guimaraes & Co., 2 parcels of tobacco, in leaf, 1 sofa, and 150 straw hats.

Vessels despatched, May 12, 1846.

Africa—American brig *Frances Ann*, 246 tons; consignee, G. Birckhead; manifests 40 pipes brandy, 1 barrel coffee, 10 barrels cakes, 3 barrels rice, 2 kegs bacon; and re-exported 100 kegs powder, 34 packages foreign dry goods, 8 cases muskets and toys.

Despatches of exportation, May 12, 1846.

Africa—In the American brig *Casket*, Vieira Peixoto, 20 pipes brandy; Felix Antonio Moreira, 80 sacks and 26 barrels black beans, 51 sacks and 48 barrels meal, 290 arrobas dried beef, and 18 sacks rice.

Departures, May 13, 1846.

Coast of Africa—American brig *Frances Ann*, 220 tons, William Tate, master; crew 8; cargo various articles. Passengers, the Spaniards Francisco Rodrigues and Francisco Pires, the Sardinian Luiz Martini, and the Italian Francisco Artice.

Despatches of exportation, May 16, 1846.

Africa—In the American brig *Casket*, J. F. Guimaraes, 15,000 segar.

Vessels despatched, May 20, 1846.

Africa—American brig *Casket*, 283 tons; consignee, J. Birckhead; manifests 80 sacks and 26 barrels black beans, 3 barrels and 14 sacks rice, 48 barrels and 55 sacks meal, 1 bag coffee, 4 boxes segars, 15 barrels and 52 parcels dried beef, 80 kegs brandy, 485 pieces of timber for building, and 29 planks, 10 boxes tow, 5 kegs biscuits and toys.

Departures, May 23, 1846.

Coast of Africa—American brig *Casket*, 183 tons, Henry E. Woodbury, master; crew 7; cargo various articles. Passengers, José Pereira da Silva, the Portuguese José de Lemose Silva, Joao da Cunha Brito, José Maria da Costa, Manoel José de Brito, and Antonio Joaquim dos Santos.

Arrivals, July 6, 1846.

Angola and Ambriz—34 days—American brig *Vintage*, 199 tons, Wm. Edwards, master; crew 9; in ballast to Francisco José Pacheco.

Despatches of exportation, July 13, 1846.

Benguella—In the American brig Beulah, Ricardo Antonio Rodrigues, 29 pipes brandy.

Despatches of exportation, July 14, 1846.

Benguella—In the American brig Beulah, R. A. Rodrigues, 25 pipes brandy.

Despatches of exportation, July 15, 1846.

Benguella—In the American brig Beluah, Agostinho de Souza, 10 pipes brandy.

Despatches of exportation, July 18, 1846.

Benguella—In the American barque Beulah, R. A. Rodrigues, 21 pipes brandy.

Despatches of exportation, July 21, 1846.

Benguella—In the American barque Beulah, A. de Souza, 10 pipes brandy.

Despatches of exportation, July 24, 1846.

Africa—In the American brig Chipola, re-exported José Antonio Fernandes Lima, 183 packages of foreign merchandise.

Benguella—In the American brig Beulah, M. R. da Silva, 30 barrels liquor.

Arrivals, July 24, 1846.

Sang Tang (Africa)—19 days—American schooner Francès Ann, 272 tons, M. Tate, master; crew 8; in ballast to Birckhead. Passengers, J. P. Gondencio Torres; in the custody of the police.

Despatches of exportation, July 28, 1846.

Africa—In the American brig Vintage, J. F. R. da Silva, 36 pipes brandy.

Benguella—In the American brig Beulah, re-exported José Ferreira Maria, 10 packages foreign dry goods.

Vessels despatched, July 29, 1846.

Coast of Africa—American brig Chipola, 209 tons; consignee Wm. McLennan; manifests 191 packages dry goods.

Departures, July 30, 1846.

Africa—American brig Chipola, 209 tons; Wm. McLennan, master; crew 10; cargo dry goods.

Despatches of exportation, July 31, 1846.

Benguella—In the American brig Beulah, J. J. da Silva, Guimaraes & Co., 9 pipes brandy.

Despatches of exportation, August 3, 1846.

Africa—In the American schooner Frances Ann, Pinto, Guimaraes & Aquino, 500 sacks meal; M. da C. Rocha, 12 barrels sugar.

Angola—In the American brig Vintage, E. José Ramos, 6 pipes brandy.

Despatches of exportation, August 4, 1846.

Africa—In the American schooner Francis Ann, F. A. de Andrade, jr., 6 barrels bacon; J. R. de Souza, 40 pieces of domestic goods, 12 packages iron, 3 do leather; Pinto, Guimaraes & Aquino, 30 sacks rice, 300 do black beans; J. B. Barbedo, 500 arrobes dried beef.

Angola—In the American brig Vintage, A. de Souza, 8 pipes brandy; J. J. da Silva, Guimaraes & Co., 10 pipes do.

Benguella—In the American brig Beulah, D. J. P. Bastos, 20,000 segars; M. R. da Silva, 2 barrels segars.

Despatches of exportation, August 5, 1846.

Africa—In the American schooner Frances Ann, F. A. Moreira & Co., 8 parcels dried beef, 40 sacks meal; J. A. F. Lima, 27 barrels beef; A. de Souza, 8 pipes brandy; re-exported, J. A. F. Lima, 10 boxes candles; J. A. S. Pinto, 10 barrels biscuit, 10 do cakes, 12 sacks meal.

Africa—In the American brig Vintage, J. F. R. da Silva, 30 pipes brandy.

Benguella—In the American brig Beulah, Sabroso, Porto & Co., 20 rolls tobacco.

Despatches of exportation, August 6, 1846.

Africa—In the American brig Frances Ann, F. A. Moreira & Co., 30 sacks black beans.

Despatches of exportation, August 7, 1846.

Africa—In the American brig Frances Ann, F. J. Xavier, 40 barrels dried beef, 2 do bacon; A. de Souza, 25 pipes brandy.

To the editor of the Evening Mail :

SIR: The late message of Mr. President Tyler to Congress, in which he accuses "English brokers and capitalists" of participation in the slave trade, and the implied sanction given to the charge by Sir Robert Peel, in his reply to Mr. Aldam's question on the apprenticeship mistake contained in the same message, involve charges too grave and odious to be passively recorded in a State paper and on the journals of the House of Commons, against the honor of England and the character of her merchants, without further inquiry and explanation. Whether true or false, the charges should be fairly made, and openly and fairly met. They are not such as we ought to be afraid to investigate and probe to the bottom. I, therefore, claim a place in your impartial and influential journal for a few observations on the subject. Sir Robert Peel has clearly shown that the apprenticeship charge was founded in ignorance or falsehood; I undertake to show that the other charge which has been honored with the meed of his implied approbation, is as unfounded and unjust as the one he contradicted. But, in justice to Mr. President Tyler and the right honorable baronet, a few preliminary observations are necessary in order to show that their mistakes and ignorance on these subjects, egregious and lamentable though they be, are not altogether without precedent and example.

We have spent £20,000,000 to abolish slavery, and £20,000,000 more to repress the slave trade; yet does no one nation under heaven give us credit for disinterested sincerity in this large expenditure of money and philanthropy. Whether the calm verdict of posterity will redress this injustice, time alone can show. How far the late discussion on the sugar duties is calculated to remove this prejudice, I shall not stop to inquire. The misrepresentations of foreign slave trading and slave holding interests undoubtedly have their share in the propagation and maintenance of this scepticism. But do we not, let me ask, tolerate at home a system of public delusion and personal calumny, to which may be traced, if not the origin, at least the strength of these misrepresentations? It would occupy too much of your valuable space to give all the affirmative proofs which might be adduced in answer to this question; I shall content myself with one.

About four or five years ago, when the failure of our anti-slave trade efforts began to break in upon the public mind, some new diversion was deemed to be necessary by those who had hitherto guided the proceedings of the government in this matter. To hide the discomfiture of their past policy, and yet to maintain their influence over government, that failure had to be accounted for on some other ground than the real one. A "cry" was accordingly got up against our manufacturers and merchants for making and selling goods which it was alleged were afterwards used in the slave trade. This accusation was listened to. A person was engaged and sent abroad, at the expense of government, to rake up proofs in its support. He, of course, knew his errand too well to

return home empty handed. He discovered what all the world who knew any thing of the matter knew before, that the agents of the Spanish and Brazilian slave traders purchased goods manufactured in, and sent from, this country, with which to assort their investments, in addition to tobacco, rum, sugar, and other articles of their own produce, for purchasing slaves. But he did not discover, or, if he did discover, he forgot to report, that it was impossible for the British merchant to prevent this without ceasing to trade with Brazil, Cuba, and the coast of Africa altogether; and that if even England did give up those trades, her abandonment of them could not interrupt for one hour the supply of goods to the slave trader, because foreigners would instantly furnish him with the whole of what they already supplied a part. There might be a momentary interruption to the supply of some particular pattern of cotton goods, but of no longer duration than the pattern could travel to France or America, and return out again; while in the interim the trade would be supplied with what most nearly resembled it.

Moreover, the reporter forgot to mention the important fact, that it was to British merchants and to British trade the cause of humanity and civilization owe nearly all that has yet been done for the repression of the slave trade. British merchants and British commerce have long since driven the trade from all those places on the coast of Africa, which were, forty years ago, the great marts of the traffic in human flesh when it was carried on by England, viz: the Gambia, Rio Nunez, Sierra Leone, and the Gold coast; and British trade and British merchants are rapidly conferring the same blessing on Bissoa, Whydah, Bonny, and several other places, notwithstanding the calumnies which have been got up in England to scare them from the good work.

Well, the report alluded to was brought home, and in it several merchants were insulted by name, as aiding and abetting the slave trade by selling goods, through their agents and correspondents, to parties who might afterwards use them in the purchase of slaves. The charges were grave and serious, and gravely and seriously they were treated. The report was referred to a select committee of the House of Commons for investigation, composed of the leading men of the anti-slavery party. The reporter himself was examined in support of his bill of indictment; to what purpose may be inferred from the fact that the committee so constituted, in their report, expressly disavow all belief in his statements. With the exception of the reporter, not one of the many who had been instrumental in raising the outcry ventured to present himself for examination before the committee, and thus were the calumniators silenced for that time. Their charges were sifted by the committee thoroughly, and were found to be utterly destitute of truth; the merchants, against whom they were levelled, were not only acquitted of any connivance with the slave trade, but it was confessed that, by introducing legitimate commerce into the haunts of the slave trade, they were employing one of the surest and most beneficial agents in the extirpation of that traffic. Thus was the slander

nipped in the bud at home, but only to be sown in other countries. Foreigners, always ready to impugn our motives and misrepresent our conduct on this great question, heard the calumnies, but would not listen to the refutation. The charges were echoed back by the slave trade party in France, and we now find them repeated from America, on no less authority than the President of the United States. Mr. Tyler thus describes the transactions imputed to our brokers and merchants:

“American vessels, with the knowledge, as there are good reasons to believe, of the owners and masters, are chartered, or rather purchased, by notorious slave dealers in Brazil, aided by English brokers and capitalists, with this intent. The vessel is only nominally chartered at so much per month, while, in truth, it is actually sold, to be delivered on the coast of Africa, the charter party binding the owners in the mean time to take on board, as passengers, a new crew in Brazil, who, when delivered on the coast, are to navigate her back to the ports of Brazil, with her cargo of slaves.

“Under this agreement the vessel clears from the United States for some port in Great Britain, where a cargo of merchandise, known as ‘coast goods,’ and designed especially for the African trade, is purchased, shipped, and consigned, together with the vessel, either to the slave dealer himself, or to his agents or his accomplices in Brazil. On her arrival a crew is put on board as passengers, and the vessel and cargo are consigned to an equally guilty factor or agent on the coast of Africa, where the unlawful purpose, originally designed, is finally consummated. The merchandise is exchanged for slaves, the vessel is delivered up, her name obliterated, her papers destroyed, her American crew discharged, to be provided for by the charterers, and the new or passenger crew put in command, to carry back its miserable freight to the first contrivers of the voyage, or their employers in Brazil.”

Now, sir, I will undertake to say that no such transaction, as Mr. President Tyler here describes, ever once took place in the history of the slave trade. I confidently and fearlessly pronounce this statement to be as foul a misrepresentation as that contained in the same message respecting the apprenticeship system in the West Indies. And I say this, notwithstanding England’s prime minister, in denying the latter falsehood, has gone out of his way to give a vague sanction to the former untruth. I repeat it, there is not a syllable of truth in this charge. No such transaction ever took place. The slave ships, it is well known, are nearly all built in the United States, and sold to Spanish and Portuguese slave traders. Not one of them was ever known to touch the British shores, except after capture by our cruisers. There can be no mistake in this matter, because the “slave clippers,” as they are called, are of a construction and appearance so peculiar and striking, as to attract marked attention wherever they are seen; and I call upon any custom-house officer, or other person connected with shipping in England, to say whether he ever saw one of these vessels from the United States loading a cargo of goods in this country for Cuba or Brazil, or anywhere else, previous to her capture and condemnation

as a slaver. The story is, from first to last, a pure invention, obviously got up for the dishonest purpose of falsely connecting British merchants and brokers with Brazilian and American subjects in these transactions.

With respect to those vague allegations, of which Mr. Tyler neither offers particulars nor proofs, it is impossible to grapple with him; but with such proofs of the falsehood of his definite charges, what must we think of his vague ones? It is possible there may be Englishmen in Brazil and elsewhere, who have disgraced themselves and their country by slave trading. If so, let them be named, exposed, and, if possible, punished; but let not whole bodies of honorable men be subjected to the unmerited odium of a horrible accusation on their account. The character of no African or American merchant can be safe, while calumny is so carelessly or maliciously scattered abroad on such a subject. Let any man read the evidence given before the committee already alluded to, in reference to similar charges against the African merchants, and he will see how easily rash or ignorant men may fall into mistakes, and how easily wicked men may invent lies, on this subject. It was then proved, on the highest and best testimony, in answer to such charges, that, so far from being true, they were the very reverse of truth, and that by pushing legitimate trade into the very haunts of the slave trader, we take the most effectual means of putting down the slave trade, by planting legitimate trade in its place among the natives. If, however, you differ with those witnesses, and the report of the committee, then proscribe your trade with Africa; put down our manufacturers, put down our trade with Brazil and Cuba, but do not continue and encourage those branches of commerce, and at the same time calumniate those who carry them on. And now comes the point in reference to Sir Robert Peel, to which I wish particularly to direct your attention.

I have shown, and I challenge contradiction on the subject, that Mr. Tyler's charge against British manufacturers and merchants is untrue; Sir Robert Peel has endorsed the falsehood in his place in parliament; but why did not the right honorable baronet follow the good advice he gives Mr. Tyler, in reference to the apprenticeship calumny, and inquire into the truth of the charge before he sanctioned it? The West India interests, and his new friends of the anti-slavery society, ought not surely to have monopolized all his inquiries. I fear the right honorable baronet takes his inspiration on these matters from an impure source, as he will probably by and by discover.

And who are they whose calumnies against our merchants and manufacturers are thus re-echoed in the House of Commons? Who is Mr. Wise, the authority on whom Mr. Tyler professes to rely for the truth of his charges? Mr. Wise is, I believe, one of the most reckless and unscrupulous advocates of slavery even in the United States, and, like Mr. Tyler, himself a large slave holder. He is known to have publicly declared that he would uphold slavery with the last drop of his blood; and it is on the authority of such men as these, and in reference to a message drawn up by

Mr. Calhoun, the author of the letter to Mr. King, and for a kindred purpose, that Sir R. Peel stands up in his place in parliament and lends a vague sanction to such abominable accusations against his countrymen! If he believes in these charges, why not produce his proofs? Why delay one hour in instituting a searching inquiry into their truth, in order that the guilty parties, if any such there be, may be exposed, and, if possible, punished? Can any thing be more cruel and unjust than to deal in such indiscriminate charges and not attempt their substantiation? If he have proofs, let him produce them; if he have none, why insinuate a charge on the authority of such a man as Mr. Wise?

I know not what Sir Robert Peel's experience may be in such matters, but I can safely say that in nearly forty years' experience of my own, I have never either known or heard of any English merchant or manufacturer being directly, or even indirectly, concerned in the slave trade, nor have I ever met with any candid man, informed on the subject, who believed in any thing of the kind. So far from deserving to be the objects of calumny and suspicion, I consider my countrymen entitled to the highest credit for their upright and faithful observance of the laws against the slave trade, whatever Mr. Wise may say or invent to the contrary.

There is a gentleman recently arrived in this country, who has occupied an important public post on the coast of Africa with distinguished ability and great advantage to the cause of humanity and civilization for upwards of 14 years, who has been, during the whole of that period, in constant communication with our naval officers, and other persons the most cognizant of what has been going on there of late years, and who probably knows more on the subject of the slave-trade than any man living. Why does not Sir Robert Peel seek information from such sources before he ventures to reiterate the calumnies of Mr. President Tyler in the British House of Commons? If the right honorable baronet is so hard pressed for an apology for his conduct on the sugar duties, I beseech him to betake himself to some more worthy means of self-justification than a cry against his countrymen for slave trading on the authority of Messrs. Tyler and Wise.

I am, sir, your obedient servant,

A BRITISH MERCHANT.

Mr. Wise to Mr. Hamilton.

LEGATION OF THE UNITED STATES,

May 11, 1846.

Sir: Attached to a commission to take depositions, directed by a United States court to the United States consulate, at Rio de Janeiro, in the case of the Porpoise, and now in the office of the consul, is the charter party of that vessel, which actually brought two slaves into this port, and which was the tender of the slaver Kentucky, in the hand writing of Weetman. Mr. Hesketh can have

access to it at any time before it is returned to the United States, as it must be soon, and Mr. Rainsford, the clerk of Mr. Parks, and others, if called on, can prove it to be in the handwriting of Weetman. *It was made with Fonseca.* Will you please say, in answer to this, whether a bounty is paid, under the British law, on the tonnage of the vessel as well as on the slaves, in cases where the prize is captured with slaves on board? A tonnage bounty is paid, I know, where the prize is captured without slaves.

Most truly and respectfully, &c.,

H. A. WISE.

His Excellency HAMILTON HAMILTON, &c.

Mr. Hamilton to Mr. Wise.

BRITISH LEGATION, *May 13, 1846.*

SIR: When I had the honor yesterday, to receive your letter of the 11th instant, I was not perfectly certain upon the point respecting which it requested information. Since then I have ascertained that a tonnage bounty is paid, under British law, upon all vessels condemned for trading in slaves, whether captured with slaves on board, or without slaves; but at a different rate, in the former case £1 10s. per ton; in the latter, of £4 per ton.

I have to thank your excellency for the information your letter supplies respecting the charter party of the Porpoise; and I shall forthwith instruct Mr. Hesketh on the subject.

I have, &c.,

HAMILTON HAMILTON.

His Excellency H. A. WISE, &c.,